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SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1147

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State of Washington                      56th Legislature                      1999 1 Special Session

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

Read first time 03/08/1999.

1            AN ACT Relating to enhancing novice driver traffic safety by  
2 improving traffic safety education and restricting the driving  
3 privilege for novice drivers who commit motor vehicle offenses;  
4 amending RCW 46.20.100, 28A.220.030, 46.82.290, 28A.220.040, 46.20.091,  
5 46.68.041, and 46.20.055; reenacting and amending RCW 46.20.120; adding  
6 a new section to chapter 28A.220 RCW; adding a new section to chapter  
7 46.20 RCW; creating a new section; making an appropriation; and  
8 providing effective dates.

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

10            **Sec. 1.** RCW 46.20.100 and 1999 c 274 s 14 are each amended to read  
11 as follows:

12            (1) **Application.** The application of a person under the age of  
13 eighteen years for a driver's license or a motorcycle endorsement must  
14 be signed by a parent or guardian with custody of the minor. If the  
15 person under the age of eighteen has no father, mother, or guardian,  
16 then the application must be signed by the minor's employer.

17            Beginning January 1, 2000, the minor's father, mother, or guardian  
18 must attest in writing that the minor has completed the supervised  
19 driving practice as required under section 2 of this act. If the minor

1 has no father, mother, or guardian, the minor's employer must make the  
2 attestation.

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

6 (a) To meet the traffic safety education requirement for a driver's  
7 license the applicant must satisfactorily complete a traffic safety  
8 education course as defined in RCW 28A.220.020. The course must meet  
9 the standards established by the office of the state superintendent of  
10 public instruction. The traffic safety education course may be  
11 provided by:

12 (i) A recognized secondary school; or

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

15 (b) To meet the traffic safety education requirement for a  
16 motorcycle endorsement, the applicant must successfully complete a  
17 motorcycle safety education course that meets the standards established  
18 by the department of licensing.

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

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

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

26 (iii) He or she has the ability to operate a motor vehicle in such  
27 a manner as not to jeopardize the safety of persons or property.

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

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

35 (3) **Rescission.** Until the minor turns eighteen years of age, the  
36 parent or guardian who signed the application may rescind his or her  
37 signature and terminate the driving privilege upon payment of a five-  
38 dollar fee.

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

3        The superintendent of public instruction, in consultation with the  
4    department of licensing, shall adopt rules that establish a supervised  
5    driving practice requirement that a minor under the age of eighteen  
6    must satisfy in order to qualify for a driver's license.    This  
7    requirement is in addition to the behind-the-wheel training required  
8    under RCW 28A.220.030 or 46.82.290.

9        (1) The rules must prescribe a required number of hours of practice  
10   in operating a motor vehicle.    The required number of hours must be no  
11   less than fifteen hours and no more than fifty.    The rules may require  
12   that the required hours include nighttime driving.

13       (2) In order for practice hours to count towards the requirement,  
14   the minor must hold a valid Washington learner's permit and must be  
15   accompanied by a licensed driver who has at least five years of driving  
16   experience and is occupying a seat beside the driver.

17        **Sec. 3.**    RCW 28A.220.030 and 1979 c 158 s 196 are each amended to  
18   read as follows:

19       (1) The superintendent of public instruction (~~(is authorized to)~~)  
20   shall establish a section of traffic safety education, and through such  
21   section shall:    Define a "realistic level of effort" required to  
22   provide an effective traffic safety education course, establish a level  
23   of driving competency required of each student to successfully complete  
24   the course, and ensure that an effective state-wide program is  
25   implemented and sustained, administer, supervise, and develop the  
26   traffic safety education program and shall assist local school  
27   districts in the conduct of their traffic safety education programs.  
28   The superintendent shall adopt necessary rules and regulations  
29   governing the operation and scope of the traffic safety education  
30   program; and each school district shall submit a report to the  
31   superintendent on the condition of its traffic safety education  
32   program(~~(: PROVIDED, That)~~).    The superintendent shall monitor the  
33   quality of the program and carry out the purposes of this chapter.

34       (2) Effective September 1, 1999, the traffic safety education  
35   curriculum established by the superintendent under subsection (1) of  
36   this section must include a mandatory minimum of five hours of behind-  
37   the-wheel training for each student.    The training must include a  
38   comprehensive driving skills test and individual knowledge test that a

1 student must pass in order to receive a passing grade from a traffic  
2 safety education class.

3 (3) Effective September 1, 2000, the required curriculum must  
4 include a mandatory minimum of six hours of behind-the-wheel training  
5 for each student. In addition to the requirements of subsection (2) of  
6 this section, the training must include one training session for each  
7 student where the student drives a vehicle equipped with a device that  
8 simulates the loss of vehicular control that can occur when a vehicle  
9 skids from loss of traction. If a school is unable to provide training  
10 with the device, the six-hour training requirement is reduced to five  
11 and one-half hours. The superintendent may authorize the use of  
12 another training device in lieu of the device described in this section  
13 if the superintendent concludes that the alternative device is as  
14 effective.

15 (4) The superintendent's curriculum must include a provision that  
16 the additional two hours of behind-the-wheel training required under  
17 subsections (2) and (3) of this section are not required of students  
18 who demonstrate to the instructor of the traffic safety education  
19 course that the student possesses the driving skills necessary to  
20 safely operate a motor vehicle upon a highway and:

21 (a) Have held a juvenile agricultural driving permit under RCW  
22 46.20.070 before enrolling in a traffic safety education course; or

23 (b) Previously held a driver's license in another state.

24 (5) The superintendent shall establish a required minimum number of  
25 hours of continuing traffic safety education for traffic safety  
26 education instructors. The superintendent may phase in the requirement  
27 over not more than five years.

28 (6) The board of directors of any school district maintaining a  
29 secondary school which includes any of the grades 10 to 12, inclusive,  
30 may establish and maintain a traffic safety education course. If a  
31 school district elects to offer a traffic safety education course and  
32 has within its boundaries a private accredited secondary school which  
33 includes any of the grades 10 to 12, inclusive, at least one class in  
34 traffic safety education shall be given at times other than regular  
35 school hours if there is sufficient demand therefor.

36 ((+3)) (7) The board of directors of a school district, or  
37 combination of school districts, may contract with any drivers' school  
38 licensed under the provisions of chapter 46.82 RCW to teach the  
39 laboratory phase of the traffic safety education course. Instructors

1 provided by any such contracting drivers' school must be properly  
2 qualified teachers of traffic safety education under the joint  
3 qualification requirements adopted by the superintendent of public  
4 instruction and the director of licensing.

5 **Sec. 4.** RCW 46.82.290 and 1979 ex.s. c 51 s 2 are each amended to  
6 read as follows:

7 (1) The director (~~((shall be))~~) is responsible for the administration  
8 and enforcement of the law pertaining to driver training schools as set  
9 forth in this chapter.

10 (2) The director (~~((is authorized to))~~) may adopt and enforce such  
11 reasonable rules as may be consistent with and necessary to carry out  
12 this chapter.

13 (3) The director shall adopt a driver training curriculum  
14 established by the superintendent of public instruction. The  
15 curriculum must include a mandatory minimum of six hours of behind-the-  
16 wheel training and an individual knowledge test for each student. The  
17 six hours of training must include a comprehensive driving skills test  
18 that a student must pass in order to receive a certificate of  
19 completion from a driver training school.

20 **Sec. 5.** RCW 28A.220.040 and 1984 c 258 s 331 are each amended to  
21 read as follows:

22 (1) Each school district shall be reimbursed from funds  
23 appropriated for traffic safety education(~~(: PROVIDED, That))~~).

24 (a) The state superintendent shall determine the per-pupil  
25 reimbursement amount for the traffic safety education course to be  
26 funded by the state. Each school district offering an approved  
27 standard traffic safety education course shall be reimbursed or granted  
28 an amount up to the level established by the superintendent of public  
29 instruction as may be appropriated.

30 (b) The state superintendent shall only provide per-pupil  
31 reimbursements to school districts where all the traffic educators have  
32 satisfied the continuing education requirement of RCW 28A.220.030(5).

33 (c) If a school district is unable to provide the training required  
34 by RCW 28A.220.030(3), the district reimbursement is reduced by the  
35 amount necessary to fund one-half hour of behind-the-wheel training.

36 (2) The board of directors of any school district or combination of  
37 school districts may establish a traffic safety education fee, which

1 fee when imposed shall be required to be paid by any duly enrolled  
2 student in any such school district prior to or while enrolled in a  
3 traffic safety education course. Traffic safety education fees  
4 collected by a school district shall be deposited with the county  
5 treasurer to the credit of such school district, to be used to pay  
6 costs of the traffic safety education course.

7 **Sec. 6.** RCW 46.20.091 and 1999 c 6 s 14 are each amended to read  
8 as follows:

9 (1) **Application.** In order to apply for a driver's license or  
10 instruction permit the applicant must provide his or her:

11 (a) Name of record, as established by documentation required under  
12 RCW 46.20.035;

13 (b) Date of birth, as established by satisfactory evidence of age;

14 (c) Sex;

15 (d) Washington residence address;

16 (e) Description;

17 (f) Driving licensing history, including:

18 (i) Whether the applicant has ever been licensed as a driver or  
19 chauffeur and, if so, (A) when and by what state or country; (B)  
20 whether the license has ever been suspended or revoked; and (C) the  
21 date of and reason for the suspension or revocation; or

22 (ii) Whether the applicant's application to another state or  
23 country for a driver's license has ever been refused and, if so, the  
24 date of and reason for the refusal; ((and))

25 (g) Driver training history and, if received, where; and

26 (h) Any additional information required by the department.

27 (2) **Sworn statement.** An application for an instruction permit or  
28 for an original driver's license must be made upon a form provided by  
29 the department. The identifying documentation verifying the name of  
30 record must be accompanied by the applicant's written statement that it  
31 is valid. The information provided on the form must be sworn to and  
32 signed by the applicant before a person authorized to administer oaths.  
33 An applicant who makes a false statement on an application for a  
34 driver's license or instruction permit is guilty of false swearing, a  
35 gross misdemeanor, under RCW 9A.72.040.

36 (3) **Driving records from other jurisdictions.** If a person  
37 previously licensed in another jurisdiction applies for a Washington  
38 driver's license, the department shall request a copy of the

1 applicant's driver's record from the other jurisdiction. The driving  
2 record from the other jurisdiction becomes a part of the driver's  
3 record in this state.

4 (4) **Driving records to other jurisdictions.** If another  
5 jurisdiction requests a copy of a person's Washington driver's record,  
6 the department shall provide a copy of the record. The department  
7 shall forward the record without charge if the other jurisdiction  
8 extends the same privilege to the state of Washington. Otherwise the  
9 department shall charge a reasonable fee for transmittal of the record.

10 **Sec. 7.** RCW 46.20.120 and 1999 c . . . (HB 2259) s 1, 1999 c 199  
11 s 3, and 1999 c 6 s 19 are each reenacted and amended to read as  
12 follows:

13 An applicant for a new or renewed driver's license must  
14 successfully pass a driver licensing examination to qualify for a  
15 driver's license. The department shall give examinations at places and  
16 times reasonably available to the people of this state.

17 (1) **Waiver.** The department may waive:

18 (a) All or any part of the examination of any person applying for  
19 the renewal of a driver's license unless the department determines that  
20 the applicant is not qualified to hold a driver's license under this  
21 title; ((or))

22 (b) The actual demonstration of the ability to operate a motor  
23 vehicle if the applicant:

24 (i) Surrenders a valid driver's license issued by the person's  
25 previous home state; and

26 (ii) Is otherwise qualified to be licensed; or

27 (c) The written examination and the actual demonstration of the  
28 ability to operate a motor vehicle for a driver who passed a traffic  
29 safety education class offered by a Washington state school district  
30 within one year of the date he or she applies for a license if the  
31 driver earned at least ninety-five percent of the total points  
32 available, as measured by numerical scoring.

33 (2) **Fee.** Each applicant for a new license must pay an examination  
34 fee of seven dollars.

35 (a) The examination fee is in addition to the fee charged for  
36 issuance of the license.

37 (b) "New license" means a license issued to a driver:

38 (i) Who has not been previously licensed in this state; or

1 (ii) Whose last previous Washington license has been expired for  
2 more than five years.

3 (3) A person whose license expired or will expire on or after  
4 January 1, 1998, while he or she was or is living outside the state  
5 may:

6 (a) Apply to the department to extend the validity of his or her  
7 license for no more than twelve months. If the person establishes to  
8 the department's satisfaction that he or she is unable to return to  
9 Washington before the date his or her license expires, the department  
10 shall extend the person's license. The department may grant  
11 consecutive extensions, but in no event may the cumulative total of  
12 extensions exceed twelve months. An extension granted under this  
13 section does not change the expiration date of the license for purposes  
14 of RCW 46.20.181. The department shall charge a fee of five dollars  
15 for each license extension;

16 (b) Apply to the department to renew his or her license by mail.  
17 If the person establishes to the department's satisfaction that he or  
18 she is unable to return to Washington within twelve months of the date  
19 that his or her license expires, the department shall renew the  
20 person's license by mail. If a person qualifies for a mail-in renewal  
21 he or she is not required to pass an examination nor provide an updated  
22 photograph. He or she must, however, pay the fee required by RCW  
23 46.20.181 plus an additional five-dollar mail-in renewal fee. A  
24 license renewed by mail that does not include a photograph of the  
25 licensee must be labeled "not valid for identification purposes."

26 (4) If a person's driver's license is extended or renewed under  
27 subsection (3) of this section while he or she is outside the state, he  
28 or she must submit to the examination required under this section  
29 within sixty days of returning to this state. The department will not  
30 assess a penalty or examination fee for the examination.

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

33 If a novice driver is convicted of or found to have committed one  
34 or more of the traffic offenses listed in subsection (2) or (4) of this  
35 section or two or more of the traffic offenses listed in subsection (3)  
36 of this section, his or her driving privilege is subject to the  
37 restrictions detailed in subsection (1) of this section. For purposes



1 of this section "novice driver" means a driver who is within two years  
2 of the date he or she was licensed to drive.

3 (1) The department shall restrict the driving privilege of a novice  
4 driver who commits the violations described in subsection (2), (3), or  
5 (4) of this section as follows:

6 (a) The novice driver may only drive unsupervised between the hours  
7 of five a.m. and ten p.m. At all other times the novice driver must be  
8 supervised. While being supervised, the novice driver must be  
9 accompanied by a parent, guardian, or other person twenty-one years of  
10 age or older with at least five years of driving experience. The  
11 supervisor must possess a valid driver's license. The supervisor must  
12 be the only other occupant of the front passenger section of the  
13 vehicle.

14 (b) The department shall impose the restrictions of this section  
15 for one year. The department shall extend the restrictions for one  
16 additional year if the driver drives a motor vehicle in violation of  
17 law while the restrictions are in place.

18 (c) In addition to the mandatory restrictions of this subsection  
19 (1), a judge may restrict the number of passengers under the age of  
20 twenty-one who a novice driver under the age of twenty-one may  
21 transport while driving with a restricted license under this section.

22 (d) Operating a motor vehicle in violation of the restrictions of  
23 this section is a traffic infraction.

24 (2) If a novice driver is convicted of one or more of the traffic  
25 offenses listed in this subsection, the department shall restrict his  
26 or her license as described in subsection (1) of this section:

27 (a) RCW 46.30.040: False insurance evidence;

28 (b) RCW 46.61.015, 46.61.020, or 46.61.021: Failure to respond or  
29 comply with officer;

30 (c) RCW 46.61.050 or 46.61.340 through 46.61.385: Failure to stop;

31 (d) RCW 46.61.070: Wrong way in reversible lane;

32 (e) RCW 46.61.100, 46.61.105, 46.61.110, 46.61.120, 46.61.125,  
33 46.61.130, or 46.61.140: Driving on wrong side of road/failure to stay  
34 in lane;

35 (f) RCW 46.61.105 or 46.61.120: Illegal overtaking or passing;

36 (g) RCW 46.61.135: Wrong way on a one-way street;

37 (h) RCW 46.61.145: Following too closely;

38 (i) RCW 46.61.150: Improperly crossing median;

- 1 (j) RCW 46.61.180 through 46.61.220: Failure to yield right-of-  
2 way;
- 3 (k) RCW 46.61.245 or 46.61.445: Failure to use due care;
- 4 (l) RCW 46.61.260: Driving in safety zone;
- 5 (m) RCW 46.61.370: Passing stopped school bus;
- 6 (n) RCW 46.61.400 or 46.61.440: Driving ten miles or more over the  
7 speed limit;
- 8 (o) RCW 46.61.400: Driving too fast for conditions;
- 9 (p) RCW 46.61.519: Open container violation;
- 10 (q) RCW 46.61.5195: Disguising an alcoholic beverage container;
- 11 (r) RCW 46.61.5249 and 46.61.525: Negligent driving;
- 12 (s) RCW 46.61.608: Failure to give motorcycle full use of lane;
- 13 (t) RCW 46.61.385: Failure to stop for school patrol;
- 14 (u) RCW 46.61.660: Carrying persons outside vehicle;
- 15 (v) RCW 46.61.665: Embracing while driving;
- 16 (w) RCW 46.61.675: Permitting illegal vehicle operation; and
- 17 (x) RCW 46.61.685: Unattended child in running vehicle.
- 18 (3) If a novice driver is convicted of two or more of the traffic  
19 offenses listed in this subsection, the department must restrict his or  
20 her license as described in subsection (1) of this section:
- 21 (a) RCW 46.20.017: No license on person;
- 22 (b) RCW 46.29.605: Driving with suspended registration;
- 23 (c) RCW 46.30.020: Driving without liability insurance;
- 24 (d) RCW 46.37.010: Defective equipment;
- 25 (e) RCW 46.37.010: Illegal lights or other equipment;
- 26 (f) RCW 46.37.020: Driving without lights;
- 27 (g) RCW 46.61.015 or 46.61.050: Disobeying road sign other than a  
28 stop or yield sign or signaler or officer;
- 29 (h) RCW 46.61.100: Improper lane change;
- 30 (i) RCW 46.61.100 (3) or (4) or 46.61.425: Impeding traffic;
- 31 (j) RCW 46.61.155: Improper access to limited access highway;
- 32 (k) RCW 46.61.235: Failure to stop for pedestrian;
- 33 (l) RCW 46.61.261, 46.61.428, or 46.61.606: Driving on shoulder or  
34 sidewalk;
- 35 (m) RCW 46.61.290 through 46.61.305: Improper or prohibited turn;
- 36 (n) RCW 46.61.295: Improper U-turn;
- 37 (o) RCW 46.61.300: Starting vehicle illegally;
- 38 (p) RCW 46.61.305: Failure to use or improper signal;
- 39 (q) RCW 46.61.400: Speeding less than ten miles over limit;

1 (r) RCW 46.61.600: Improperly secured vehicle;  
2 (s) RCW 46.61.605: Improper backing;  
3 (t) RCW 46.61.615: Obstructed vision or control;  
4 (u) RCW 46.61.630: Coasting on downgrade;  
5 (v) RCW 46.61.635: Following emergency vehicles;  
6 (w) RCW 46.61.640: Crossing fire hose;  
7 (x) RCW 46.61.645: Throwing dangerous material on roadway;  
8 (y) RCW 46.61.655: Improperly secured or covered load;  
9 (z) RCW 46.61.670: Wheels off roadway;  
10 (aa) RCW 46.61.680: Lowering vehicle below legal clearance;  
11 (bb) RCW 46.61.687: Child restraint violation; and  
12 (cc) RCW 46.61.688: Seat belt violation.  
13 (4) If a novice driver's driving privilege is withheld under any of  
14 the sections listed in this subsection, his or her license is subject  
15 to the restrictions in subsection (1) of this section if and when the  
16 driving privilege is reinstated.  
17 (a) RCW 46.20.041: Violating driver's license restrictions;  
18 (b) RCW 46.20.265: Minor in possession of alcohol or drugs;  
19 (c) RCW 46.20.265: Minor in possession of a firearm;  
20 (d) RCW 46.20.285: Conviction of a felony involving a motor  
21 vehicle;  
22 (e) RCW 46.20.289: Failure to appear/unpaid traffic ticket;  
23 (f) RCW 46.20.291: Multiple violations within a specified time  
24 period;  
25 (g) RCW 46.20.3101: Refusal to submit to breath or blood alcohol  
26 test;  
27 (h) RCW 46.20.336 (as recodified by 1999 c 6 s 28): Fraudulent  
28 application, alteration, or display of driver's license;  
29 (i) RCW 46.20.342: Driving while license is suspended or revoked;  
30 (j) Chapter 46.29 RCW other than RCW 46.29.605: Violation of  
31 financial responsibility laws;  
32 (k) RCW 46.52.020: Hit and run, vehicle attended;  
33 (l) RCW 46.61.024: Eluding police;  
34 (m) RCW 46.61.500: Reckless driving;  
35 (n) RCW 46.61.502: Driving under the influence;  
36 (o) RCW 46.61.504: Physical control of a motor vehicle while under  
37 the influence;  
38 (p) RCW 46.61.5055: Violating probation for DUI conviction;

1 (q) RCW 46.61.5056: Failure to meet requirements of court-ordered  
2 drug or alcohol treatment program, e.g., failure to submit alcohol  
3 report, failure to comply with treatment program, relapse;

4 (r) RCW 46.61.520: Vehicular homicide;

5 (s) RCW 46.61.522: Vehicular assault;

6 (t) RCW 46.61.527: Reckless endangerment in a construction zone;

7 (u) RCW 46.61.530: Racing; and

8 (v) Chapter 46.65 RCW: Habitual traffic offender, twenty moving  
9 violations in five years.

10 (5) If the driving privilege of a novice driver under the age of  
11 eighteen is restricted under this section, the department shall send a  
12 written notification of the restriction within three days to the person  
13 who gave written permission for the minor to obtain a driver's license  
14 under RCW 46.20.100.

15 **Sec. 9.** RCW 46.68.041 and 1998 c 212 s 3 are each amended to read  
16 as follows:

17 (1) Except as provided in subsection (2) of this section, the  
18 department shall forward all funds accruing under the provisions of  
19 chapter 46.20 RCW together with a proper identifying, detailed report  
20 to the state treasurer who shall deposit such moneys to the credit of  
21 the highway safety fund.

22 (2) Sixty-three percent of each fee collected by the department  
23 under RCW 46.20.311 (1)(b)(ii), (2)(b)(ii), and (3)(b) shall be  
24 deposited in the impaired driving safety account.

25 (3) Five dollars of each fee for an instruction permit collected  
26 under RCW 46.20.055 is for traffic safety education funding to  
27 implement section 2 of this act and RCW 28A.220.030 (2) through (5).

28 **Sec. 10.** RCW 46.20.055 and 1999 c 274 s 13 are each amended to  
29 read as follows:

30 (1) **Driver's instruction permit.** The department may issue a  
31 driver's instruction permit with a photograph to an applicant who has  
32 successfully passed all parts of the examination other than the driving  
33 test, provided the information required by RCW 46.20.091, paid a  
34 ~~((five-dollar))~~ fee of ten dollars, and meets the following  
35 requirements:

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

37 (b) Is at least fifteen years of age and:

1 (i) Has submitted a proper application; and  
2 (ii) Is enrolled in a traffic safety education program approved and  
3 accredited by the superintendent of public instruction that includes  
4 practice driving.

5 (2) **Nonphoto permit fee.** An applicant who meets the requirements  
6 of subsection (1) of this section other than payment of the ((five-  
7 dollar)) fee specified in that subsection, may obtain a driver's  
8 instruction permit without a photograph by paying a fee of ((four))  
9 nine dollars.

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

13 (a) A traffic safety education course as defined by RCW  
14 28A.220.020(2); or

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

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

19 (4) **Effect of instruction permit.** A person holding a driver's  
20 instruction permit may drive a motor vehicle, other than a motorcycle,  
21 upon the public highways if:

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

23 (b) An approved instructor, or a licensed driver with at least five  
24 years of driving experience, occupies the seat beside the driver.

25 (5) **Term of instruction permit.** A driver's instruction permit is  
26 valid for one year from the date of issue.

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

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

31 NEW SECTION. **Sec. 11.** The sum of three million eight hundred  
32 thousand dollars, or as much thereof as may be necessary, is  
33 appropriated to the office of the superintendent of public instruction  
34 from the highway safety fund for the fiscal biennium ending June 30,  
35 2001, solely to provide behind-the-wheel driver training required under  
36 RCW 28A.220.030 and to provide additional staff to the office of the  
37 superintendent of public instruction to coordinate traffic safety  
38 education in Washington.

1        NEW SECTION.    **Sec. 12.**    If the legislature does not provide  
2 specific funding for the purposes of this act by June 30, 1999,  
3 subsections (2), (3), and (4) of section 3 of this act, section 4 of  
4 this act, subsection (1)(c) of section 5 of this act, and sections 8,  
5 9, and 10 of this act are null and void.

6        NEW SECTION.    **Sec. 13.**    Specified portions of this act are subject  
7 to the following effective dates:

8            (1) Except as provided in subsection (4) of this section, section  
9 8 of this act is effective September 1, 1999;

10           (2) Section 1, subsection (3) of this act is effective April 1,  
11 2000;

12           (3) Section 6 of this act is effective September 1, 1999; and

13           (4) For licensed drivers who move to this state and obtain a  
14 Washington driver's license, the department of licensing shall begin  
15 tracking the date when the new Washington resident first obtained his  
16 or her original license to drive no later than April 1, 2000.

--- END ---