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HOUSE BILL 3069

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State of Washington                      55th Legislature                      1998 Regular Session

By Representatives Sherstad and Johnson

Read first time 01/28/98. Referred to Committee on Education.

1            AN ACT Relating to traffic safety education; amending RCW  
2 28A.220.020 and 46.20.100; and adding a new section to chapter 28A.220  
3 RCW.

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

5            **Sec. 1.** RCW 28A.220.020 and 1990 c 33 s 218 are each amended to  
6 read as follows:

7            The following words and phrases whenever used in chapter 28A.220  
8 RCW shall have the following meaning:

9            (1) "Superintendent" or "state superintendent" shall mean the  
10 superintendent of public instruction.

11            (2) "Traffic safety education course" shall mean an accredited  
12 course of instruction in traffic safety education which shall consist  
13 of two phases, classroom instruction, and laboratory experience.  
14 "Laboratory experience" shall include on-street, driving range, or  
15 simulator experience or some combination thereof. Each phase shall  
16 meet basic course requirements which shall be established by the  
17 superintendent of public instruction and each part of said course shall  
18 be taught by a qualified teacher of traffic safety education. Any  
19 portions of the course may be taught after regular school hours or on

1 Saturdays as well as on regular school days or as a summer school  
2 course, at the option of the local school districts.

3 (3) "Qualified teacher of traffic safety education" shall mean an  
4 instructor certificated under the provisions of chapter 28A.410 RCW and  
5 certificated by the superintendent of public instruction to teach  
6 either the classroom phase or the laboratory phase of the traffic  
7 safety education course, or both, under regulations promulgated by the  
8 superintendent: PROVIDED, That the laboratory experience phase of the  
9 traffic safety education course may be taught by instructors  
10 certificated under rules promulgated by the superintendent of public  
11 instruction, exclusive of any requirement that the instructor be  
12 certificated under the provisions of chapter 28A.410 RCW; or a parent  
13 providing home-based instruction in accordance with chapter 28A.200 RCW  
14 or section 2 of this act. Professional instructors certificated under  
15 the provisions of chapter 46.82 RCW, and participating in this program,  
16 shall be subject to reasonable qualification requirements jointly  
17 adopted by the superintendent of public instruction and the director of  
18 licensing.

19 (4) "Realistic level of effort" means the classroom and laboratory  
20 student learning experiences considered acceptable to the  
21 superintendent of public instruction that must be satisfactorily  
22 accomplished by the student in order to successfully complete the  
23 traffic safety education course.

24 NEW SECTION. Sec. 2. A new section is added to chapter 28A.220  
25 RCW to read as follows:

26 (1) The superintendent of public instruction shall develop a  
27 traffic safety education course for use by parents providing home-based  
28 instruction in accordance with chapter 28A.200 RCW. Parents providing  
29 home-based instruction interested in using the course shall certify to  
30 the superintendent that:

31 (a) The parent providing the instruction has a current driver's  
32 license issued by the state of Washington;

33 (b) The parent providing the instruction has not been convicted of  
34 criminally negligent homicide or driving while intoxicated; and

35 (c) The parent providing the instruction has not been disabled  
36 because of mental illness.

37 (2) Subsection (1) of this section does not authorize the  
38 superintendent of public instruction to require a parent to undergo a

1 background investigation to verify the parent's driving record or  
2 submit records verifying the parent's mental health history.

3 (3) The course developed by the office of the superintendent of  
4 public instruction must include, at a minimum, the following:

5 (a) The equivalent of thirty hours of classroom instruction;

6 (b) The equivalent of fifty hours of street driving, including  
7 highway driving;

8 (c) Four hours of classroom instruction concerning substance abuse  
9 and its effects on driving; and

10 (d) An assessment of the driving skills achieved by the student  
11 after completing the course to verify the student is ready to apply for  
12 a license to drive.

13 (4) The office of the superintendent of public instruction may not  
14 require parents interested in using the traffic safety course to  
15 participate in instructional classes to verify the parent's ability to  
16 use the course effectively.

17 **Sec. 3.** RCW 46.20.100 and 1990 c 250 s 36 are each amended to read  
18 as follows:

19 The department of licensing shall not consider an application of  
20 any minor under the age of eighteen years for a driver's license or the  
21 issuance of a motorcycle endorsement for a particular category unless:

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

27 (2) The applicant has satisfactorily completed a traffic safety  
28 education course as defined in RCW 28A.220.020, conducted by a  
29 recognized secondary school, that meets the standards established by  
30 the office of the state superintendent of public instruction ~~((or))~~,  
31 the applicant has satisfactorily completed a traffic safety education  
32 course, conducted by a commercial driving instruction enterprise, that  
33 meets the standards established by the office of the superintendent of  
34 public instruction and is officially approved by that office on an  
35 annual basis, or the applicant has successfully completed a traffic  
36 safety course developed in accordance with section 2 of this act for  
37 students receiving home-based instruction: PROVIDED, HOWEVER, That the  
38 director may upon a showing that an applicant was unable to take or

1 complete a driver education course waive that requirement if the  
2 applicant shows to the satisfaction of the department that a need  
3 exists for the applicant to operate a motor vehicle and he or she has  
4 the ability to operate a motor vehicle in such a manner as not to  
5 jeopardize the safety of persons or property, under rules to be  
6 promulgated by the department in concert with the supervisor of the  
7 traffic safety education section, office of the superintendent of  
8 public instruction. For a person under the age of eighteen years to  
9 obtain a motorcycle endorsement, he or she must successfully complete  
10 a motorcycle safety education course that meets the standards  
11 established by the department of licensing.

12 The department may waive any education requirement under this  
13 subsection for an applicant previously licensed to drive a motor  
14 vehicle or motorcycle outside this state if the applicant provides  
15 proof satisfactory to the department that he or she has had education  
16 equivalent to that required under this subsection.

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