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HOUSE BILL 1450

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State of Washington

56th Legislature

1999 Regular Session

By Representatives Koster, O'Brien, Lambert, DeBolt, D. Sommers, Mielke, Boldt, Benson, Cairnes and Mastin

Read first time . Referred to Committee on .

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, solely  
13 for the purposes of providing home-based instruction under section 2 of  
14 this act, a parent providing home-based instruction in accordance with  
15 chapter 28A.200 RCW and section 2 of this act. Professional  
16 instructors certificated under the provisions of chapter 46.82 RCW, and  
17 participating in this program, shall be subject to reasonable  
18 qualification requirements jointly adopted by the superintendent of  
19 public instruction and the director of licensing.

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

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

27 (1) The superintendent of public instruction shall develop a list  
28 of parent-led traffic safety and driver's education courses that are  
29 nationally recognized or approved for use in other states. The list  
30 shall be made available to parents providing home-based instruction in  
31 accordance with chapter 28A.200 RCW. Parents providing home-based  
32 instruction who are interested in using any of the courses on the list  
33 shall certify to the superintendent that:

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

36 (b) The parent providing the instruction has not been convicted of  
37 criminally negligent vehicular homicide or driving while intoxicated  
38 within the last ten years; and

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

3 (2) Subsection (1) of this section does not authorize the  
4 superintendent of public instruction to require a parent to undergo a  
5 background investigation. The superintendent of public instruction may  
6 request the driving record of the parent providing the instruction in  
7 order to confirm that the parent is in compliance with requirements of  
8 subsection (1) of this section. The superintendent may not require the  
9 parent to submit records verifying the parent's mental health history.

10 (3) Each parent-led course identified by the office of the  
11 superintendent of public instruction must include, at a minimum, the  
12 following:

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

14 (b) The equivalent of fifty hours of street driving, including  
15 highway driving;

16 (c) Instruction concerning alcohol and drug use and its effects on  
17 driving; and

18 (d) Materials for the parent to use to evaluate the driving skills  
19 achieved by the student after completing the course.

20 (4) The superintendent of public instruction may not require  
21 parents interested in using a parent-led traffic safety or driver's  
22 education course identified by the office to participate in  
23 instructional classes to verify the parent's ability to use the course  
24 effectively.

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

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

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

35 (2) The applicant has satisfactorily completed a traffic safety  
36 education course as defined in RCW 28A.220.020, conducted by a  
37 recognized secondary school, that meets the standards established by  
38 the office of the state superintendent of public instruction ((or))l

1 the applicant has satisfactorily completed a traffic safety education  
2 course, conducted by a commercial driving instruction enterprise, that  
3 meets the standards established by the office of the superintendent of  
4 public instruction and is officially approved by that office on an  
5 annual basis, or the applicant has successfully completed a parent-led  
6 traffic safety or driver's education course in accordance with section  
7 2 of this act for students receiving home-based instruction: PROVIDED,  
8 HOWEVER, That the director may upon a showing that an applicant was  
9 unable to take or complete a driver education course waive that  
10 requirement if the applicant shows to the satisfaction of the  
11 department that a need exists for the applicant to operate a motor  
12 vehicle and he or she has the ability to operate a motor vehicle in  
13 such a manner as not to jeopardize the safety of persons or property,  
14 under rules to be promulgated by the department in concert with the  
15 supervisor of the traffic safety education section, office of the  
16 superintendent of public instruction. For a person under the age of  
17 eighteen years to obtain a motorcycle endorsement, he or she must  
18 successfully complete a motorcycle safety education course that meets  
19 the standards established by the department of licensing.

20 The department may waive any education requirement under this  
21 subsection for an applicant previously licensed to drive a motor  
22 vehicle or motorcycle outside this state if the applicant provides  
23 proof satisfactory to the department that he or she has had education  
24 equivalent to that required under this subsection.

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