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**SUBSTITUTE HOUSE BILL 2053**

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**State of Washington                      59th Legislature                      2005 Regular Session**

**By** House Committee on Transportation (originally sponsored by Representatives Hankins, Murray, Haler, Schual-Berke and Skinner)

READ FIRST TIME 03/07/05.

1            AN ACT Relating to intermediate drivers' licenses; amending RCW  
2 46.20.075; and providing an effective date.

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

4            **Sec. 1.** RCW 46.20.075 and 2000 c 115 s 2 are each amended to read  
5 as follows:

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

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

11            (b) Have passed a driver licensing examination administered by the  
12 department;

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

15            (d) Present certification by his or her parent, guardian, or  
16 employer to the department stating (i) that the applicant has had at  
17 least fifty hours of driving experience, ten of which were at night,  
18 during which the driver was supervised by a person at least twenty-one  
19 years of age who has had a valid driver's license for at least three

1 years, ~~((and))~~ (ii) that the applicant has not been issued a notice of  
2 traffic infraction or cited for a traffic violation that is pending at  
3 the time of the application for the intermediate license, (iii) that  
4 the parent, guardian, or employer has read and understood the  
5 intermediate license restrictions, and (iv) that the applicant has read  
6 and understood the intermediate license restriction;

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

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

13 (2) For the first six months after the issuance of an intermediate  
14 license or until the holder reaches eighteen years of age, whichever  
15 occurs first, the holder of ~~((the))~~ an intermediate license may not  
16 operate a motor vehicle that is carrying any passengers under the age  
17 of twenty who are not members of the holder's immediate family ~~((as~~  
18 ~~defined in RCW 42.17.020))~~. For the remaining period of the  
19 intermediate license, the holder may not operate a motor vehicle that  
20 is carrying more than three passengers who are under the age of twenty  
21 who are not members of the holder's immediate family.

22 (3) The holder of an intermediate license may not operate a motor  
23 vehicle between the hours of 1 a.m. and 5 a.m. except when the holder  
24 is accompanied by a licensed parent, licensed guardian, or a licensed  
25 driver who is at least twenty-five years of age with at least ~~((twenty-~~  
26 ~~five))~~ five years of ~~((age))~~ driving experience.

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

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

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

37 (7) An intermediate licensee may drive at any hour without

1 restrictions on the number of passengers in the vehicle if, for the  
2 twelve-month period following the issuance of the intermediate license,  
3 he or she:

4 (a) Has not been involved in (~~(an automobile accident)~~) a  
5 chargeable accident or an accident in which the licensee was at fault;  
6 and

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

10 (8) For the purposes of this section, "immediate family" includes  
11 the spouse, brother, sister, half brother, half sister, stepbrother,  
12 stepsister, or other person under twenty years old if living in the  
13 same household as the intermediate license holder.

14 NEW SECTION. **Sec. 2.** This act takes effect August 1, 2005.

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