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HOUSE BILL 1370

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State of Washington                      59th Legislature                      2005 Regular Session

By Representative Nixon

Read first time 01/21/2005. Referred to Committee on Transportation.

1            AN ACT Relating to intermediate drivers' licenses; amending RCW  
2 46.20.075; and creating a new section.

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

4            NEW SECTION.    **Sec. 1.** Since the enactment of the intermediate  
5 driver license law in 2000, the restriction on carrying passengers  
6 under the age of twenty has prevented many young drivers from  
7 carpooling to and from school, sporting events, and other  
8 extracurricular activities. This wastes fuel and contributes to  
9 congestion on our roadways, defeating many important transportation  
10 goals of the state. The legislature intends to correct this situation  
11 by allowing holders of intermediate licenses to once again carry  
12 unrelated underage passengers. The legislature further intends to  
13 permit holders of intermediate licenses to carry unrelated underage  
14 passengers when accompanied by a parent, guardian, or licensed driver  
15 over twenty-five years of age.

16            **Sec. 2.** RCW 46.20.075 and 2000 c 115 s 2 are each amended to read  
17 as follows:

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

4 (a) Have possessed a valid instruction permit for a period of not  
5 less than six months;

6 (b) Have passed a driver licensing examination administered by the  
7 department;

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

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

18 (e) Not have been convicted of or found to have committed a traffic  
19 violation within the last six months before the application for the  
20 intermediate license; and

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

24 (2) For the first six months after the issuance of an intermediate  
25 license or until the holder reaches eighteen years of age, whichever  
26 occurs first, the holder of the license may not operate a motor vehicle  
27 that is carrying ~~((any passengers under the age of twenty who are not  
28 members of the holder's immediate family as defined in RCW 42.17.020.  
29 For the remaining period of the intermediate license, the holder may  
30 not operate a motor vehicle that is carrying))~~ more than ~~((three  
31 passengers))~~ one passenger who ~~((are))~~ is under the age of twenty who  
32 ~~((are))~~ is not ~~((members))~~ a member of the holder's immediate family as  
33 defined in RCW 42.17.020, except when the holder is accompanied by a  
34 parent, guardian, or a licensed driver who is at least twenty-five  
35 years of age.

36 (3) The holder of an intermediate license may not operate a motor  
37 vehicle between the hours of 1 a.m. and 5 a.m. except when the holder

1 is accompanied by a parent, guardian, or a licensed driver who is at  
2 least twenty-five years of age.

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

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

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

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

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

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

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