

WSR 25-08-091

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed April 2, 2025, 9:33 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 24-24-106.

Title of Rule and Other Identifying Information: Updates to chapter 308-108 WAC, Driver training schools.

Hearing Location(s): On May 6, 2025, at 10:00 a.m., via Zoom at [https://us06web.zoom.us/j/83465668632?](https://us06web.zoom.us/j/83465668632?pwd=WEYlcfSamp2HNTBfXOvRen9QQSRPWy.1)

[pwd=WEYlcfSamp2HNTBfXOvRen9QQSRPWy.1](https://us06web.zoom.us/j/83465668632?pwd=WEYlcfSamp2HNTBfXOvRen9QQSRPWy.1); or One-tap mobile

+12532050468,,83465668632#,,,,*152465# US,

+12532158782,,83465668632#,,,,*152465# US (Tacoma), Meeting ID 834

6566 8632, Passcode 152465 (find your local number at [https://](https://us06web.zoom.us/j/83465668632?pwd=WEYlcfSamp2HNTBfXOvRen9QQSRPWy.1)

[us06web.zoom.us/j/83465668632?](https://us06web.zoom.us/j/83465668632?pwd=WEYlcfSamp2HNTBfXOvRen9QQSRPWy.1)); or in person at 1125 Washington Street S.E., Olympia, WA 98504. Please note that there is both an in person and a virtual option. If you are not able to sign in using Zoom, your only option may be phone. Please plan on attending in person if the call-in option is not a preferred method of participating.

Date of Intended Adoption: May 7, 2025.

Submit Written Comments to: Ellis Starrett, 1125 Washington Street S.E., Olympia, WA 98504, email rulescoordinator@dol.wa.gov, by May 6, 2025.

Assistance for Persons with Disabilities: Contact Ellis Starrett, phone 360-902-3846, email rulescoordinator@dol.wa.gov, by April 29, 2025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Rule making will update curriculum, course, and instructor requirements to reflect updates to the national driver education standards and required curriculum document.

Reasons Supporting Proposal: The joint administrative rules review committee directed the department of licensing (DOL) to update the rules related to the traffic safety education curriculum. This rule making will also allow recently updated national curriculum standards to be incorporated.

Statutory Authority for Adoption: RCW 46.01.110 Rule-making authority, and 46.82.290 Administration of chapter—Adoption of rules.

Statute Being Implemented: RCW 46.82.420 Required curriculum—Revocation of license for failure to teach.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: DOL, governmental.

Name of Agency Personnel Responsible for Drafting: Colton Myers, 1125 Washington Street S.E., Olympia, WA 98504, 564-464-5716; Implementation and Enforcement: Bryan Jackson, 1125 Washington Street S.E., Olympia, WA 98504, 360-902-3854.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules are adopting or incorporating by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide

significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule; and rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Scope of exemption for rule proposal:

Is fully exempt.

April 2, 2025
Ellis Starrett
Rules and Policy Manager

RDS-6275.1

AMENDATORY SECTION (Amending WSR 25-01-054, filed 12/11/24, effective 1/11/25)

WAC 308-108-020 Definitions. The definitions of this section apply throughout this chapter unless the context clearly requires otherwise:

(1) "Adult course" means the course offered to adults who do not need the comprehensive driver training education required for minor drivers.

(2) "Behind the wheel instruction" means that portion of a traffic safety education course that consists of on-street, dual-controlled vehicle operation or similar instruction given under simulated conditions that has been approved by the director.

(3) "Branch office" or "branch classroom" means a facility within a 35-mile radius of a driver training school's established place of business, except where the 35-mile radius requirement has been waived or extended by the department as provided by RCW 46.82.360 (6)(c), that has been approved by the department for use by the driver training school.

(4) "Classroom," defined in RCW 46.82.280(2), may also include a virtual classroom environment when video conferencing technology is capable of two-way communication between the instructor and all students.

(5) "Course cost" means the price charged for a course offering before any taxes, subsidies, discounts, or other price reductions or additional fees.

(6) "Department" means the department of licensing.

(7) "Driver training education course" means the driver training education course as defined in RCW 46.82.280 and following the required curriculum.

(8) "Engage in a course of instruction" means to enroll in, schedule, collect a fee for, or sign an application for an instruction permit in order to attend or take part in a driver training education course.

(9) "Inactive instructor" means an instructor with a valid Washington instructor's license who is no longer employed by or otherwise associated with a licensed driver training school.

(10) "Instructor-led" means person-to-person learning where students can ask questions, receive feedback in real-time, and interaction and discussion are enabled.

(11) "Instructor-trainer" means a currently licensed instructor who is training traffic safety education instructors and who has not less than:

(a) One thousand hours of experience in providing traffic safety education in the past year;

(b) Five years of previous experience in providing traffic safety education; or

(c) One thousand hours or five years experience in the field of traffic safety and proof of training acceptable to the director in how to teach and train others, and not less than 300 hours of previous experience in training others.

(12) "License or endorsement test" means a test that is required to obtain a personal or commercial driver license or permit or a motorcycle permit or endorsement.

(13) "Records" means all documents, papers and reports required to own a driver training school, including but not limited to:

(a) Vehicle registration, title, insurance policy, and maintenance information;

(b) Business financial documents, such as franchise agreements, corporate documents, bank records, partnership agreements, lease agreements, and purchase and sale agreements; and

(c) Student classroom and behind-the-wheel instruction reports.

(14) "Required curriculum" means the Washington Traffic Safety Education Required Curriculum Standards, which prescribes the mandatory content and objectives for all driver education courses in Washington. These standards are jointly developed and approved by the department of licensing and the office of the superintendent of public instruction and are incorporated by reference in this chapter.

(15) "Student" means any person enrolled in an approved driver training education course who is at least 15 years of age.

AMENDATORY SECTION (Amending WSR 20-05-084, filed 2/18/20, effective 3/20/20)

WAC 308-108-155 Required curriculum. (~~((1) The required curriculum referred to in RCW 46.82.420 includes competencies to develop knowledge, skills, and awareness related to novice drivers. Training must include, but is not limited to, instruction on the following concepts outlined in the required curriculum:~~

~~(a) Rules of the road;~~

~~(b) Vehicle components;~~

~~(c) Vehicle handling;~~

~~(d) Driver behavior;~~

~~(e) Sharing the road;~~

~~(f) Attention and perception;~~

~~(g) Hazard and risk management;~~

~~(h) Vehicle maintenance/malfunctions and technology;~~

~~(i) Managing emergencies and adverse conditions;~~

~~(j) Respect and responsibility; and~~

~~(k) Vehicle technology systems.~~

~~(2) Driver training schools will cross-reference the required curriculum and the school's curriculum guide (WAC 308-108-170) on a~~

~~form provided by and submitted to the department. When changes are made that affect the cross-reference form, the school must update the cross-reference form and submit it to the department.))~~ (1) The curriculum for traffic safety education courses in Washington state shall comply with the *Washington Traffic Safety Education Required Curriculum Standards*, published and jointly approved by the department of licensing and the office of the superintendent of public instruction pursuant to RCW 46.82.420. These standards are incorporated by reference into this chapter and are available for review on the department's website.

(2) Courses must include instruction on the following concepts outlined in the required curriculum:

(a) Classroom standards:

- (i) Traffic safety education introduction;
- (ii) Vehicle components;
- (iii) Vehicle maintenance and malfunctions;
- (iv) Vehicle handling;
- (v) Vehicle safety technology systems;
- (vi) Driver behavior;
- (vii) Driver attention and perception;
- (viii) Driver respect and responsibility;
- (ix) Rules of the road;
- (x) Sharing the road;
- (xi) Perception and risk management;
- (xii) Emergencies and adverse conditions;

(b) Behind-the-wheel standards:

- (i) Vehicle components and safety technology;
- (ii) Vehicle handling;
- (iii) Driver behavior;
- (iv) Driver attention;
- (v) Sharing the road;
- (vi) Hazard awareness and navigation.

(3) Driver training schools must submit a detailed description of their course curriculum to the DOL using the designated form. This form must outline how the school's instruction fulfills the required curriculum standards, specifying whether they are using preapproved instructional resources or submitting their own materials for department review and approval.

(4) The school must update the designated form and submit changes in curriculum to the department for review and approval.