

2 **SB 5374** - H COMM AMD
3 By Committee on Transportation

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5 On page 1, line 6, strike all of section 1, renumber the remaining
6 sections consecutively, and correct internal references accordingly.

7 On page 23, after line 21, insert the following:

8 "**Sec. 9.** RCW 46.20.041 and 1999 c 6 s 9 are each amended to read
9 as follows:

10 (1) If the department has reason to believe that a person is
11 suffering from a physical or mental disability or disease that may
12 affect that person's ability to drive a motor vehicle, the department
13 must evaluate whether the person is able to safely drive a motor
14 vehicle. As part of the evaluation:

15 (a) The department shall permit the person to demonstrate
16 personally that notwithstanding the disability or disease he or she is
17 able to safely drive a motor vehicle.

18 (b) The department may require the person to obtain a statement
19 signed by a licensed physician or other proper authority designated by
20 the department certifying the person's condition.

21 (i) The ((certificate)) statement is for the confidential use of
22 the director and the chief of the Washington state patrol and for other
23 public officials designated by law. It is exempt from public
24 inspection and copying notwithstanding chapter 42.17 RCW.

25 (ii) The ((certificate)) statement may not be offered as evidence
26 in any court except when appeal is taken from the order of the director
27 canceling or withholding a person's driving privilege. However, the
28 department may make the ((certificate)) statement available to the
29 director of the department of retirement systems for use in determining
30 eligibility for or continuance of disability benefits and it may be
31 offered and admitted as evidence in any administrative proceeding or
32 court action concerning the disability benefits.

33 (2) On the basis of the evaluation the department may:

34 (a) Issue or renew a driver's license to the person without
35 restrictions;

1 (b) Cancel or withhold the driving privilege from the person; or
2 (c) Issue a restricted driver's license to the person. The
3 restrictions must be suitable to the licensee's driving ability. The
4 restrictions may include:

5 (i) Special mechanical control devices on the motor vehicle
6 operated by the licensee;

7 (ii) Limitations on the type of motor vehicle that the licensee may
8 operate; or

9 (iii) Other restrictions determined by the department to be
10 appropriate to assure the licensee's safe operation of a motor vehicle.

11 (3) The department may either issue a special restricted license or
12 may set forth the restrictions upon the usual license form.

13 (4) The department may suspend or revoke a restricted license upon
14 receiving satisfactory evidence of any violation of the restrictions.
15 In that event the licensee is entitled to a driver improvement
16 interview and a hearing as provided by RCW 46.20.322 or 46.20.328.

17 (5) Operating a motor vehicle in violation of the restrictions
18 imposed in a restricted license is a traffic infraction.

19 **Sec. 10.** RCW 46.20.055 and 1999 c 6 s 11 are each amended to read
20 as follows:

21 (1) **Driver's instruction permit.** (~~((a) A person who is at least~~
22 ~~fifteen and one-half years of age may apply to the department for a~~
23 ~~driver's instruction permit.))~~ The department may issue a driver's
24 instruction permit ~~((after the))~~ with a photograph to an applicant who
25 has successfully passed all parts of the examination other than the
26 driving test, provided the information required by RCW 46.20.091,
27 ~~((and))~~ paid a five-dollar fee((-)), and meets the following
28 requirements:

29 (a) Is at least fifteen and one-half years of age; or

30 ~~((The department may issue a driver's instruction permit to an~~
31 ~~applicant who))~~ Is at least fifteen years of age ((if he or she)) and:

32 (i) Has submitted a proper application; and

33 (ii) Is enrolled in a traffic safety education program approved and
34 accredited by the superintendent of public instruction that includes
35 practice driving.

36 (2) **Nonphoto permit fee.** An applicant who meets the requirements
37 of subsection (1) of this section other than payment of the five-dollar

1 fee may obtain a driver's instruction permit without a photograph by
2 paying a fee of four dollars.

3 (3) Waiver of written examination for instruction permit. The
4 department may waive the written examination, if, at the time of
5 application, an applicant is enrolled in:

6 (a) A traffic safety education course as defined by RCW
7 28A.220.020(2); or

8 (b) A course of instruction offered by a licensed driver training
9 school as defined by RCW 46.82.280(1).

10 The department may require proof of registration in such a course
11 as it deems necessary.

12 ~~((+3))~~ (4) Effect of instruction permit. A person holding a
13 driver's instruction permit may drive a motor vehicle, other than a
14 motorcycle, upon the public highways if:

15 (a) The person has immediate possession of the permit; and

16 (b) ~~((The seat beside the driver is occupied by))~~ An approved
17 instructor, or a licensed driver with at least five years of driving
18 experience, occupies the seat beside the driver.

19 ~~((+4))~~ (5) Term of instruction permit. A driver's instruction
20 permit is valid for one year from the date of issue.

21 (a) The department may issue one additional one-year permit.

22 (b) The department may issue a third driver's permit if it finds
23 after an investigation that the permittee is diligently seeking to
24 improve driving proficiency.

25 **Sec. 11.** RCW 46.20.100 and 1999 c 6 s 16 are each amended to read
26 as follows:

27 (1) **Application.** The application of a person under the age of
28 eighteen years for a driver's license or a motorcycle endorsement must
29 be signed by a parent or guardian with custody of the minor. If the
30 ~~((minor))~~ person under the age of eighteen has no father, mother, or
31 guardian, then the application must be signed by the minor's employer.

32 (2) **Traffic safety education requirement.** For a person under the
33 age of eighteen years to obtain a driver's license he or she must meet
34 the traffic safety education requirements of this subsection.

35 (a) To meet the traffic safety education requirement for a driver's
36 license the applicant must satisfactorily complete a traffic safety
37 education course as defined in RCW 28A.220.020. The course must meet
38 the standards established by the office of the state superintendent of

1 public instruction. The traffic safety education course may be
2 provided by:

3 (i) A recognized secondary school; or

4 (ii) A commercial driving enterprise that is annually approved by
5 the office of the superintendent of public instruction.

6 (b) To meet the traffic safety education requirement for a
7 motorcycle endorsement, the applicant must successfully complete a
8 motorcycle safety education course that meets the standards established
9 by the department of licensing.

10 (c) The department may waive the traffic safety education
11 requirement for a driver's license if the applicant demonstrates to the
12 department's satisfaction that:

13 (i) He or she was unable to take or complete a traffic safety
14 education course;

15 (ii) A need exists for the applicant to operate a motor vehicle;
16 and

17 (iii) He or she has the ability to operate a motor vehicle in such
18 a manner as not to jeopardize the safety of persons or property(~~(~~
19 ~~under rules adopted by)~~).

20 The department may adopt rules to implement this subsection (2)(c) in
21 concert with the supervisor of the traffic safety education section of
22 the office of the superintendent of public instruction.

23 (d) The department may waive the traffic safety education
24 requirement if the applicant was licensed to drive a motor vehicle or
25 motorcycle outside this state and provides proof that he or she has had
26 education equivalent to that required under this subsection.

27 **Sec. 12.** RCW 46.20.117 and 1999 c 6 s 18 are each amended to read
28 as follows:

29 (1) **Issuance.** The department shall issue (~~(a resident of the state~~
30 ~~of Washington))~~ an identicard, containing a picture, if (~~(he or she))~~
31 the applicant:

32 (a) Does not hold a valid Washington driver's license;

33 (b) Proves his or her identity as required by RCW 46.20.035; and

34 (c) Pays the required fee. The fee is four dollars unless an
35 applicant is a recipient of continuing public assistance grants under
36 Title 74 RCW, who is referred in writing by the secretary of social and
37 health services. For those persons the fee must be the actual cost of
38 production of the identicard.

1 (2) **Design and term.** The identicard must:
2 (a) Be distinctly designed so that it will not be confused with the
3 official driver's license; and
4 (b) Expire on the fifth anniversary of the applicant's birthdate
5 after issuance.
6 (3) **Cancellation.** The department may cancel an identicard if the
7 holder of the identicard used the card or allowed others to use the
8 card in violation of RCW 46.20.336 (as recodified by chapter 6, Laws of
9 1999)."

10 Correct the title.

EFFECT: Ensures that changes made in SHB 1294, which was signed into law March 30, are nonsubstantive.

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