
SENATE BILL 5583

State of Washington

68th Legislature

2023 Regular Session

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

Read first time 01/26/23. Referred to Committee on Transportation.

1 AN ACT Relating to improving young driver safety; amending RCW
2 46.20.055, 46.20.075, 46.20.100, and 46.82.280; reenacting and
3 amending RCW 28A.220.020; adding new sections to chapter 46.20 RCW;
4 adding a new section to chapter 46.82 RCW; and adding a new section
5 to chapter 42.56 RCW.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.20
8 RCW to read as follows:

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

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

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

17 (A) A driver training education course as defined in RCW
18 28A.220.020; or

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

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

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

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

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

14 (A) A condensed traffic safety education course as defined in RCW
15 28A.220.020 for a course offered by a school district or approved
16 private school; or

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

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

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

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

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

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

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

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

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

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

13 **Sec. 2.** RCW 46.20.055 and 2021 c 158 s 3 are each amended to
14 read as follows:

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

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

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

23 (i) Has submitted a proper application; and

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

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

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

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

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

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

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

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

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

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

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

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

22 **Sec. 3.** RCW 46.20.075 and 2011 c 60 s 44 are each amended to
23 read as follows:

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

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

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

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

34 (d) Present certification by his or her parent, guardian, or
35 employer to the department stating (i) that the applicant has had at
36 least (~~fifty~~) 50 hours of driving experience, (~~ten~~) 10 of which
37 were at night, during which the driver was supervised by a person at
38 least (~~twenty-one~~) 21 years of age who has had a valid driver's
39 license for at least three years, and (ii) that the applicant has not

1 been issued a notice of traffic infraction or cited for a traffic
2 violation that is pending at the time of the application for the
3 intermediate license;

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

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

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

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

25 (4) The holder of an intermediate license may not operate a
26 moving motor vehicle while using a wireless communications device
27 unless the holder is using the device to report illegal activity,
28 summon medical or other emergency help, or prevent injury to a person
29 or property.

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

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

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

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

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

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

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

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

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

18 **Sec. 4.** RCW 46.20.100 and 2017 c 197 s 7 are each amended to
19 read as follows:

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

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

30 (a) To meet the traffic safety education requirement for a
31 driver's license, the applicant must satisfactorily complete a driver
32 training education course as defined in RCW 28A.220.020 for a course
33 offered by a school district or approved private school, or as
34 defined by the department of licensing for a course offered by a
35 driver training school licensed under chapter 46.82 RCW. The course
36 offered by a school district or an approved private school must be
37 part of a traffic safety education program authorized by the office
38 of the superintendent of public instruction and certified under
39 chapter 28A.220 RCW. The course offered by a driver training school

1 must meet the standards established by the department of licensing
2 under chapter 46.82 RCW. The driver training education course may be
3 provided by:

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

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

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

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

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

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

21 (iii) He or she has the ability to operate a motor vehicle in
22 such a manner as not to jeopardize the safety of persons or property.
23 The department may adopt rules to implement this subsection (2)(c) in
24 concert with the supervisor of the traffic safety education section
25 of the office of the superintendent of public instruction.

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

31 **Sec. 5.** RCW 46.82.280 and 2017 c 197 s 8 are each amended to
32 read as follows:

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

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

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

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

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

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

23 ~~((+5))~~ (6) "Driver training education course" means a course of
24 instruction in traffic safety education approved and licensed by the
25 department of licensing that consists of classroom and behind-the-
26 wheel instruction that follows the approved curriculum.

27 ~~((+6))~~ (7) "Driver training school" means a commercial driver
28 training school engaged in the business of giving instruction, for a
29 fee, in the operation of automobiles.

30 ~~((+7))~~ (8) "Enrollment" means the collecting of a fee or the
31 signing of a contract for a driver training education course.
32 "Enrollment" does not include the collecting of names and contact
33 information for enrolling students once a driver training school is
34 licensed to instruct.

35 ~~((+8))~~ (9) "Fraudulent practices" means any conduct or
36 representation on the part of a driver training school owner or
37 instructor including:

38 (a) Inducing anyone to believe, or to give the impression, that a
39 license to operate a motor vehicle or any other license granted by
40 the director may be obtained by any means other than those prescribed

1 by law, or furnishing or obtaining the same by illegal or improper
2 means, or requesting, accepting, or collecting money for such
3 purposes;

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

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

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

16 (~~(9)~~) (10) "Instructor" means any person employed by or
17 otherwise associated with a driver training school to instruct
18 persons in the operation of an automobile.

19 (~~(10)~~) (11) "Owner" means an individual, partnership,
20 corporation, association, or other person or group that holds a
21 substantial interest in a driver training school.

22 (~~(11)~~) (12) "Person" means any individual, firm, corporation,
23 partnership, or association.

24 (~~(12)~~) (13) "Place of business" means a designated location at
25 which the business of a driver training school is transacted or its
26 records are kept.

27 (~~(13)~~) (14) "Student" means any person enrolled in an approved
28 driver training course.

29 (~~(14)~~) (15) "Substantial interest holder" means a person who
30 has actual or potential influence over the management or operation of
31 any driver training school. Evidence of substantial interest
32 includes, but is not limited to, one or more of the following:

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

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

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

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

1 percent or more of any class of stock in a publicly traded corporate
2 driver training school;

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

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

9 **Sec. 6.** RCW 28A.220.020 and 2017 c 197 s 2 are each reenacted
10 and amended to read as follows:

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

13 (1) "Appropriate course delivery standards" means the classroom
14 and behind-the-wheel student learning experiences considered
15 acceptable to the superintendent of public instruction under RCW
16 28A.220.030 that must be satisfactorily accomplished by the student
17 in order to successfully complete the driver training education
18 course.

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

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

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

29 (~~(4)~~) (5) "Driver training education course" means a course of
30 instruction in traffic safety education (a) offered as part of a
31 traffic safety education program authorized by the superintendent of
32 public instruction and certified by the department of licensing and
33 (b) taught by a qualified teacher of driver training education that
34 consists of classroom and behind-the-wheel instruction using
35 curriculum that meets joint superintendent of public instruction and
36 department of licensing standards and the course requirements
37 established by the superintendent of public instruction under RCW
38 28A.220.030. Behind-the-wheel instruction is characterized by driving
39 experience.

1 (~~(5)~~) (6) "Qualified teacher of driver training education"
2 means an instructor who:

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

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

12 (~~(6)~~) (7) "Superintendent" or "state superintendent" means the
13 superintendent of public instruction.

14 (~~(7)~~) (8) "Traffic safety education program" means the
15 administration and provision of driver training education courses
16 offered by secondary schools of a school district or vocational-
17 technical schools that are conducted by such schools in a like manner
18 to their other regular courses.

19 NEW SECTION. **Sec. 7.** A new section is added to chapter 46.82
20 RCW to read as follows:

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

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

32 NEW SECTION. **Sec. 8.** A new section is added to chapter 46.20
33 RCW to read as follows:

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

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

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

21 NEW SECTION. **Sec. 9.** A new section is added to chapter 42.56
22 RCW to read as follows:

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

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