

WSR 22-24-010

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed November 28, 2022, 4:52 p.m., effective December 29, 2022]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Currently, WAC restricts the age a person can take the knowledge exam to obtain a permit beyond what is required by law. This proposal would align WAC 308-110-030 with 308-104-046 for age requirements found within RCW 46.20.055.

Citation of Rules Affected by this Order: Amending WAC 308-110-030 Administration of examinations.

Statutory Authority for Adoption: RCW 46.01.110 Rule-making authority, and 46.20.119 Reasonable rules.

Adopted under notice filed as WSR 22-17-134 on August 23, 2022.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 1, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: November 28, 2022.

Ellis Starrett  
Rules and Policy Manager

**OTS-4053.1**

AMENDATORY SECTION (Amending WSR 12-17-059, filed 8/10/12, effective 9/10/12)

**WAC 308-110-030 Administration of examinations.** (1) Schools and examiners must conduct skills tests using routes that meet department standards.

(2) Knowledge test questions must be supplied by the department or meet department criteria.

(3) Knowledge tests must be conducted in an area separate from classroom instruction or when a class is not in session, minimizing distractions or interactions.

(4) Examinations must be conducted by examiners.

(5) Knowledge test results may be used to obtain a driver license for no more than two years from the date of completion.

(6) Skills test results may be used to obtain a driver license for no more than one year from the date of completion.

(7) In accordance with the department's guidelines, schools must refer to the department for testing any applicant who has a condition that may impair their ability to operate a motor vehicle safely.

~~(8) Prior to administering the knowledge and skills tests, schools ((must)) will ensure that applicants are ((at least fifteen years of age. When the applicant is less than eighteen years of age, the applicant must have successfully completed a traffic safety education course.~~

~~(9)) properly informed regarding testing requirements and their test results. Schools must also inform applicants of the school's current retesting, refund, and grievance policies and procedures.~~

~~(9) Prior to administering the knowledge exam, schools must ensure the applicants are at least 15 1/2 years old; or 15 years old and have successfully completed a traffic safety education course.~~

~~(10) Prior to administering the skills ((test)) exam, schools ((will)) must ensure that applicants are ((properly informed regarding testing requirements and their test results. Schools must also inform applicants of the school's current retesting, refund, and grievance policies and procedures)) at least 15 years of age. When the applicant is less than 18 years of age, the applicant must have successfully completed a traffic safety education course.~~

~~((10)) (11) Applicants must possess one of the following to participate in the skills testing portion of the examination:~~

~~(a) A Washington instruction permit issued under RCW 46.20.055;~~

~~(b) A temporary authorization to drive issued on a form prescribed by the department; or~~

~~(c) A valid foreign driver's license.~~

[Statutory Authority: RCW 46.01.110 and 46.82.450. WSR 12-17-059, § 308-110-030, filed 8/10/12, effective 9/10/12.]