

# HOUSE BILL REPORT

## HB 2568

---

**As Reported by House Committee On:**  
Transportation

**Title:** An act relating to the use of wireless communication devices by holders of instruction permits and intermediate licenses.

**Brief Description:** Providing restrictions for the use of wireless communication devices by holders of instruction permits and intermediate licenses.

**Sponsors:** Representatives Morrell, Campbell, Williams, Wallace, Roberts and Appleton.

**Brief History:**

**Committee Activity:**

Transportation: 1/25/06, 2/1/06 [DP].

**Brief Summary of Bill**

- The holder of either an Intermediate Drivers' License (IDL) or an instruction permit may not operate a motor vehicle while using a wireless communication device except in the case of an emergency.

---

### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 17 members: Representatives Murray, Chair; Wallace, Vice Chair; Appleton, Campbell, Clibborn, Dickerson, Flannigan, Hankins, Hudgins, Kilmer, Lovick, Sells, Simpson, B. Sullivan, Takko, Upthegrove and Wood.

**Minority Report:** Do not pass. Signed by 11 members: Representatives Woods, Ranking Minority Member; Buck, Curtis, Ericksen, Holmquist, Jarrett, Morris, Nixon, Rodne, Schindler and Shabro.

**Staff:** David Munnecke (786-7315).

**Background:**

An individual who is at least 15 years of age, submits a proper application, and is enrolled in an approved traffic safety program may be issued a driver's instruction permit by the Department of Licensing upon passage of the appropriate examination. An individual who is at least 15 and one-half years of age may also be issued a driver's instruction permit by the Department of Licensing upon passage of the appropriate examination.

A person holding an instruction permit may drive a motor vehicle, other than a motorcycle, if they have immediate possession of the permit and an approved instructor or a licensed driver with at least five years of driving experience occupies the seat beside the driver.

Washington's Intermediate Drivers' License (IDL) law prohibits drivers who hold an IDL from carrying passengers under 20 years of age in their car for the first six months after issuance of the license, unless the passenger is an immediate family member. During the remaining period of the IDL (up to the age of 18), the driver may not carry more than three non-family member passengers under the age of 20.

Drivers who hold an IDL are also prohibited from driving between 1:00 a.m. and 5:00 a.m. unless a licensed driver 25 year or older is also in the vehicle. Driving for agricultural purposes is an exception to the late night hours driving restriction.

Beginning with the issuance of the IDL and until the age of 18:

- If a driver commits a driving violation, or a violation of license restrictions, the driver is sent a warning letter by the Department of Licensing.
- If two driving violations are committed a letter suspending the driver for six months (or until age 18, whichever is shorter) is sent to the driver.
- For a third driving violation the driver is suspended until age 18.
- The driver's parents also receive a copy of any warning or suspension letter sent to the driver.

After a year of driving safely without a driving violation, offense or collision, the driving restrictions expire and will not be reimposed. However, the driver is still subject to receiving the IDL warning letter and license suspension penalties until age 18. Driving with a suspended IDL is a misdemeanor.

---

### **Summary of Bill:**

The holder of either an IDL or an instruction permit may not operate a motor vehicle while using a wireless communication device unless the holder is using the device to report illegal activity, summon medical or other emergency help, or prevent injury to a person or property.

The violation of the IDL restriction on using a wireless communication device is a primary infraction.

---

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect on July 1, 2006.

**Testimony For:** (In support) Studies have been conducted that show teen drivers are much more likely than adult drivers to lose focus when distracting events occur around them.

(Netural) Restricting the use of cellphones by teen drivers is a priority of the National Transportation Safety Board. This is a good bill, but reopening the IDL law before it sunsets could lead to problems.

**Testimony Against:** None.

**Persons Testifying:** (In support) Alex Hansen, Washington Traffic Safety Education Association; Andrew Finley, 911 Driving School; Steve Lind, Washington Traffic Safety Commission; and Nancee Wildermuth, Sprint and Nextel.

(Netural) Dave Sedelmeier, Apex Driving School.

**Persons Signed In To Testify But Not Testifying:** None.