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**Transportation Committee**

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**HB 2829**

**Brief Description:** Modifying provisions concerning the regulation of driver training schools.

**Sponsors:** Representatives Wallace, Curtis, Haigh, Springer, Morrell, Hunt, Takko, Schual-Berke, Murray and Moeller; by request of Department of Licensing.

**Brief Summary of Bill**

- Makes driver training schools subject to the Uniform Regulation of Business and Professions Act.
- Expands the definition of fraudulent business practices.
- Expands the requirements related to receiving and transferring driver training school licenses.
- Increases the requirements for receiving and holding a license as a driver training instructor.
- Makes the Department of Licensing responsible for compiling the driver training school curriculum.

**Hearing Date:** 1/25/06

**Staff:** David Munnecke (786-7315).

**Background:**

From 1979 until 2002, the Department of Licensing (DOL) was responsible for completing yearly inspections of driver training schools, vehicles, and student records. The Office of the Superintendent of Public Instruction (OSPI) was responsible for teacher qualifications and training, curriculum development, and insuring that schools and instructors were following the curriculum requirements.

With the passage of ESHB 2560, the DOL became the sole agency responsible for overseeing the driver training school program. Driver training schools must meet standards set by DOL, and driver training school must be annually approved by the DOL. The OSPI continues to set the curriculum in schools, while the Driver Instructors Advisory Committee recommends the curriculum for the driver training schools. The advisory committee also updates the instructor certification standards, taking into consideration the standards set by OSPI.

When ESHB 2560 was passed there were approximately 119 schools and 407 instructors. As of June 2005, there were 214 schools and almost 800 instructor applications had been processed by the DOL.

**Summary of Bill:**

The licensing of driver training schools and instructors is under the authority of the Uniform Regulation of Business and Professions Act, giving the DOL the same authority over these groups as it has for other licensees. The DOL's ability to take disciplinary action for a variety of acts is also under the Uniform Regulation of Business and Professions Act

The definition of "fraudulent business practices" includes a variety of practices including operating a driver training school without a license, making false or misleading statements in an application, failing to keep proper records, and issuing driver training certificates without requiring completion of necessary training and instruction.

A driver training school must be inspected and its business practices reviewed prior to licensure, and a transfer of ownership requires an application to the DOL. The application fee for a driver training school license is set by the DOL by rule, along with a number of other fees.

In order to qualify for an instructor's license, an applicant must meet a variety of requirements including passage of an exam and sixty hours of instruction in the training of drivers. Once licensed, driver instructors are required to undertake professional development according to standards set by the director, and instructor's licenses must be prominently displayed. Revoked or cancelled instructor licenses must be surrendered to the DOL within ten days of the date of action.

The requirement to undergo a criminal background check includes all staff who come into contact with students, and periodic rechecking is required.

Finally, the DOL is responsible for compiling the driver training school curriculum and the curriculum must include information regarding the intermediate driver's license restrictions and sanctions.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.