
SUBSTITUTE HOUSE BILL 2560

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Quall, O'Brien, Lovick, Mitchell, Clements, Sump, Simpson, Sehlin, Cooper, Delvin, Boldt, Morell, Kessler, Buck, Hankins, Fisher, Armstrong, Mielke, Rockefeller, Haigh, Nixon, Kenney and Jackley)

Read first time . Referred to Committee on .

1 AN ACT Relating to driver training schools; amending RCW 46.20.055,
2 46.20.070, and 46.20.100; adding a new section to chapter 46.82 RCW;
3 and declaring an emergency.

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

5 **Sec. 1.** RCW 46.20.055 and 1999 c 274 s 13 are each amended to read
6 as follows:

7 (1) **Driver's instruction permit.** The department may issue a
8 driver's instruction permit with a photograph to an applicant who has
9 successfully passed all parts of the examination other than the driving
10 test, provided the information required by RCW 46.20.091, paid a five-
11 dollar fee, and meets the following requirements:

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

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

14 (i) Has submitted a proper application; and

15 (ii) Is enrolled in a traffic safety education program offered,
16 approved, and accredited by the superintendent of public instruction,
17 or offered by a driver training school licensed and inspected by the
18 department of licensing under chapter 46.82 RCW, that includes practice
19 driving.

1 (2) **Nonphoto permit fee.** An applicant who meets the requirements
2 of subsection (1) of this section other than payment of the five-dollar
3 fee may obtain a driver's instruction permit without a photograph by
4 paying a fee of four dollars.

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

8 (a) A traffic safety education course as defined by RCW
9 28A.220.020(2); or

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

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

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

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

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

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

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

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

26 **Sec. 2.** RCW 46.20.070 and 1999 c 6 s 13 are each amended to read
27 as follows:

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

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

33 (b) The applicant has passed the driving examination required by
34 RCW 46.20.120;

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

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

4 (e) The applicant has paid a fee of three dollars.

5 The permit must contain a photograph of the person.

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

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

11 (ii) Participate in the classroom portion of a traffic safety
12 education course authorized under RCW 28A.220.030, or the classroom
13 portion of a traffic safety education course offered by a driver
14 training school licensed and inspected by the department of licensing
15 under chapter 46.82 RCW, offered in the community where the holder
16 resides.

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

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

21 (a) A person under the age of eighteen who holds a permit may renew
22 the permit by paying a three-dollar fee.

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

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

30 (a) The permittee has been found to have committed an offense that
31 requires mandatory suspension or revocation of a driver's license; or

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

34 **Sec. 3.** RCW 46.20.100 and 1999 c 274 s 14 are each amended to read
35 as follows:

36 (1) **Application.** The application of a person under the age of
37 eighteen years for a driver's license or a motorcycle endorsement must
38 be signed by a parent or guardian with custody of the minor. If the

1 person under the age of eighteen has no father, mother, or guardian,
2 then the application must be signed by the minor's employer.

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 for a course offered by
9 a school district, or as defined by the department of licensing for a
10 course offered by a driver training school licensed under chapter 46.82
11 RCW. The course offered by a school district or an approved private
12 school must meet the standards established by the office of the state
13 superintendent of public instruction. The course offered by a driver
14 training school must meet the standards established by the department
15 of licensing through the driver instructors' advisory committee under
16 RCW 46.82.300. The traffic safety education course may be provided by:

17 (i) A recognized secondary school; or

18 (ii) A (~~commercial driving enterprise~~) driver training school
19 licensed under chapter 46.82 RCW that is annually approved by the
20 (~~office of the superintendent of public instruction~~) department of
21 licensing.

22 (b) To meet the traffic safety education requirement for a
23 motorcycle endorsement, the applicant must successfully complete a
24 motorcycle safety education course that meets the standards established
25 by the department of licensing.

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

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

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

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

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

38 (d) The department may waive the traffic safety education
39 requirement if the applicant was licensed to drive a motor vehicle or

1 motorcycle outside this state and provides proof that he or she has had
2 education equivalent to that required under this subsection.

3 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.82 RCW
4 to read as follows:

5 (1) Persons instructing students under eighteen years of age are
6 required to have a background check through the Washington state patrol
7 criminal identification system and through the Federal Bureau of
8 Investigation. The background check must also include a fingerprint
9 check using a fingerprint card.

10 (2) The cost of the background check will be paid by the
11 instructor.

12 (3) The department may waive the background check for an applicant
13 who has had a background check within two years before applying to
14 become an instructor.

15 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
16 preservation of the public peace, health, or safety, or support of the
17 state government and its existing public institutions, and takes effect
18 immediately.

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