

SENATE BILL REPORT

SB 5583

As of January 31, 2023

Title: An act relating to improving young driver safety.

Brief Description: Improving young driver safety.

Sponsors: Senators Liias, Wilson, C., Kauffman, Valdez, Lovelett, Lovick, Nguyen and Nobles.

Brief History:

Committee Activity: Transportation: 1/31/23.

Brief Summary of Bill

- Requires individuals between the ages of 18 and 25, beginning January 1, 2026, to complete one of two driver training education courses, and a prescribed term of driver monitoring technology use to obtain a driver's license.
- Authorizes the Department of Licensing (DOL) to require driver's instruction permit and intermediate license applicants and holders, and drivers' licensees under 25, beginning January 1, 2026, to complete a term of use of driver monitoring technology.
- Authorizes DOL to allow the classroom portion of driver training instruction to include self-paced, online components.
- Requires DOL to publish an interactive map of all driver training education course providers that includes certain contact information and course and program pricing reported to DOL annually.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Brandon Popovac (786-7465)

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.

Background: Driver Training Education. The Department of Licensing (DOL) requires individuals under the age of 18 to obtain an instruction permit, and to complete a driver training education course to be eligible to obtain an intermediate driver's license. These requirements do not apply to individuals aged 18 or older.

For individuals under the age of 18, DOL may waive the driver training requirement if they satisfy certain conditions established in statute and rule, or if they were licensed to drive a motor vehicle or motorcycle outside of the state and provide proof they completed an equivalent driver training education course. To meet the traffic safety education requirement for a motorcycle endorsement, the individual must successfully complete a motorcycle safety education course that meets standards established by DOL.

Private driver training schools and some school districts offer driver training education courses.

Driver Training Education Curriculum. The Office of the Superintendent of Public Instruction (OSPI) and DOL are required to jointly develop and maintain a required curriculum for school districts and approved private schools operating a traffic safety education program. The director of DOL is responsible for the administration and enforcement of laws pertaining to private driver training schools and driver training education courses, and may adopt and enforce administrative rules related to these laws.

DOL must develop and maintain a basic minimum required curriculum for school districts and private driver training schools. The minimum length of instruction, as set by administrative rule, is 30 hours of classroom instruction, six hours of driving experience, and four hours of driving observation time.

Classroom instruction may be offered through in-person, classroom-based instruction or virtual classroom-based student instruction with a live instructor, as set by administrative rule.

Driver's Instruction Permit. An applicant is eligible for a driver's instruction permit when that applicant has passed the vision and written examinations, and is either at least 15 and one-half years old or 15 years old and enrolled in a driver training education course offered by a school district and certified by OSPI or offered by a private driver training school licensed and inspected by DOL. DOL may waive the written examination requirement if, at the time of application, an applicant is enrolled in a driver training education course.

Intermediate Driver's License. Individuals between the ages of 16 and 18 are eligible for an intermediate driver's license if certain criteria are met, including:

- possession of a valid instruction permit for at least six months;
- passed a driver's licensing examination; and
- passed a driver training education course.

Among certain restrictions, an intermediate license holder may not operate a motor vehicle between the hours of 1 a.m. and 5 a.m., except when the holder is accompanied by a parent, guardian, or licensed driver who is at least 25 years of age.

Driver's Licensing Examination. To obtain a driver's license, an individual must pass a driver's licensing examination. The driver's licensing examination includes a written test of the applicant's knowledge of traffic laws and ability to understand and follow the laws that regulate traffic and a skills test of the applicant's ability to safely operate a motor vehicle on roadways without endangering the public or property. Private driver training schools and school districts that offer a traffic safety education program may administer both portions of the driver's licensing examination.

Driver Monitoring Technology. Driver monitoring technology is a system used to gauge whether a person behind the wheel is alert and attentive while driving a vehicle. Such technology can be pre-equipped in certain vehicles or made available through specific mobile applications, and may be offered for use by motor vehicle insurance companies for policy holders.

Summary of Bill: Driver Training Education. Beginning January 1, 2026, every individual at least 18 years of age but under 25 years of age must, in addition to other skills and written examination requirements required by DOL, meet either of the following requirements, unless waived by DOL, to obtain a driver's license:

- satisfactorily complete a driver training education course offered by a licensed private driver training school or school district and a prescribed term of driver monitoring technology use as determined by DOL in rule; or
- satisfactorily complete a condensed traffic safety education course offered by a licensed private driver training school or school district and a prescribed term of driver monitoring technology use as determined by DOL in rule, but is of a longer duration than the term of use required for a person opting to complete a driver training education course.

Condensed traffic safety education course is defined as a course of instruction in traffic safety education approved and licensed by DOL, and authorized by OSPI where applicable, and intended for novice drivers between 18 and 25 years of age, consisting of at least eight hours of classroom instruction and one hour of behind-the-wheel instruction that follows the approved curriculum determined by DOL in rule.

Persons at least 18 years of age but under 25 years of age applying for a motorcycle endorsement must satisfactorily complete a motor cycle safety education course established by DOL.

DOL may waive driver training education requirements if the applicant was licensed to drive a motor vehicle or motorcycle in a reciprocal jurisdiction outside of the state or provides proof they have had an equivalent driver's training education from a reciprocal

jurisdiction.

The classroom portion of instruction under a traditional driver training education course is clarified to include in-person instruction or virtual instruction with a live instructor, consistent with DOL rule. The classroom portion may also include self-paced, online components authorized and certified by DOL.

DOL must publish on its website an interactive map of all driver training education course and traffic safety education program providers, including motorcyclist, commercial driver, or any other driving training and testing provider certified by DOL. The interactive map, at a minimum, must provide certain provider contact information, course and program pricing, and services offered by language. Such providers must report course and program pricing to DOL annually.

Intermediate Driver's License. Nighttime driving restrictions for intermediate license holders are modified to allow holders to operate a motor vehicle between the hours of 1:00 a.m. and 5:00 a.m. if accompanied by a licensed driver at least 25 years old, or for school, religious, or employment activities for the holder of their immediate family member.

Driver Monitoring Technology. Beginning January 1, 2026, DOL may also require driver's instruction permit and intermediate license applicants and holders, and drivers' licensees under the age of 25, to complete a prescribed term of use of driver monitoring technology determined by DOL in rule. Such rules must include under which circumstances driver monitoring technology is required, duration of required use, restriction criteria, license revocation and suspension procedures, and contingency procedures when the technology fails to provide timely or accurate data. DOL must consider equity and environmental justice principles and impacts to overburdened communities when rule-making. Any data provided to DOL from driver monitoring technology is for the confidential and exclusive use of DOL, and is exempt from public disclosure.

Driver monitoring technology is defined as 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 sends such data to DOL or its service provider, with the intent to modify driving behavior and improve road safety outcomes for young drivers and high-risk drivers.

Appropriation: None.

Fiscal Note: Requested on January 25, 2023.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: It is anticipated that with this bill more young adults will enroll in driver's education and not wait until turning 25 years of age. An odd transition might occur with driver's licenses being issued to the 18 to 25 year-old cohort before the new driver's education requirements take effect. Driver training vehicles should be exempted from any driver monitoring technology requirements. New curriculum will be difficult to implement. The authorization for classroom instruction to include online components should be removed.

OTHER: Robust traffic safety data shows that novice drivers who do not complete driver's education have significantly higher rates of sustaining injuries or being involved in crashes. NHTSA has examined the efficacy of driver's education for this cohort and have concluded graduated licensing requirements or other certain restrictions are beneficial. Crash risk does not go away for drivers who are 23 to 25 years old. It is beneficial for young drivers to receive quality instruction and experience and have the ability to make mistakes under supervision. DOL has struggled with balancing this new requirement for young adult driver's education with resulting driver's education costs and persistent equity concerns. The bill's significant fiscal impact is not included in the budget. There are privacy issues with use of driver monitoring technology. The use of such technology should first be studied, thus reducing the bill's fiscal impact. The interactive map will advise new drivers as to language services offered by some driver training schools. Fifty-nine thousand driver's license applicants are estimated to be impacted by the bill based on a four-year average.

Persons Testifying: PRO: Senator Marko Liias, Prime Sponsor; Lynn Rogers, Professional Driving School Association of Washington.

OTHER: Mark McKechnie, Washington Traffic Safety Commission; Beau Perschbacher, WA Dept. of Licensing.

Persons Signed In To Testify But Not Testifying: No one.