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SENATE BILL 5693

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State of Washington                      58th Legislature                      2003 Regular Session

By Senators Schmidt, Eide, Esser, Brandland, Horn, Shin and Rasmussen

Read first time 02/06/2003.      Referred to Committee on Highways & Transportation.

1            AN ACT Relating to suspension of intermediate drivers' licenses;  
2 amending RCW 46.20.267 and 46.20.075; and reenacting and amending RCW  
3 46.20.055.

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

5            **Sec. 1.** RCW 46.20.267 and 2000 c 115 s 3 are each amended to read  
6 as follows:

7            If a person issued an intermediate license is convicted of or found  
8 to have committed a traffic offense described in chapter 46.61 RCW or  
9 violated restrictions placed on an intermediate license under RCW  
10 46.20.075:

11            (1) On the first such conviction or finding the department shall  
12 revoke the person's intermediate driver's license and mail the parent  
13 or guardian of the person a ((letter warning the person of the  
14 provisions of this section)) notification of the revocation. A person  
15 may reapply for an intermediate license after a period of three months.  
16 During the three-month period, a person may reapply for an instruction  
17 permit;

18            (2) On the second such conviction or finding, the department shall  
19 suspend the person's intermediate driver's license for a period of six

1 months or until the person reaches eighteen years of age, whichever  
2 occurs first, and mail the parent or guardian of the person a  
3 notification of the suspension;

4 (3) On the third such conviction or finding, the department shall  
5 suspend the person's intermediate driver's license until the person  
6 reaches eighteen years of age, and mail the parent or guardian of the  
7 person a notification of the suspension.

8 For the purposes of this section, a single ticket for one or more  
9 traffic offenses constitutes a single traffic offense.

10 **Sec. 2.** RCW 46.20.055 and 2002 c 352 s 10 and 2002 c 195 s 2 are  
11 each reenacted and amended to read as follows:

12 (1) **Driver's instruction permit.** The department may issue a  
13 driver's instruction permit with or without a photograph to an  
14 applicant who has successfully passed all parts of the examination  
15 other than the driving test, provided the information required by RCW  
16 46.20.091, paid a fee of fifteen dollars, and meets the following  
17 requirements:

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

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

20 (i) Has submitted a proper application; and

21 (ii) Is enrolled in a traffic safety education program offered,  
22 approved, and accredited by the superintendent of public instruction or  
23 offered by a (~~driving [driver]~~) driver training school licensed and  
24 inspected by the department of licensing under chapter 46.82 RCW, that  
25 includes practice driving. A person whose intermediate driver's  
26 license has been revoked under RCW 46.20.267(1) need not reenroll in a  
27 traffic safety program to obtain an instruction permit.

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

31 (a) A traffic safety education course as defined by RCW  
32 28A.220.020(2); or

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

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

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

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

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

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

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

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

13 **Sec. 3.** RCW 46.20.075 and 2000 c 115 s 2 are each amended to read  
14 as follows:

15 (1) An intermediate license authorizes the holder to drive a motor  
16 vehicle under the conditions specified in this section. An applicant  
17 for an intermediate license must be at least sixteen years of age and:

18 (a) Have possessed a valid instruction permit for a period of not  
19 less than six months, or three months in the case of suspension of an  
20 intermediate driver's license under RCW 46.20.267(1);

21 (b) Have passed a driver licensing examination administered by the  
22 department;

23 (c) Have passed a course of driver's education in accordance with  
24 the standards established in RCW 46.20.100;

25 (d) Present certification by his or her parent, guardian, or  
26 employer to the department stating (i) that the applicant has had at  
27 least fifty hours of driving experience, ten of which were at night,  
28 during which the driver was supervised by a person at least twenty-one  
29 years of age who has had a valid driver's license for at least three  
30 years, and (ii) that the applicant has not been issued a notice of  
31 traffic infraction or cited for a traffic violation that is pending at  
32 the time of the application for the intermediate license;

33 (e) Not have been convicted of or found to have committed a traffic  
34 violation within the last six months before the application for the  
35 intermediate license, or three months in the case of suspension of an  
36 intermediate driver's license under RCW 46.20.267(1); and

1 (f) Not have been adjudicated for an offense involving the use of  
2 alcohol or drugs during the period the applicant held an instruction  
3 permit.

4 (2) For the first six months after the issuance of an intermediate  
5 license or until the holder reaches eighteen years of age, whichever  
6 occurs first, the holder of the license may not operate a motor vehicle  
7 that is carrying any passengers under the age of twenty who are not  
8 members of the holder's immediate family as defined in RCW 42.17.020.  
9 For the remaining period of the intermediate license, the holder may  
10 not operate a motor vehicle that is carrying more than three passengers  
11 who are under the age of twenty who are not members of the holder's  
12 immediate family.

13 (3) The holder of an intermediate license may not operate a motor  
14 vehicle between the hours of 1 a.m. and 5 a.m. except when the holder  
15 is accompanied by a parent, guardian, or a licensed driver who is at  
16 least twenty-five years of age.

17 (4) It is a traffic infraction for the holder of an intermediate  
18 license to operate a motor vehicle in violation of the restrictions  
19 imposed under this section.

20 (5) Enforcement of this section by law enforcement officers may be  
21 accomplished only as a secondary action when a driver of a motor  
22 vehicle has been detained for a suspected violation of this title or an  
23 equivalent local ordinance or some other offense.

24 (6) An intermediate licensee may drive at any hour without  
25 restrictions on the number of passengers in the vehicle if necessary  
26 for agricultural purposes.

27 (7) An intermediate licensee may drive at any hour without  
28 restrictions on the number of passengers in the vehicle if, for the  
29 twelve-month period following the issuance of the intermediate license,  
30 he or she:

31 (a) Has not been involved in an automobile accident; and

32 (b) Has not been convicted or found to have committed a traffic  
33 offense described in chapter 46.61 RCW or violated restrictions placed  
34 on an intermediate licensee under this section.

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