
HOUSE BILL 3298

State of Washington 59th Legislature 2006 Regular Session

By Representative B. Sullivan

Read first time 02/03/2006. Referred to Committee on Transportation.

1 AN ACT Relating to intermediate licenses; amending RCW 46.20.075;
2 creating new sections; and providing an effective date.

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

4 NEW SECTION. **Sec. 1.** This act may be known as the intermediate
5 license exception modification act.

6 NEW SECTION. **Sec. 2.** (1) The legislature finds that:

7 (a) In the United States, there were three hundred one alcohol-
8 related fatalities between 6 p.m. on December 31, 2001, and 5:59 a.m.
9 on January 2, 2002.

10 (b) On Super Bowl Sunday 2002, 58.5 percent of traffic fatalities,
11 occurring between 6 p.m. and 5:59 a.m., were alcohol-related.

12 (c) Each year, motor vehicle accidents cost the United States
13 approximately fifty-one billion dollars.

14 (d) In 2004, sixteen thousand six hundred ninety-four people in the
15 United States died in alcohol-related vehicle accidents.

16 (e) At all levels of blood alcohol concentration, young individuals
17 are in greater risk of being involved in a motor vehicle accident than
18 older individuals. In 2003, twenty-five percent of drivers, ages

1 fifteen to twenty, who died in motor vehicle accidents had been
2 drinking alcohol prior to the accident. Single individuals are
3 approximately fifty percent more likely to report alcohol-impaired
4 driving than individuals who are married or living with a partner.

5 (f) Designated driver programs are a key component of a community-
6 based, comprehensive impaired driving prevention effort. These
7 programs are effective because they remove many of the risks related to
8 impaired driving.

9 (2) The purpose of this act is to:

10 (a) Create safer roads for people who use the roads between 1 a.m.
11 and 5 a.m. and who are not intoxicated; and

12 (b) Authorize holders of intermediate licenses to drive during
13 curfew hours to pick up others in need of a ride, such as intoxicated
14 people who may put their own and others' lives at risk.

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

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

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

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

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

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

34 (e) Not have been convicted of or found to have committed a traffic
35 violation within the last six months before the application for the
36 intermediate license; 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, immediate family member as defined in RCW
16 42.17.020, guardian, ~~((or a))~~ licensed driver who is at least twenty-
17 five years of age, or a person enrolled in a designated driver program.
18 For purposes of this section, "designated driver program" means a
19 program designed to promote the designation of sober drivers, such as
20 Safe Ride, a program that provides transportation for persons who plan
21 to consume alcohol. Any person authorized to accompany the holder of
22 an intermediate license in this subsection shall not accompany the
23 holder if the person has:

24 (a) Violated RCW 46.61.502 and 46.61.503 within the previous seven
25 years; or

26 (b) Committed a felony within the previous seven years.

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; and

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

8 NEW SECTION. **Sec. 4.** This act takes effect September 1, 2006.

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