

# SENATE BILL REPORT

## E2SHB 1147

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As Reported By Senate Committee On:  
Transportation, April 2, 1999

**Title:** An act relating to enhancing novice driver traffic safety by improving traffic safety education and restricting the driving privilege for novice drivers who commit motor vehicle offenses.

**Brief Description:** Enhancing novice driver traffic safety.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives K. Schmidt, Fisher, Hatfield, Radcliff, Kenney, Keiser, Hurst, Lovick, Ogden, Murray, Wood, Ruderman, Rockefeller and McIntire).

**Brief History:**

**Committee Activity:** Transportation: 3/31/99, 4/2/99 [DP-WM, DNP].

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Goings, Vice Chair; Benton, Costa, Eide, Jacobsen, Oke, Patterson, Sheahan, Shin and Swecker.

**Minority Report:** Do not pass.

Signed by Senators Johnson, Morton, Sellar and T. Sheldon.

**Staff:** Paul Neal (786-7315)

**Background:** Washington State has the fourth lowest automobile accident fatality rate nationwide. However, young drivers are disproportionately represented in the crashes that do occur. Drivers aged 16 to 19 have collision rates three times higher than those for the overall population and fatality rates that are twice as high. During the summer of 1998, members of the House Transportation Policy and Budget Committee formed the Youth Traffic Safety Task Force to examine ways to address the issue of youth traffic safety.

A person must acquire a learner's permit in order to participate in traffic safety education. A person must have completed traffic safety education and have the written permission of a parent or guardian in order to obtain a license prior to age 18. If a person completes those requirements, he or she receives a full, unrestricted driver's license. Currently there are no specific statutory requirements regarding traffic safety education curriculum or required hours of driving practice while holding a learner's permit. Nor are there license restrictions or penalties specifically directed at young drivers other than provisions suspending the driver's license for alcohol, drug, or weapon violations.

**Summary of Bill:** ESHB 1147 seeks to improve novice driver traffic by enhancing educational requirements, administrative requirements, and providing safe driving incentives.

### **Education enhancements:**

- *Increased adult involvement in driver education.* To qualify for a license before age 18, a learner's permit holder must practice driving with a person aged 21 or older who has at least five years of driving experience. The Superintendent of Public Instruction (SPI) is given authority to set the required time between 15 and 50 hours. Beginning January 1, 2000, a parent or guardian must attest that this requirement has been met at the time he or she gives written consent for the driver's license.
- *Increase driver education behind-the-wheel training requirement to six hours.* Most school districts currently provide four hours of behind-the-wheel training; this is increased to six hours, the standard recommended by the National Highway Traffic Safety Council. The additional two hours is phased in with one additional hour effective September 1, 1999, and the second hour effective September 1, 2000. Additional two hours of behind-the-wheel training is not required if a student previously held a farm driving permit or a license from another state and can demonstrate that he or she is safely able to operate a motor vehicle. The cost for the additional two hours is \$3.4 million for the 1999-01 biennium. This is partially funded through an increase in the learner's permit fee from \$5 to \$10.
- *Require passing comprehensive written and driving skills test to pass driver's education.* The Department of Licensing is given authority to waive the drivers examination for students who score 95 percent or more of the total possible points from their traffic safety education class.
- *Require use of Auto-Control Monster traffic education tool.* This device simulates how a vehicle can lose traction and is used to teach methods to avoid those situations. SPI may substitute another device if it determines that the substitute device is at least as effective. Districts that are unable to provide this tool are only required to, and only receive funding for, an additional 1.5 hours of behind-the-wheel training.

### **Administrative enhancements:**

- *Require continuing traffic safety education for driver's education teachers.* School districts must employ teachers who comply with a traffic safety continuing education requirement in order to qualify for state driver's education funding. SPI is given authority to determine how many hours of continuing education are required.
- *Increase SPI oversight of district programs.* A general fund appropriation of \$240,000 is requested to fund an additional statewide traffic safety education coordinator and .5 of a support staff.

### **Safe driving incentives:**

- *License restrictions for novice drivers who commit traffic infractions.* Novice drivers who commit traffic infractions are prohibited from driving between the hours of 10:00 p.m. and 5:00 a.m. This restriction remains in place for one year. Traffic infractions are divided into three groups:

- more serious infractions, such as failure to yield right-of-way, result in a restriction of the driving privilege for one infraction;
- lesser infractions, such as improper backing, require two violations to invoke the driving restrictions.
- suspendable offenses, such as DUI, require the imposition of driving restrictions if and when an offenders' license is reinstated.

Novice drivers under the age of 21 who commit infractions may be limited as to the number of passengers under the age of 21 they may carry. If a novice driver whose driving privilege is restricted drives a motor vehicle in violation of the law, the restrictions are extended for a year. If a novice driver's driving privilege is restricted, the Department of Licensing notifies the person who authorized the minor to get the license of the restriction.

- *Permit parent or guardian to retract permission for a driver's license for drivers under the age of 18.* The parent or guardian who granted permission for the youths driver's license is allowed to retract that permission until the youth reaches age 18 upon payment of a \$5 fee.

The requirements for additional behind-the-wheel training and imposition of driving restrictions for novice drivers are null and void if funding is not provided in the operating budget.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed, except Section 1(3), which takes effect on April 1, 2000, and Sections 6 and 8, which take effect on September 1, 1999.

**Testimony For:** The enhancements to traffic safety education will make a meaningful improvement in the quality of traffic safety education provided to students in Washington. Giving the SPI more resources to assist local programs and requiring continuing education for traffic safety educators will help ensure a better program for the students. The prospect of restricted night-time driving for those novice drivers who commit infractions will operate as a meaningful incentive to practice the safe driving skills taught in traffic safety education.

**Testimony Against:** None.

**Testified:** PRO: Rep. Karen Schmidt, prime sponsor; Sharon Foster, Washington Traffic Safety Educators Association; Beau Ross, Ellensburg High School; Brian Walter, North Central High School, Spokane; Lyndsey Davis, Mountlake Terrace High School; Steve Lind, Washington Traffic Safety Commission; Judith Giniger, Department of Licensing; Greg Hanon, AAA Washington; David Kinnunen, Office of Superintendent of Public Instruction; Kathy Gerke, Association of Washington Cities (pro w/funding concerns); Debbie Wilke, Washington Association of County Officials (pro w/concerns).

