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SENATE BILL 5309

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State of Washington

56th Legislature

1999 Regular Session

By Senator Haugen

Read first time 01/19/1999. Referred to Committee on Transportation.

1 AN ACT Relating to technical editing of statutes in chapter 46.20  
2 RCW; amending RCW 46.20.005, 46.20.015, 46.20.025, 46.20.031,  
3 46.20.035, 46.20.041, 46.20.045, 46.20.055, 46.20.070, 46.20.091,  
4 46.20.095, 46.20.100, 46.20.114, 46.20.117, 46.20.120, 46.20.130,  
5 46.20.157, 46.20.161, 46.20.181, 46.20.205, 46.20.510, and 46.64.070;  
6 reenacting and amending RCW 46.20.021; adding a new section to chapter  
7 46.04 RCW; adding new sections to chapter 46.20 RCW; creating a new  
8 section; recodifying RCW 46.20.190, 46.20.336, 46.20.550, 46.20.343,  
9 46.20.470, 46.20.414, and 46.20.430; repealing RCW 46.20.106 and  
10 46.20.116; and prescribing penalties.

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

12 NEW SECTION. **Sec. 1.** (1) This act is intended to edit some of the  
13 statutes relating to driver's licenses in order to make those statutes  
14 more comprehensible to the citizenry of the state of Washington. The  
15 legislature does not intend to make substantive changes in the meaning,  
16 interpretation, court construction, or constitutionality of any  
17 provision of chapter 46.20 RCW or other statutory provisions or rules  
18 adopted under those provisions.

1 (2) This act is technical in nature and does not terminate or in  
2 any way modify any rights, proceedings, or liabilities, civil or  
3 criminal, that exist on the effective date of this act.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.04 RCW  
5 to read as follows:

6 "Driving privilege withheld" means that the department has revoked,  
7 suspended, or denied a person's Washington state driver's license,  
8 permit to drive, driving privilege, or nonresident driving privilege.

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.20 RCW  
10 to read as follows:

11 (1) No person may drive a motor vehicle upon a highway in this  
12 state without first obtaining a valid driver's license issued to  
13 Washington residents under this chapter. The only exceptions to this  
14 requirement are those expressly allowed by RCW 46.20.025.

15 (2) A person licensed as a driver under this chapter:

16 (a) May exercise the privilege upon all highways in this state;

17 (b) May not be required by a political subdivision to obtain any  
18 other license to exercise the privilege; and

19 (c) May not have more than one valid driver's license at any time.

20 **Sec. 4.** RCW 46.20.005 and 1997 c 66 s 1 are each amended to read  
21 as follows:

22 Except as expressly exempted by this chapter, it is a misdemeanor  
23 for a person to drive any motor vehicle upon a highway in this state  
24 without a valid driver's license issued to Washington residents under  
25 this chapter. This section does not apply if at the time of the stop  
26 the person is not in violation of RCW 46.20.342(1) or 46.20.420 and has  
27 in his or her possession an expired driver's license or other valid  
28 identifying documentation under RCW 46.20.035. A violation of this  
29 section is a lesser included offense within the offenses described in  
30 RCW 46.20.342 (1) or (~~46.20.420~~) (4).

31 **Sec. 5.** RCW 46.20.015 and 1997 c 66 s 2 are each amended to read  
32 as follows:

33 (1) Except as expressly exempted by this chapter, it is a traffic  
34 infraction and not a misdemeanor under RCW 46.20.005 (~~(for)~~) if a  
35 person (~~(to)~~):

1        (a) Drives any motor vehicle upon a highway in this state without  
2 a valid driver's license issued to Washington residents under this  
3 chapter in his or her possession ((if the person))i

4        (b) Provides the citing officer with an expired driver's license or  
5 other valid identifying documentation under RCW 46.20.035 at the time  
6 of the stopi and ((the person))

7        (c) Is not driving while suspended or revoked in violation of RCW  
8 46.20.342(1) or 46.20.420.

9        (2) A ((violation of)) person who violates this section is subject  
10 to a penalty of two hundred fifty dollars. If the person appears in  
11 person before the court or submits by mail written proof that he or she  
12 obtained a valid license after being cited, the court shall reduce the  
13 penalty to fifty dollars.

14        **Sec. 6.** RCW 46.20.021 and 1997 c 66 s 3 and 1997 c 59 s 8 are each  
15 reenacted and amended to read as follows:

16        (1) New Washington residents must obtain a valid Washington  
17 driver's license within thirty days from the date they become  
18 residents.

19        (2) To qualify for a Washington driver's license, a person must  
20 surrender to the department all valid driver's licenses that any other  
21 jurisdiction has issued to him or her. The department must invalidate  
22 the surrendered photograph license and may return it to the person.

23        (a) The invalidated license, along with a valid temporary  
24 Washington driver's license provided for in section 13 of this act, is  
25 proper identification.

26        (b) The department shall notify the previous issuing department  
27 that the licensee is now licensed in a new jurisdiction.

28        (3) For the purposes of obtaining a valid driver's license, a  
29 resident is a person who manifests an intent to live or be located in  
30 this state on more than a temporary or transient basis. Evidence of  
31 residency includes but is not limited to:

32        (a) Becoming a registered voter in this state; or

33        (b) Receiving benefits under one of the Washington public  
34 assistance programs; or

35        (c) Declaring ((that he or she is a resident)) residency for the  
36 purpose of obtaining a state license or tuition fees at resident rates.

37        ((2) The term) (4)(a) "Washington public assistance programs"  
38 ((referred to in subsection (1)(b) of this section includes only))

1 means public assistance programs (~~((for which))~~) that receive more than  
2 fifty percent of the combined costs of benefits and administration  
3 (~~(are paid)~~) from state funds. (~~((Programs which are not included~~  
4 ~~within the term))~~)

5 (b) "Washington public assistance programs" (~~(pursuant to the above~~  
6 criteria include, but are not limited to)) does not include:

7 (i) The Food Stamp program under the federal Food Stamp Act of  
8 1964;

9 (ii) Programs under the Child Nutrition Act of 1966, 42 U.S.C.  
10 Secs. 1771 through 1788; (~~(and)~~)

11 (iii) Temporary Assistance for Needy Families; and

12 (iv) Any other program that does not meet the criteria of (a) of  
13 this subsection.

14 (~~((3) No person shall receive a driver's license unless and until~~  
15 ~~he or she surrenders to the department all valid driver's licenses in~~  
16 ~~his or her possession issued to him or her by any other jurisdiction.~~  
17 ~~The department shall establish a procedure to invalidate the~~  
18 ~~surrendered photograph license and return it to the person. The~~  
19 ~~invalidated license, along with the valid temporary Washington driver's~~  
20 ~~license provided for in RCW 46.20.055(3), shall be accepted as proper~~  
21 ~~identification. The department shall notify the issuing department~~  
22 ~~that the licensee is now licensed in a new jurisdiction. No person~~  
23 ~~shall be permitted to have more than one valid driver's license at any~~  
24 ~~time.~~

25 ~~(4) New Washington residents are allowed thirty days from the date~~  
26 ~~they become residents as defined in this section to procure a valid~~  
27 ~~Washington driver's license.~~

28 ~~(5) Any person licensed as a driver under this chapter may exercise~~  
29 ~~the privilege thereby granted upon all streets and highways in this~~  
30 ~~state and shall not be required to obtain any other license to exercise~~  
31 ~~such privilege by any county, municipal or local board, or body having~~  
32 ~~authority to adopt local police regulations.))~~

33 **Sec. 7.** RCW 46.20.025 and 1993 c 148 s 1 are each amended to read  
34 as follows:

35 The following persons (~~(are exempt from license hereunder)~~) may  
36 operate a motor vehicle on a Washington highway without a valid  
37 Washington driver's license:

1       (1) ~~((Any person in the service))~~ A member of the United States  
2 Army, Navy, Air Force, Marine Corps, or Coast Guard ~~((of the United~~  
3 ~~States))~~, or in the service of the National Guard of this state or any  
4 other state, ~~((when furnished with a driver's license by such service~~  
5 ~~when operating))~~ if licensed by the military to operate an official  
6 motor vehicle in such service;

7       (2) A nonresident driver who is at least:

8       (a) Sixteen years of age and ~~((who))~~ has ~~((in his or her))~~  
9 immediate possession of a valid driver's license issued to ~~((him or her~~  
10 ~~in))~~ the driver by his or her home state; or ~~((is at least))~~

11       (b) Fifteen years of age with:

12       (i) A valid instruction permit issued to ~~((him or her in))~~ the  
13 driver by his or her home state~~((,))~~; and ~~((when accompanied by))~~

14       (ii) A licensed driver who has had at least five years of driving  
15 experience ~~((and is))~~ occupying a seat beside the driver; or

16       ~~((3) A nonresident who is at least)~~ (c) Sixteen years of age and  
17 ~~((who))~~ has ~~((in his or her))~~ immediate possession of a valid driver's  
18 license issued to ~~((him or her in))~~ the driver by his or her home  
19 country. A nonresident driver may operate a motor vehicle in this  
20 state under this subsection (2)(c) for ~~((a period not to exceed))~~ up to  
21 one year;

22       (4) Any person operating special highway construction equipment as  
23 defined in RCW 46.16.010;

24       (5) Any person while driving or operating any farm tractor or  
25 implement of husbandry ~~((which))~~ that is only incidentally operated or  
26 moved over a highway; or

27       (6) ~~((Any person while operating))~~ An operator of a locomotive upon  
28 rails, including ~~((operation on))~~ a railroad crossing over a public  
29 highway~~((; and such person))~~. A locomotive operator is not required to  
30 display a driver's license to any law enforcement officer in connection  
31 with the operation of a locomotive or train within this state.

32       **Sec. 8.** RCW 46.20.031 and 1995 c 219 s 1 are each amended to read  
33 as follows:

34       The department shall not issue a driver's license ~~((hereunder))~~ to  
35 a person:

36       (1) ~~((To any person))~~ Who is under the age of sixteen years;

37       (2) ~~((To any person whose license has been suspended during such~~  
38 ~~suspension, nor to any person whose license has been revoked, except as~~

1 ~~provided in))~~ Whose driving privilege has been withheld unless and  
2 until the department may authorize the driving privilege under RCW  
3 46.20.311;

4 (3) ~~((To any person))~~ Who has been ((evaluated)) classified as an  
5 alcoholic, drug addict, alcohol abuser, or drug abuser by a program  
6 approved by the department of social and health services ((as being an  
7 alcoholic, drug addict, alcohol abuser, and/or drug abuser: PROVIDED,  
8 That)). The department may, however, issue a license ((may be issued))  
9 if the ((department determines that such)) person:

10 (a) Has been granted a deferred prosecution((, pursuant to)) under  
11 chapter 10.05 RCW((,)); or

12 (b) Is satisfactorily participating in or has successfully  
13 completed an alcohol or drug abuse treatment program approved by the  
14 department of social and health services and has established control of  
15 his or her alcohol ((and/or)) or drug abuse problem;

16 (4) ~~((To any person))~~ Who has previously been adjudged to be  
17 mentally ill or insane, or to be incompetent due to ((any)) a mental  
18 disability or disease((, and who has not at the time of application)).  
19 The department shall, however, issue a license to the person if he or  
20 she otherwise qualifies and:

21 (a) Has been restored to competency by the methods provided by  
22 law((: PROVIDED, HOWEVER, That no person so adjudged shall be denied  
23 a license for such cause if)); or

24 (b) The superior court ((should find him)) finds the person able to  
25 operate a motor vehicle with safety upon the highways during such  
26 incompetency;

27 (5) ~~((To any person who is))~~ Who has not passed the driver's  
28 licensing examination required by ((this chapter to take an  
29 examination, unless such person shall have successfully passed such  
30 examination)) RCW 46.20.120 and 46.20.305, if required;

31 (6) ~~((To any person))~~ Who is required under the laws of this state  
32 to deposit proof of financial responsibility and who has not deposited  
33 such proof;

34 (7) ~~((To any person when the department has good and substantial~~  
35 ~~evidence to reasonably conclude that such person by reason of))~~ Who is  
36 unable to safely operate a motor vehicle upon the highways due to a  
37 physical or mental disability ((would not be able to operate a motor  
38 vehicle with safety upon the highways;)). The department's conclusion  
39 that a person is barred from licensing under this subsection must be

1 reasonable and be based upon good and substantial evidence. This  
2 determination is subject to review by a court of competent  
3 jurisdiction;

4 ~~(8) ((To a person when the department has been notified by a court~~  
5 ~~that the person))~~ Who has violated his or her written promise to  
6 appear, respond, or comply regarding a notice of infraction issued for  
7 ~~((a))~~ abandonment of a vehicle in violation of RCW 46.55.105, unless:

8 (a) The court has not notified the department of the violation;

9 (b) The department has received notice from the court showing that  
10 the person has been found not to have committed the violation of RCW  
11 46.55.105(~~(, or that))~~); or

12 (c) The person has paid all monetary penalties owing, including  
13 completion of community service, and ((that)) the court is satisfied  
14 that the person has made restitution as provided by RCW 46.55.105(2).

15 **Sec. 9.** RCW 46.20.035 and 1998 c 41 s 10 are each amended to read  
16 as follows:

17 ~~((1))~~ The department may not issue an identicard or a Washington  
18 state driver's license(~~(, except as provided in RCW 46.20.116,))~~ that  
19 is valid for identification purposes unless the applicant ((has  
20 satisfied the department regarding his or her identity. Except as  
21 provided in subsection (2) of this section, an applicant has not  
22 satisfied the identity requirements of this section unless he or she  
23 displays or provides)) meets the identification requirements of  
24 subsection (1), (2), or (3) of this section.

25 (1) A driver's license or identicard applicant must provide the  
26 department with at least one of the following pieces of valid  
27 identifying documentation that contains the signature and a photograph  
28 of the applicant:

29 (a) A valid or recently expired driver's license or instruction  
30 permit that ~~((contains the signature,))~~ includes the date of birth((,)  
31 and a photograph)) of the applicant;

32 (b) A Washington state identicard or an identification card issued  
33 by another state ~~((that contains the signature and a photograph of the~~  
34 ~~applicant))~~;

35 (c) An identification card issued by the United States, a state, or  
36 an agency of either the United States or a state, of a kind commonly  
37 used to identify the members ~~((of))~~ or employees of the government

1 agency(~~(, that contains the signature and a photograph of the~~  
2 applicant));

3 (d) A military identification card (~~(that contains the signature~~  
4 ~~and a photograph of the applicant));~~

5 (e) A United States passport (~~(that contains the signature and a~~  
6 ~~photograph of the applicant));~~ or

7 (f) An Immigration and Naturalization Service form (~~(that contains~~  
8 ~~the signature and photograph of the applicant; or)).~~

9 (~~(g) If the~~) (2) An applicant who is a minor(~~(,))~~ may establish  
10 identity by providing an affidavit of the applicant's parent or  
11 guardian (~~(where)).~~ The parent or guardian must accompany the minor  
12 and display(~~(s))~~ or provide(~~(s))~~;

13 (a) At least one piece of (~~(identifying))~~ documentation (~~(as~~  
14 ~~specified in this))~~ in subsection (~~(along with))~~ (1) of this section  
15 establishing the identity of the parent or guardian; and

16 (b) Additional documentation establishing the relationship between  
17 the parent or guardian and the applicant.

18 (~~(+2))~~ (3) A person unable to provide identifying documentation as  
19 specified in subsection (1) or (2) of this section may request that the  
20 department review other available documentation in order to ascertain  
21 identity. The department may waive the requirement (~~(for specific~~  
22 ~~identifying documentation under subsection (1) of this section))~~ if it  
23 finds that other documentation clearly establishes the identity of the  
24 applicant.

25 (~~(+3))~~ (4) The form of an applicant's name, as established under  
26 this section, must be the person's name of record for the purposes of  
27 this chapter.

28 (5) If the applicant is unable to prove his or her identity under  
29 this section, the department shall plainly label the license "not valid  
30 for identification purposes."

31 **Sec. 10.** RCW 46.20.041 and 1986 c 176 s 1 are each amended to read  
32 as follows:

33 (1) (~~(The department shall permit any))~~ If the department has  
34 reason to believe that a person is suffering from (~~(any))~~ a physical or  
35 mental disability or disease (~~(which))~~ that may affect that person's  
36 ability to drive a motor vehicle, (~~(to))~~ the department must evaluate  
37 whether the person is able to safely drive a motor vehicle. As part of  
38 the evaluation:



1       (a) The department shall permit the person to demonstrate  
2 personally that notwithstanding ((such)) the disability or disease he  
3 or she is ((a proper person)) able to safely drive a motor vehicle.

4       (b) The department may ((in addition)) require ((such)) the person  
5 to obtain a ((certificate showing his or her condition)) statement  
6 signed by a licensed physician or other proper authority designated by  
7 the department certifying the person's condition.

8       (i) The certificate ((shall be)) is for the confidential use of the  
9 director and the chief of the Washington state patrol and for ((such))  
10 other ((cognizant)) public officials ((as may be)) designated by law.  
11 It ((shall be)) is exempt from public inspection and copying  
12 notwithstanding ((the provisions of)) chapter 42.17 RCW.

13       (ii) The certificate may not be offered as evidence in any court  
14 except when appeal is taken from the order of the director  
15 ((suspending, revoking, canceling, or refusing a vehicle driver's  
16 license)) canceling or withholding a person's driving privilege.  
17 However, the department may make the certificate ((may be made))  
18 available to the director of the department of retirement systems for  
19 use in determining eligibility for or continuance of disability  
20 benefits and it may be offered and admitted as evidence in any  
21 administrative proceeding or court action concerning ((such)) the  
22 disability benefits.

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

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

26       (b) Cancel or withhold the driving privilege from the person; or

27       (c) Issue a restricted driver's license to ((such a)) the person  
28 ((imposing restrictions)). The restrictions must be suitable to the  
29 licensee's driving ability ((with respect to)). The restrictions may  
30 include:

31       (i) Special mechanical control devices ((required on a)) on the  
32 motor vehicle ((or)) operated by the licensee;

33       (ii) Limitations on the type of motor vehicle ((which)) that the  
34 licensee may operate; or ((such))

35       (iii) Other restrictions ((applicable to the licensee as the  
36 department may)) determined by the department to be appropriate to  
37 assure the licensee's safe operation of a motor vehicle ((by the  
38 licensee)).

1 (3) The department may either issue a special restricted license or  
2 may set forth (~~such~~) the restrictions upon the usual license form.

3 (4) The department may suspend or revoke a restricted license upon  
4 receiving satisfactory evidence of any violation of the restrictions  
5 (~~of such license suspend or revoke the same but~~). In that event the  
6 licensee (~~shall be~~) is entitled to a driver improvement interview and  
7 a hearing as (~~upon a suspension or revocation under this chapter~~)  
8 provided by RCW 46.20.322 or 46.20.328.

9 (5) (~~It is a traffic infraction for any person to operate~~)  
10 Operating a motor vehicle (~~in any manner~~) in violation of the  
11 restrictions imposed in a restricted license (~~issued to him or her~~)  
12 is a traffic infraction.

13 **Sec. 11.** RCW 46.20.045 and 1971 ex.s. c 292 s 43 are each amended  
14 to read as follows:

15 (~~No~~) A person who is under the age of eighteen years shall not  
16 drive (~~any~~):

17 (1) A school bus transporting school children; or (~~shall drive~~  
18 any))

19 (2) A motor vehicle (~~when in use for the transportation of~~)  
20 transporting persons for compensation.

21 **Sec. 12.** RCW 46.20.055 and 1990 c 250 s 34 are each amended to  
22 read as follows:

23 (~~(1) Any person who is at least fifteen and a half years of age~~  
24 ~~may apply to the department for an instruction permit for the operation~~  
25 ~~of any motor vehicle except a motorcycle. Any person sixteen years of~~  
26 ~~age or older, holding a valid driver's license, may apply for an~~  
27 ~~instruction permit for the operation of a motorcycle. The department~~  
28 ~~may in its discretion, after the applicant has successfully passed all~~  
29 ~~parts of the examination other than the driving test, issue to the~~  
30 ~~applicant a driver's or motorcyclist's instruction permit.~~

31 (a) A driver's instruction permit entitles the permittee while  
32 having the permit in immediate possession to drive a motor vehicle upon  
33 the public highways for a period of one year when accompanied by a  
34 licensed driver who has had at least five years of driving experience  
35 and is occupying a seat beside the driver. Except as provided in  
36 subsection (c) of this subsection, only one additional permit, valid  
37 for one year, may be issued.

1       ~~(b) A motorcyclist's instruction permit entitles the permittee~~  
2 ~~while having the permit in immediate possession to drive a motorcycle~~  
3 ~~upon the public highways for a period of ninety days as provided in RCW~~  
4 ~~46.20.510(3). Except as provided in subsection (c) of this subsection,~~  
5 ~~only one additional permit, valid for ninety days, may be issued.~~

6       ~~(c) The department after investigation may issue a third driver's~~  
7 ~~or motorcyclist's instruction permit when it finds that the permittee~~  
8 ~~is diligently seeking to improve driving proficiency.~~

9       ~~(2) The department may waive the examination, except as to eyesight~~  
10 ~~and other potential physical restrictions, for any applicant who is~~  
11 ~~enrolled in either a traffic safety education course as defined by RCW~~  
12 ~~28A.220.020(2) or a course of instruction offered by a licensed driver~~  
13 ~~training school as defined by RCW 46.82.280(1) at the time the~~  
14 ~~application is being considered by the department. The department may~~  
15 ~~require proof of registration in such a course as it deems necessary.~~

16       ~~(3) The department upon receiving proper application may in its~~  
17 ~~discretion issue a driver's instruction permit to an applicant who is~~  
18 ~~at least fifteen years of age and is enrolled in a traffic safety~~  
19 ~~education program which includes practice driving and which is approved~~  
20 ~~and accredited by the superintendent of public instruction. Such~~  
21 ~~instruction permit shall entitle the permittee having the permit in~~  
22 ~~immediate possession to drive a motor vehicle only when an approved~~  
23 ~~instructor or other licensed driver with at least five years of driving~~  
24 ~~experience, is occupying a seat beside the permittee.~~

25       ~~(4) The department may in its discretion issue a temporary driver's~~  
26 ~~permit to an applicant for a driver's license permitting the applicant~~  
27 ~~to drive a motor vehicle for a period not to exceed sixty days while~~  
28 ~~the department is completing its investigation and determination of all~~  
29 ~~facts relative to such applicant's right to receive a driver's license.~~  
30 ~~Such permit must be in the permittee's immediate possession while~~  
31 ~~driving a motor vehicle, and it shall be invalid when the permittee's~~  
32 ~~license has been issued or for good cause has been refused.))~~

33       (1) Driver's instruction permit. (a) A person who is at least  
34 fifteen and one-half years of age may apply to the department for a  
35 driver's instruction permit. The department may issue a driver's  
36 instruction permit after the applicant has successfully passed all  
37 parts of the examination other than the driving test, provided the  
38 information required by RCW 46.20.091, and paid a five-dollar fee. The  
39 department shall credit the fee to the highway safety fund.

1       (b) The department may issue a driver's instruction permit to an  
2 applicant who is at least fifteen years of age if he or she:

3       (i) Has submitted a proper application; and

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

7       (2) **Waiver of written examination for instruction permit.** The  
8 department may waive the written examination, if, at the time of  
9 application, an applicant is enrolled in:

10       (a) A traffic safety education course as defined by RCW  
11 28A.220.020(2); or

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

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

16       (3) **Effect of instruction permit.** A person holding a driver's  
17 instruction permit may drive a motor vehicle, other than a motorcycle,  
18 upon the public highways if:

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

20       (b) The seat beside the driver is occupied by an approved  
21 instructor, or a licensed driver with at least five years of driving  
22 experience.

23       (4) **Term of instruction permit.** A driver's instruction permit is  
24 valid for one year from the date of issue.

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

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

29       NEW SECTION. **Sec. 13.** A new section is added to chapter 46.20 RCW  
30 to read as follows:

31       (1) If the department is completing an investigation and  
32 determination of facts concerning an applicant's right to receive a  
33 driver's license, it may issue a temporary driver's permit to the  
34 applicant.

35       (2) A temporary driver's permit authorizes the permittee to drive  
36 a motor vehicle for up to sixty days. The permittee must have  
37 immediate possession of the permit while driving a motor vehicle.

1 (3) A temporary driver's permit is invalid if the department has  
2 issued a license to the permittee or refused to issue a license to the  
3 permittee for good cause.

4 **Sec. 14.** RCW 46.20.070 and 1997 c 82 s 1 are each amended to read  
5 as follows:

6 ((Upon receiving a written application on a form provided by the  
7 director for permission for a person under the age of eighteen years to  
8 operate a motor vehicle over and upon the public highways of this state  
9 in connection with farm work, the director may issue a limited driving  
10 permit containing a photograph to be known as a juvenile agricultural  
11 driving permit, such issuance to be governed by the following  
12 procedure:

13 (1) The application must be signed by the applicant and by the  
14 applicant's father, mother, or legal guardian.

15 (2) Upon receipt of the application, the director shall cause an  
16 examination of the applicant to be made as by law provided for the  
17 issuance of a motor vehicle driver's license.

18 (3) The director shall cause an investigation to be made of the  
19 need for the issuance of such operation by the applicant. The permit  
20 also authorizes the holder to participate in the classroom portion of  
21 any traffic safety education course authorized under RCW 28A.220.030  
22 that is offered in the community in which the holder is a resident.

23 Such permit authorizes the holder to operate a motor vehicle over  
24 and upon the public highways of this state within a restricted farming  
25 locality which shall be described upon the face thereof.

26 A permit issued under this section shall expire one year from date  
27 of issue, except that upon reaching the age of eighteen years such  
28 person holding a juvenile agricultural driving permit shall be required  
29 to make application for a motor vehicle driver's license.

30 The director shall charge a fee of three dollars for each such  
31 permit and renewal thereof to be paid as by law provided for the  
32 payment of motor vehicle driver's licenses and deposited to the credit  
33 of the highway safety fund.

34 The director may transfer this permit from one farming locality to  
35 another, but this does not constitute a renewal of the permit.

36 The director may deny the issuance of a juvenile agricultural  
37 driving permit to any person whom the director determines to be

1 ~~incapable of operating a motor vehicle with safety to himself or~~  
2 ~~herself and to persons and property.~~

3 ~~The director may suspend, revoke, or cancel the juvenile~~  
4 ~~agricultural driving permit of any person when in the director's sound~~  
5 ~~discretion the director has cause to believe such person has committed~~  
6 ~~any offense for which mandatory suspension or revocation of a motor~~  
7 ~~vehicle driver's license is provided by law.~~

8 ~~The director may suspend, cancel, or revoke a juvenile agricultural~~  
9 ~~driving permit when in the director's sound discretion the director is~~  
10 ~~satisfied the restricted character of the permit has been violated.))~~

11 (1) **Agricultural driving permit authorized.** The director may issue  
12 a juvenile agricultural driving permit to a person under the age of  
13 eighteen years if:

14 (a) The application is signed by the applicant and the applicant's  
15 father, mother, or legal guardian;

16 (b) The applicant has passed the driving examination required by  
17 RCW 46.20.120;

18 (c) The department has investigated the applicant's need for the  
19 permit and determined that the need justifies issuance;

20 (d) The department has determined the applicant is capable of  
21 operating a motor vehicle without endangering himself or herself or  
22 other persons and property; and

23 (e) The applicant has paid a fee of three dollars, which the  
24 department shall credit to the highway safety fund.

25 The permit must contain a photograph of the person.

26 (2) **Effect of agricultural driving permit.** (a) The permit  
27 authorizes the holder to:

28 (i) Drive a motor vehicle on the public highways of this state in  
29 connection with farm work. The holder may drive only within a  
30 restricted farming locality described on the permit; and

31 (ii) Participate in the classroom portion of a traffic safety  
32 education course authorized under RCW 28A.220.030 offered in the  
33 community where the holder resides.

34 (b) The director may transfer the permit from one farming locality  
35 to another. A transfer is not a renewal of the permit.

36 (3) **Term and renewal of agricultural driving permit.** An  
37 agricultural driving permit expires one year from the date of issue.

1       (a) A person under the age of eighteen who holds a permit may renew  
2 the permit by paying a three-dollar fee. The department shall credit  
3 the fee to the highway safety fund.

4       (b) An agricultural driving permit is invalidated when a permittee  
5 attains age eighteen. In order to drive a motor vehicle on a highway  
6 he or she must obtain a motor vehicle driver's license under this  
7 chapter.

8       (4) **Suspension, revocation, or cancellation.** The director has sole  
9 discretion to suspend, revoke, or cancel a juvenile agricultural  
10 driving permit if:

11       (a) The permittee has been convicted of an offense that requires  
12 mandatory suspension or revocation of a driver's license; or

13       (b) The director is satisfied that the permittee has violated the  
14 permit's restrictions.

15       **Sec. 15.** RCW 46.20.091 and 1998 c 41 s 11 are each amended to read  
16 as follows:

17       ~~((1) Every application for an instruction permit or for an~~  
18 ~~original driver's license shall be made upon a form prescribed and~~  
19 ~~furnished by the department which shall be sworn to and signed by the~~  
20 ~~applicant before a person authorized to administer oaths. An applicant~~  
21 ~~making a false statement under this subsection is guilty of false~~  
22 ~~swearing, a gross misdemeanor, under RCW 9A.72.040. Every application~~  
23 ~~for an instruction permit containing a photograph shall be accompanied~~  
24 ~~by a fee of five dollars. The department shall forthwith transmit the~~  
25 ~~fees collected for instruction permits and temporary drivers' permits~~  
26 ~~to the state treasurer.~~

27       ~~(2) Every such application shall state the name of record, date of~~  
28 ~~birth, sex, and Washington residence address of the applicant, and~~  
29 ~~briefly describe the applicant, and shall state whether the applicant~~  
30 ~~has theretofore been licensed as a driver or chauffeur, and, if so,~~  
31 ~~when and by what state or country, and whether any such license has~~  
32 ~~ever been suspended or revoked, or whether an application has ever been~~  
33 ~~refused, and, if so, the date of and reason for such suspension,~~  
34 ~~revocation, or refusal, and shall state such additional information as~~  
35 ~~the department shall require, including a statement that identifying~~  
36 ~~documentation presented by the applicant is valid.~~

1 ~~(3) Whenever application is received from))~~ (1) **Application.** In  
2 order to apply for a driver's license or instruction permit the  
3 applicant must provide his or her:

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

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

7 (c) Sex;

8 (d) Washington residence address;

9 (e) Description;

10 (f) Driving licensing history, including:

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

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

18 (g) Any additional information required by the department.

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

28 (3) **Driving records from other jurisdictions.** If a person  
29 previously licensed in another jurisdiction applies for a Washington  
30 driver's license, the department shall request a copy of ((such)) the  
31 applicant's driver's record from ((such)) the other jurisdiction.  
32 ((When received,)) The driving record ((shall)) from the other  
33 jurisdiction becomes a part of the driver's record in this state.

34 (4) ((Whenever the department receives request for a driving record  
35 from)) **Driving records to other jurisdictions.** If another  
36 ((licensing)) jurisdiction requests a copy of a person's Washington  
37 driver's record, the department shall provide a copy of the record.  
38 The department shall forward the record ((shall be forwarded)) without  
39 charge if the other ((licensing)) jurisdiction extends the same



1 privilege to the state of Washington. Otherwise ~~((there))~~ the  
2 department shall ~~((be a reasonable))~~ charge a reasonable fee for  
3 transmittal of the record(~~(, the amount to be fixed by the director of~~  
4 ~~the department))~~).

5 **Sec. 16.** RCW 46.20.095 and 1998 c 165 s 5 are each amended to read  
6 as follows:

7 The department's ~~((shall))~~ instructional publication for drivers  
8 must include information on:

9 (1) The proper use of the left-hand lane by motor vehicles on  
10 multilane highways; and ~~((on))~~

11 (2) Bicyclists' and pedestrians' rights and responsibilities ~~((in~~  
12 ~~its instructional publications for drivers))~~).

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

15 (1) Application. The ~~((department of licensing shall not consider~~  
16 ~~an))~~ application of ~~((any minor))~~ a person under the age of eighteen  
17 years for a driver's license or ~~((the issuance of))~~ a motorcycle  
18 endorsement ~~((for a particular category unless:~~

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

25 (2) Traffic safety education requirement. ~~((The applicant has~~  
26 ~~satisfactorily completed a))~~ For a person under the age of eighteen  
27 years to obtain a driver's license he or she must meet the traffic  
28 safety education requirements of this subsection.

29 (a) To meet the traffic safety education requirement for a driver's  
30 license the applicant must satisfactorily complete a traffic safety  
31 education course as defined in RCW 28A.220.020~~(, conducted by a~~  
32 ~~recognized secondary school, that meets))~~. The course must meet the  
33 standards established by the office of the state superintendent of  
34 public instruction ~~((or the applicant has satisfactorily completed a~~  
35 ~~traffic safety education course, conducted by a commercial driving~~  
36 ~~instruction enterprise, that meets the standards established))~~. The  
37 traffic safety education course may be provided by:

1        (i) A recognized secondary school; or  
2        (ii) A commercial driving enterprise that is annually approved by  
3 the office of the superintendent of public instruction ~~((and is~~  
4 ~~officially approved by that office on an annual basis: PROVIDED,~~  
5 ~~HOWEVER, That the director may upon a showing that an applicant was~~  
6 ~~unable to take or complete a driver education course waive that~~  
7 ~~requirement if the applicant shows to the satisfaction of the~~  
8 ~~department that a need exists for the applicant to operate a motor~~  
9 ~~vehicle and he or she has the ability to operate a motor vehicle in~~  
10 ~~such a manner as not to jeopardize the safety of persons or property,~~  
11 ~~under rules to be promulgated by the department in concert with the~~  
12 ~~supervisor of the traffic safety education section, office of the~~  
13 ~~superintendent of public instruction. For a person under the age of~~  
14 ~~eighteen years to obtain))).~~

15        (b) To meet the traffic safety education requirement for a  
16 motorcycle endorsement, ((he or she)) the applicant must successfully  
17 complete a motorcycle safety education course that meets the standards  
18 established 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, under  
28 rules adopted by the department in concert with the supervisor of the  
29 traffic safety education section of the office of the superintendent of  
30 public instruction.

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

37        **Sec. 18.** RCW 46.20.114 and 1977 ex.s. c 27 s 2 are each amended to  
38 read as follows:

1       (~~On and after January 1, 1978,~~) The department shall (~~implement~~  
2 ~~and use such process or processes in the preparation and issuance of~~)  
3 prepare and issue drivers' licenses and identicards using processes  
4 that prohibit as nearly as possible the alteration or reproduction of  
5 such cards, or the superimposing of other photographs on such cards,  
6 without ready detection.

7       **Sec. 19.** RCW 46.20.117 and 1993 c 452 s 3 are each amended to read  
8 as follows:

9       (1) The department shall issue (~~"identicards,"~~) a resident of the  
10 state of Washington an identicard, containing a picture, (~~to~~  
11 nondrivers for a fee of four dollars. However, the fee shall be the  
12 actual cost of production to recipients of continuing public assistance  
13 grants under Title 74 RCW who are referred in writing to the department  
14 by the secretary of social and health services. The fee shall be  
15 deposited in the highway safety fund. To be eligible, each applicant  
16 shall produce evidence as required in RCW 46.20.035 that positively  
17 proves identity. The "identicard" shall) if he or she:

18       (a) Does not hold a valid Washington driver's license;  
19       (b) Proves his or her identity as required by RCW 46.20.035; and  
20       (c) Pays the required fee. The fee is four dollars unless an  
21 applicant is a recipient of continuing public assistance grants under  
22 Title 74 RCW, who is referred in writing by the secretary of social and  
23 health services. For those persons the fee must be the actual cost of  
24 production of the identicard. The department shall deposit the fee in  
25 the highway safety fund.

26       (2) **Design.** The identicard must:

27       (a) Be distinctly designed so that it will not be confused with the  
28 official driver's license(~~. The identicard shall~~); and  
29       (b) Expire on the fifth anniversary of the applicant's birthdate  
30 after issuance.

31       (~~(2)~~) (3) **Cancellation.** The department may cancel an  
32 (~~"~~)identicard(~~" upon a showing by its records or other evidence~~  
33 that) if the holder of (~~(such ")~~) the identicard(~~" has committed a~~  
34 violation relating to "identicards" defined) used the card or allowed  
35 others to use the card in violation of RCW 46.20.336.

36       **Sec. 20.** RCW 46.20.120 and 1990 c 9 s 1 are each amended to read  
37 as follows:

1       (~~No new driver's license may be issued and no previously issued~~  
2 ~~license may be renewed until the applicant therefor has successfully~~  
3 ~~passed~~) An applicant for a new or renewed driver's license must  
4 successfully pass a driver licensing examination to qualify for a  
5 driver's license. The department shall give examinations at places and  
6 times reasonably available to the people of this state. ((However,)

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

8       (a) All or any part of the examination of any person applying for  
9 the renewal of a driver's license ((except when)) unless the department  
10 determines that ((an)) the applicant ((for a driver's license)) is not  
11 qualified to hold a driver's license under this title((.——The  
12 department may also waive)); or

13       (b) The actual demonstration of the ability to operate a motor  
14 vehicle ((by a person who)) if the applicant:

15       (i) Surrenders a valid driver's license issued by the person's  
16 previous home state; and ((who))

17       (ii) Is otherwise qualified to be licensed. ((For a new license))

18       (2) **Fee.** Each applicant for a new license must pay an examination  
19 ((a)) fee of seven dollars ((shall be paid by each applicant,).

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

22       (~~(A))~~) (b) "New license ((is one))" means a license issued to a  
23 driver:

24       (i) Who has not been previously licensed in this state; or ((to a  
25 driver))

26       (ii) Whose last previous Washington license has been expired for  
27 more than four years.

28       (~~(Any person renewing his or her driver's license more than sixty~~  
29 ~~days after the license has expired shall pay a penalty fee of ten~~  
30 ~~dollars in addition to the renewal fee under RCW 46.20.181. The~~  
31 ~~penalty fee shall be deposited in the highway safety fund.~~

32       Any person who is outside the state at the time his or her driver's  
33 license expires or who is unable to renew the license due to any  
34 incapacity may renew the license within sixty days after returning to  
35 this state or within sixty days after the termination of any such  
36 incapacity without the payment of the penalty fee.

37       The department shall provide for giving examinations at places and  
38 times reasonably available to the people of this state.))

1       **Sec. 21.** RCW 46.20.130 and 1990 c 250 s 39 are each amended to  
2 read as follows:

3       (1) The director shall prescribe the content of the driver  
4 licensing examination and the manner of conducting the examination,  
5 which shall include but is not limited to:

6       ~~((1))~~ (a) A test of the applicant's eyesight and ability to see,  
7 understand, and follow highway signs regulating, warning, and directing  
8 traffic;

9       ~~((2))~~ (b) A test of the applicant's knowledge of traffic laws and  
10 ability to understand and follow the directives of lawful authority,  
11 orally or graphically, that regulate, warn, and direct traffic in  
12 accordance with the traffic laws of this state;

13       ~~((3))~~ (c) An actual demonstration of the applicant's ability to  
14 operate a motor vehicle ~~((in such a manner as not to jeopardize))~~  
15 without jeopardizing the safety of persons or property; and

16       ~~((4))~~ (d) Such further examination as the director deems  
17 necessary:

18       ~~((a))~~ (i) To determine whether any facts exist ~~((which))~~ that  
19 would bar the issuance of a vehicle operator's license under chapters  
20 46.20, 46.21, and 46.29 RCW~~((7))~~; and

21       ~~((b))~~ (ii) To determine the applicant's fitness to operate a  
22 motor vehicle safely on the highways~~((; and))~~.

23       ~~((5) In addition to the foregoing, when))~~ (2) If the applicant  
24 desires to drive a motorcycle~~((, as defined in RCW 46.04.330,))~~ or a  
25 motor-driven cycle~~((, as defined in RCW 46.04.332, the applicant shall~~  
26 also demonstrate the ability to operate such motorcycle or motor-driven  
27 cycle in such a manner as not to jeopardize the safety of persons or  
28 property)) he or she must qualify for a motorcycle endorsement under  
29 RCW 46.20.500 through 46.20.515.

30       **Sec. 22.** RCW 46.20.157 and 1993 c 408 s 12 are each amended to  
31 read as follows:

32       (1) Except as provided in subsection (2) of this section, the  
33 department shall annually provide to the department of information  
34 services ~~((at no charge a computer tape or))~~ an electronic data file  
35 ~~((of))~~. The data file must:

36       (a) Contain information on all licensed drivers and identicard  
37 holders who are eighteen years of age or older and whose records have  
38 not expired for more than two years ~~((and which shall))~~;

1        (b) Be provided at no charge; and

2        (c) Contain the following information on each such person: Full  
3 name, date of birth, residence address including county, sex, and most  
4 recent date of application, renewal, replacement, or change of driver's  
5 license or identicard.

6        (2) Before complying with subsection (1) of this section, the  
7 department shall remove from the ~~((tape or))~~ file the names of any  
8 certified participants in the Washington state address confidentiality  
9 program under chapter 40.24 RCW that have been identified to the  
10 department by the secretary of state.

11        **Sec. 23.** RCW 46.20.161 and 1998 c 41 s 12 are each amended to read  
12 as follows:

13        The department, upon receipt of a fee of fourteen dollars, which  
14 includes the fee for the required photograph, shall issue to every  
15 qualifying applicant ~~((qualifying therefor))~~ a driver's license ~~((~~  
16 which~~)).~~ The license ~~((shall bear thereon))~~ must include a  
17 distinguishing number assigned to the licensee, the name of record,  
18 date of birth, Washington residence address, photograph, ~~((and))~~ a  
19 brief description of the licensee, and either a facsimile of the  
20 signature of the licensee or a space upon which the licensee shall  
21 write his or her usual signature with pen and ink immediately upon  
22 receipt of the license. No license is valid until it has been so  
23 signed by the licensee.

24        **Sec. 24.** RCW 46.20.181 and 1990 c 250 s 41 are each amended to  
25 read as follows:

26        (1) Every driver's license expires on the fourth anniversary of the  
27 licensee's birthdate following the issuance of the license. ~~((Every~~  
28 such license is renewable))

29        (2) A person may renew his or her license on or before ~~((its))~~ the  
30 expiration ~~((upon))~~ date by submitting an application as prescribed by  
31 the department and ~~((the payment of))~~ paying a fee of fourteen dollars.  
32 This fee includes the fee for the required photograph.

33        (3) A person renewing his or her driver's license more than sixty  
34 days after the license has expired shall pay a penalty fee of ten  
35 dollars in addition to the renewal fee, unless his or her license  
36 expired when:

1       (a) The person was outside the state and he or she renews the  
2 license within sixty days after returning to this state; or

3       (b) The person was incapacitated and he or she renews the license  
4 within sixty days after the termination of the incapacity.

5       **Sec. 25.** RCW 46.20.205 and 1998 c 41 s 13 are each amended to read  
6 as follows:

7       (1) Whenever any person after applying for or receiving a driver's  
8 license or identicard moves from the address named in the application  
9 or in the license or identicard issued to him or her (~~or when the name~~  
10 of record of a licensee or holder of an identicard is changed by  
11 marriage or otherwise)), the person shall within ten days thereafter  
12 notify the department of the address change. The notification must be  
13 in writing on a form provided by the department (~~of his or her old and~~  
14 new addresses or of such former and new names and of)) and must include  
15 the number of ((any)) the person's driver's license (~~then held by him~~  
16 or her)). The written notification, or other means as designated by  
17 rule of the department, is the exclusive means by which the address of  
18 record maintained by the department concerning the licensee or  
19 identicard holder may be changed.

20       (a) The form must contain a place for the person to indicate that  
21 the address change is not for voting purposes. The department of  
22 licensing shall notify the secretary of state by the means described in  
23 RCW 29.07.270(3) of all change of address information received by means  
24 of this form except information on persons indicating that the change  
25 is not for voting purposes.

26       (b) Any notice regarding the cancellation, suspension, revocation,  
27 disqualification, probation, or nonrenewal of the driver's license,  
28 commercial driver's license, driving privilege, or identicard mailed to  
29 the address of record of the licensee or identicard holder is effective  
30 notwithstanding the licensee's or identicard holder's failure to  
31 receive the notice.

32       (2) When a licensee or holder of an identicard changes his or her  
33 name of record, the person shall notify the department of the name  
34 change. The person must make the notification within ten days of the  
35 date that the name change is effective. The notification must be in  
36 writing on a form provided by the department and must include the  
37 number of the person's driver's license. The department of licensing  
38 shall not change the name of record of a person under this section

1 unless the person has again satisfied the department regarding his or  
2 her identity in the manner provided by RCW 46.20.035.

3 **Sec. 26.** RCW 46.20.510 and 1989 c 337 s 9 are each amended to read  
4 as follows:

5 (1) **Categories.** There ~~((shall be))~~ are three categories for the  
6 special motorcycle endorsement of a driver's license. Category one  
7 ~~((shall be))~~ is for motorcycles or motor-driven cycles having an engine  
8 displacement of one hundred fifty cubic centimeters or less. Category  
9 two ~~((shall be))~~ is for motorcycles having an engine displacement of  
10 five hundred cubic centimeters or less. Category three ~~((shall))~~  
11 includes categories one and two, and ~~((shall be))~~ is for motorcycles  
12 having an engine displacement of five hundred one cubic centimeters or  
13 more.

14 (2) ~~((The department may issue a motorcycle instruction permit  
15 to an individual))~~ **Motorcycle instruction permit.** A person holding a  
16 valid driver's license who wishes to learn to ride a motorcycle or  
17 obtain an endorsement of a larger ~~((endorsement))~~ category ~~((for a  
18 period not to exceed ninety days. This motorcycle instruction  
19 permit may be renewed for an additional ninety days))~~ may apply for a  
20 motorcycle instruction permit. The department may issue a motorcycle  
21 instruction permit after the applicant has successfully passed all  
22 parts of the motorcycle examination other than the driving test. The  
23 director shall collect a two dollar and fifty cent fee for the  
24 ((motorcyclist's)) motorcycle instruction permit or renewal, and  
25 deposit the fee ((shall be deposited)) in the motorcycle safety  
26 education account of the highway safety fund. ((This permit))

27 (3) **Effect of motorcycle instruction permit.** A person holding a  
28 motorcycle instruction permit may drive a motorcycle upon the public  
29 highways if the person has immediate possession of the permit and a  
30 valid driver's license with current endorsement, if any~~((, shall be  
31 carried when operating a motorcycle))~~. An individual with a  
32 motorcycle instruction permit may not carry passengers, may not  
33 operate a motorcycle during the hours of darkness or on a fully-  
34 controlled, limited-access facility, and shall be under the direct  
35 visual supervision of a person with a motorcycle endorsement of the  
36 appropriate category and at least five years' riding experience.

37 (4) **Term of motorcycle instruction permit.** A motorcycle  
38 instruction permit is valid for ninety days from the date of issue.



1        (a) The department may issue one additional ninety-day permit.

2        (b) The department may issue a third motorcycle instruction permit  
3 if it finds after an investigation that the permittee is diligently  
4 seeking to improve driving proficiency.

5        **Sec. 27.** RCW 46.64.070 and 1973 2nd ex.s. c 22 s 1 are each  
6 amended to read as follows:

7        To carry out the purpose of RCW 46.64.060 and 46.64.070, officers  
8 of the Washington state patrol are hereby empowered during daylight  
9 hours and while using plainly marked state patrol vehicles to require  
10 the driver of any motor vehicle being operated on any highway of this  
11 state to stop and display his or her driver's license and/or to submit  
12 the motor vehicle being driven by such person to an inspection and test  
13 to ascertain whether such vehicle complies with the minimum equipment  
14 requirements prescribed by chapter 46.37 RCW, as now or hereafter  
15 amended. No criminal citation shall be issued for a period of ten days  
16 after giving a warning ticket pointing out the defect.

17        The powers conferred by RCW 46.64.060 and 46.64.070 are in addition  
18 to all other powers conferred by law upon such officers, including but  
19 not limited to powers conferred upon them as police officers pursuant  
20 to RCW 46.20.430 (as recodified by this act) and powers conferred by  
21 chapter 46.32 RCW.

22        NEW SECTION. **Sec. 28.** (1) The following subchapter headings are  
23 added to chapter 46.20 RCW.

24        (a) RCW 46.20.005 through 46.20.070 are included under the  
25 subchapter heading "Driver's license and permit requirements";

26        (b) RCW 46.20.091 through 46.20.205 are included under the  
27 subchapter heading "Obtaining or renewing a driver's license";

28        (c) RCW 46.20.207 through 46.20.320 are included under the  
29 subchapter heading "Withholding the driving privilege";

30        (d) RCW 46.20.322 through 46.20.335 are included under the  
31 subchapter heading "Driver improvement";

32        (e) RCW 46.20.338 through 46.20.355 are included under the  
33 subchapter heading "Driving or using license while suspended or  
34 revoked";

35        (f) RCW 46.20.380 through 46.20.410 are included under the  
36 subchapter heading "Occupational driver's license";

1 (g) RCW 46.20.500 through 46.20.520 are included under the  
2 subchapter heading "Motorcycles";

3 (h) RCW 46.20.710 through 46.20.750 are included under the  
4 subchapter heading "Alcohol detection devices";

5 (i) RCW 46.20.900 through 46.20.911 are included under the  
6 subchapter heading "Miscellaneous."

7 (2) The range of numbers included in each subchapter delineated in  
8 this section may be expanded as deemed necessary by the code reviser in  
9 order to include recodified or newly codified sections within a  
10 particular subchapter.

11 (3) Subchapter headings in this title are not part of the law.

12 NEW SECTION. **Sec. 29.** (1) RCW 46.20.190 is recodified as RCW  
13 46.20.017.

14 (2) RCW 46.20.336 and 46.20.550 are recodified as part of the  
15 subchapter of chapter 46.20 RCW labeled "Obtaining or renewing a  
16 driver's license."

17 (3) RCW 46.20.343 and 46.20.470 are recodified as part of the  
18 subchapter of chapter 46.20 RCW labeled "Driver's license and permit  
19 requirements."

20 (4) RCW 46.20.414 is recodified as part of the subchapter of  
21 chapter 46.20 RCW labeled "Withholding the driving privilege."

22 (5) RCW 46.20.430 is recodified as part of the subchapter of  
23 chapter 46.20 RCW labeled "Driving or using license while suspended or  
24 revoked."

25 NEW SECTION. **Sec. 30.** The following acts or parts of acts are  
26 each repealed:

27 (1) RCW 46.20.106 and 1965 ex.s. c 121 s 14 & 1961 c 12 s  
28 46.20.106; and

29 (2) RCW 46.20.116 and 1993 c 452 s 2 & 1969 ex.s. c 155 s 3.

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