
HOUSE BILL 2762

State of Washington

55th Legislature

1998 Regular Session

By Representatives Carrell, Wolfe, Kastama, D. Sommers, Keiser and Conway

Read first time 01/20/98. Referred to Committee on Transportation Policy & Budget.

1 AN ACT Relating to truancy; amending RCW 49.12.123, 46.20.100, and
2 46.20.181; adding new sections to chapter 28A.225 RCW; adding new
3 sections to chapter 46.20 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.225
6 RCW to read as follows:

7 (1) Each district shall prepare a list of its enrolled students
8 who, during the previous one hundred eighty days, have substantially
9 failed to carry out their school attendance responsibility under RCW
10 28A.225.010(1). A student shall be considered to have substantially
11 failed to carry out this responsibility if the student has been absent
12 from school without excuse for five or more school days or absent from
13 school with excuse for eighteen or more school days during the one
14 hundred eighty school days preceding the date on which the list is
15 published. For purposes of this subsection, the number of school days
16 absent without excuse or with excuse shall be determined by dividing
17 the number of hours the student was absent without or with excuse by
18 the number of hours in the student's average school day.

1 (2) No student on the district's list prepared under subsection (1)
2 of this section may enroll in a traffic safety education course offered
3 by a school district or offered by a driver training school under
4 chapter 46.82 RCW or obtain an application for a driver's license under
5 chapter 46.20 RCW.

6 (3) Students on the district's list prepared under subsection (1)
7 of this section who are absent with excuse may be removed from the list
8 upon a finding by the district that the student:

9 (a) Is physically or mentally unable to attend school;

10 (b) Is a legally emancipated student; or

11 (c) Has provided written evidence from his or her employer that the
12 student complies with RCW 28A.225.010(1)(e)(i).

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.225
14 RCW to read as follows:

15 Parents providing home-based instruction for their child shall
16 submit written evidence to the local school district that the student
17 is complying with applicable education requirements in order to qualify
18 for a license tab issued by the school district under RCW 46.20.181 and
19 section 8 of this act.

20 **Sec. 3.** RCW 49.12.123 and 1991 c 303 s 8 are each amended to read
21 as follows:

22 (1) In implementing state policy to assure the attendance of
23 children in the public schools it shall be required of any person, firm
24 or corporation employing any minor under the age of eighteen years to
25 obtain a work permit as set forth in RCW 49.12.121 and keep such permit
26 on file during the employment of such minor, and upon termination of
27 such employment of such minor to return such permit to the department
28 of labor and industries.

29 (2) Employers of students complying with RCW 28A.225.010(1)(e)(i)
30 shall submit written evidence to the department of licensing that the
31 student is complying with applicable education requirements in order to
32 qualify for a license tab issued by the school district under RCW
33 46.20.181 and section 8 of this act.

34 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.20 RCW
35 to read as follows:

1 The department of licensing shall not consider an application of
2 any minor under the age of eighteen years for a driver's license if the
3 applicant is a student subject to section 1 of this act unless the
4 department is provided proof that the applicant is not on the
5 district's list of students who have substantially failed to carry out
6 the school's attendance policy.

7 **Sec. 5.** RCW 46.20.100 and 1990 c 250 s 36 are each amended to read
8 as follows:

9 Except as provided in section 4 of this act, the department of
10 licensing shall not consider an application of any minor under the age
11 of eighteen years for a driver's license, driver's license tab renewal,
12 or the issuance of a motorcycle endorsement for a particular category
13 unless:

14 (1) The application is also signed by a parent or guardian having
15 the custody of such minor, or in the event a minor under the age of
16 eighteen has no father, mother, or guardian, then a driver's license
17 shall not be issued to the minor unless his or her application is also
18 signed by the minor's employer; and

19 (2) The applicant has satisfactorily completed a traffic safety
20 education course as defined in RCW 28A.220.020, conducted by a
21 recognized secondary school, that meets the standards established by
22 the office of the state superintendent of public instruction or the
23 applicant has satisfactorily completed a traffic safety education
24 course, conducted by a commercial driving instruction enterprise, that
25 meets the standards established by the office of the superintendent of
26 public instruction and is officially approved by that office on an
27 annual basis: PROVIDED, HOWEVER, That the director may upon a showing
28 that an applicant was unable to take or complete a driver education
29 course waive that requirement if the applicant shows to the
30 satisfaction of the department that a need exists for the applicant to
31 operate a motor vehicle and he or she has the ability to operate a
32 motor vehicle in such a manner as not to jeopardize the safety of
33 persons or property, under rules to be promulgated by the department in
34 concert with the supervisor of the traffic safety education section,
35 office of the superintendent of public instruction. For a person under
36 the age of eighteen years to obtain a motorcycle endorsement, he or she
37 must successfully complete a motorcycle safety education course that
38 meets the standards established by the department of licensing.

1 The department may waive any education requirement under this
2 subsection for an applicant previously licensed to drive a motor
3 vehicle or motorcycle outside this state if the applicant provides
4 proof satisfactory to the department that he or she has had education
5 equivalent to that required under this subsection.

6 NEW SECTION. **Sec. 6.** A new section is added to chapter 46.20 RCW
7 to read as follows:

8 Students on the district's list of students who have substantially
9 failed to carry out the juvenile's school attendance responsibilities
10 are ineligible to receive a license tab for ninety days. Following the
11 ninety-day period, if the student has complied with attendance
12 requirements by having no additional truancies or absences without a
13 medical note or preplanned arrangement with the school district, the
14 district shall issue a license tab for the remainder of the six-month
15 period under RCW 46.20.181.

16 NEW SECTION. **Sec. 7.** The superintendent of public instruction, in
17 consultation with school districts and the department of licensing,
18 shall develop necessary forms and procedures for demonstrating that
19 juveniles are not on the school district's list of students who have
20 substantially failed to carry out their school attendance
21 responsibilities. The procedures shall be established and operational
22 by September 1, 1999.

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

25 The department shall adopt rules authorizing school districts to
26 issue driver's license tabs under RCW 46.20.181.

27 **Sec. 9.** RCW 46.20.181 and 1990 c 250 s 41 are each amended to read
28 as follows:

29 (1) Every driver's license expires on the fourth anniversary of the
30 licensee's birthdate following the issuance of the license. Every such
31 license is renewable on or before its expiration upon application
32 prescribed by the department and the payment of a fee of fourteen
33 dollars. This fee includes the fee for the required photograph.

34 (2) Every driver's license for minors under the age of eighteen
35 shall include a tab that expires every six months from the date of the

1 minor's sixteenth birthday. Every such license tab is renewable on or
2 before its expiration upon application prescribed by the department.
3 If a minor applies for a license or license tab renewal under this
4 chapter the minor shall provide proof of attendance as required under
5 section 1 of this act. Failure to comply with section 1 of this act is
6 grounds for failure to renew a minor's license tab.

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