
HOUSE BILL 1845

State of Washington 60th Legislature 2007 Regular Session

By Representatives Simpson, Lovick, B. Sullivan, Springer and Appleton

Read first time 01/30/2007. Referred to Committee on Transportation.

1 AN ACT Relating to requiring and funding driver training for all
2 new first-time drivers; amending RCW 46.20.100; reenacting and amending
3 RCW 46.63.110; and adding new sections to chapter 74.08A RCW.

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

5 **Sec. 1.** RCW 46.20.100 and 2002 c 195 s 1 are each amended to read
6 as follows:

7 (1) **Application.** The application of a person under the age of
8 eighteen years for a driver's license or a motorcycle endorsement must
9 be signed by a parent or guardian with custody of the minor. If the
10 person under the age of eighteen has no father, mother, or guardian,
11 then the application must be signed by the minor's employer.

12 (2) **Traffic safety education requirement.** For a person (~~under the~~
13 ~~age of eighteen years~~) to obtain a driver's license he or she must
14 meet the traffic safety education requirements of this subsection.

15 (a) To meet the traffic safety education requirement for a driver's
16 license the applicant must satisfactorily complete a traffic safety
17 education course as defined in RCW 28A.220.020 for a course offered by
18 a school district, or as defined by the department of licensing for a
19 course offered by a driver training school licensed under chapter 46.82

1 RCW. The course offered by a school district or an approved private
2 school must meet the standards established by the office of the state
3 superintendent of public instruction. The course offered by a driver
4 training school must meet the standards established by the department
5 of licensing with the advice of the driver instructors' advisory
6 committee, pursuant to RCW 46.82.300. The traffic safety education
7 course may be provided by:

8 (i) A recognized secondary school; or

9 (ii) A driver training school licensed under chapter 46.82 RCW that
10 is annually approved by the department of licensing.

11 (b) To meet the traffic safety education requirement for a
12 motorcycle endorsement, the applicant must successfully complete a
13 motorcycle safety education course that meets the standards established
14 by the department of licensing.

15 (c) The department may waive the traffic safety education
16 requirement for a driver's license if the applicant demonstrates to the
17 department's satisfaction that:

18 (i) He or she was unable to take or complete a traffic safety
19 education course;

20 (ii) A need exists for the applicant to operate a motor vehicle;
21 and

22 (iii) He or she has the ability to operate a motor vehicle in such
23 a manner as not to jeopardize the safety of persons or property.

24 The department may adopt rules to implement this subsection (2)(c)
25 in concert with the supervisor of the traffic safety education section
26 of the office of the superintendent of public instruction.

27 (d) The department may waive the traffic safety education
28 requirement if the applicant was licensed to drive a motor vehicle or
29 motorcycle outside this state and provides proof that he or she has had
30 education equivalent to that required under this subsection.

31 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.08A RCW
32 to read as follows:

33 (1) A driver training grant program is established within the
34 department for the purpose of providing grants to low-income
35 individuals enrolled in a driver training education course as defined
36 in RCW 46.82.280(5) or a traffic safety education course as defined in
37 RCW 28A.220.020(2).

1 (2) The department shall design, implement, and administer the
2 program, subject to the conditions described in subsections (3) through
3 (5) of this section.

4 (3) The department shall establish a sliding scale of grant amounts
5 due to providers of driver training education courses and traffic
6 safety education courses to individuals with household incomes at or
7 below two hundred fifty percent of the federal poverty level, adjusted
8 for family size. The department shall evaluate the sliding scale of
9 grant amounts on a quarterly basis and make adjustments based on the
10 available funding.

11 (4) The department shall verify the eligibility of applicants for
12 the grants and provide them with a grant certificate for the amount
13 determined under subsection (3) of this section.

14 (5) The department shall reimburse the providers of driver training
15 education courses and traffic safety education courses who receive the
16 grant certificates from enrollees within thirty days.

17 **Sec. 3.** RCW 46.63.110 and 2005 c 413 s 2, 2005 c 320 s 2, and 2005
18 c 288 s 8 are each reenacted and amended to read as follows:

19 (1) A person found to have committed a traffic infraction shall be
20 assessed a monetary penalty. No penalty may exceed two hundred and
21 fifty dollars for each offense unless authorized by this chapter or
22 title.

23 (2) The monetary penalty for a violation of (a) RCW 46.55.105(2) is
24 two hundred fifty dollars for each offense; (b) RCW 46.61.210(1) is
25 five hundred dollars for each offense. No penalty assessed under this
26 subsection (2) may be reduced.

27 (3) The supreme court shall prescribe by rule a schedule of
28 monetary penalties for designated traffic infractions. This rule shall
29 also specify the conditions under which local courts may exercise
30 discretion in assessing fines and penalties for traffic infractions.
31 The legislature respectfully requests the supreme court to adjust this
32 schedule every two years for inflation.

33 (4) There shall be a penalty of twenty-five dollars for failure to
34 respond to a notice of traffic infraction except where the infraction
35 relates to parking as defined by local law, ordinance, regulation, or
36 resolution or failure to pay a monetary penalty imposed pursuant to
37 this chapter. A local legislative body may set a monetary penalty not

1 to exceed twenty-five dollars for failure to respond to a notice of
2 traffic infraction relating to parking as defined by local law,
3 ordinance, regulation, or resolution. The local court, whether a
4 municipal, police, or district court, shall impose the monetary penalty
5 set by the local legislative body.

6 (5) Monetary penalties provided for in chapter 46.70 RCW which are
7 civil in nature and penalties which may be assessed for violations of
8 chapter 46.44 RCW relating to size, weight, and load of motor vehicles
9 are not subject to the limitation on the amount of monetary penalties
10 which may be imposed pursuant to this chapter.

11 (6) Whenever a monetary penalty, fee, cost, assessment, or other
12 monetary obligation is imposed by a court under this chapter it is
13 immediately payable. If the court determines, in its discretion, that
14 a person is not able to pay a monetary obligation in full, and not more
15 than one year has passed since the later of July 1, 2005, or the date
16 the monetary obligation initially became due and payable, the court
17 shall enter into a payment plan with the person, unless the person has
18 previously been granted a payment plan with respect to the same
19 monetary obligation, or unless the person is in noncompliance of any
20 existing or prior payment plan, in which case the court may, at its
21 discretion, implement a payment plan. If the court has notified the
22 department that the person has failed to pay or comply and the person
23 has subsequently entered into a payment plan and made an initial
24 payment, the court shall notify the department that the infraction has
25 been adjudicated, and the department shall rescind any suspension of
26 the person's driver's license or driver's privilege based on failure to
27 respond to that infraction. "Payment plan," as used in this section,
28 means a plan that requires reasonable payments based on the financial
29 ability of the person to pay. The person may voluntarily pay an amount
30 at any time in addition to the payments required under the payment
31 plan.

32 (a) If a payment required to be made under the payment plan is
33 delinquent or the person fails to complete a community restitution
34 program on or before the time established under the payment plan,
35 unless the court determines good cause therefor and adjusts the payment
36 plan or the community restitution plan accordingly, the court shall
37 notify the department of the person's failure to meet the conditions of
38 the plan, and the department shall suspend the person's driver's

1 license or driving privilege until all monetary obligations, including
2 those imposed under subsections (3) and (4) of this section, have been
3 paid, and court authorized community restitution has been completed, or
4 until the department has been notified that the court has entered into
5 a new time payment or community restitution agreement with the person.

6 (b) If a person has not entered into a payment plan with the court
7 and has not paid the monetary obligation in full on or before the time
8 established for payment, the court shall notify the department of the
9 delinquency. The department shall suspend the person's driver's
10 license or driving privilege until all monetary obligations have been
11 paid, including those imposed under subsections (3) and (4) of this
12 section, or until the person has entered into a payment plan under this
13 section.

14 (c) If the payment plan is to be administered by the court, the
15 court may assess the person a reasonable administrative fee to be
16 wholly retained by the city or county with jurisdiction. The
17 administrative fee shall not exceed ten dollars per infraction or
18 twenty-five dollars per payment plan, whichever is less.

19 (d) Nothing in this section precludes a court from contracting with
20 outside entities to administer its payment plan system. When outside
21 entities are used for the administration of a payment plan, the court
22 may assess the person a reasonable fee for such administrative
23 services, which fee may be calculated on a periodic, percentage, or
24 other basis.

25 (e) If a court authorized community restitution program for
26 offenders is available in the jurisdiction, the court may allow
27 conversion of all or part of the monetary obligations due under this
28 section to court authorized community restitution in lieu of time
29 payments if the person is unable to make reasonable time payments.

30 (7) In addition to any other penalties imposed under this section
31 and not subject to the limitation of subsection (1) of this section, a
32 person found to have committed a traffic infraction shall be assessed
33 a fee of five dollars per infraction. Under no circumstances shall
34 this fee be reduced or waived. Revenue from this fee shall be
35 forwarded to the state treasurer for deposit in the emergency medical
36 services and trauma care system trust account under RCW 70.168.040.

37 (8)(a) In addition to any other penalties imposed under this
38 section and not subject to the limitation of subsection (1) of this

1 section, a person found to have committed a traffic infraction other
2 than of RCW 46.61.527 shall be assessed an additional penalty of twenty
3 dollars. The court may not reduce, waive, or suspend the additional
4 penalty unless the court finds the offender to be indigent. If a court
5 authorized community restitution program for offenders is available in
6 the jurisdiction, the court shall allow offenders to offset all or a
7 part of the penalty due under this subsection (8) by participation in
8 the court authorized community restitution program.

9 (b) Eight dollars and fifty cents of the additional penalty under
10 (a) of this subsection shall be remitted to the state treasurer. The
11 remaining revenue from the additional penalty must be remitted under
12 chapters 2.08, 3.46, 3.50, 3.62, 10.82, and 35.20 RCW. Money remitted
13 under this subsection to the state treasurer must be deposited as
14 provided in RCW 43.08.250. The balance of the revenue received by the
15 county or city treasurer under this subsection must be deposited into
16 the county or city current expense fund. Moneys retained by the city
17 or county under this subsection shall constitute reimbursement for any
18 liabilities under RCW 43.135.060.

19 (9) If a legal proceeding, such as garnishment, has commenced to
20 collect any delinquent amount owed by the person for any penalty
21 imposed by the court under this section, the court may, at its
22 discretion, enter into a payment plan.

23 (10) The monetary penalty for violating RCW 46.37.395 is: (a) Two
24 hundred fifty dollars for the first violation; (b) five hundred dollars
25 for the second violation; and (c) seven hundred fifty dollars for each
26 violation thereafter.

27 (11) In addition to any other penalties imposed under this section
28 and not subject to the limitation of subsection (1) of this section, a
29 person found to have committed a traffic infraction shall be assessed
30 a fee of five dollars per infraction. This fee may not be reduced or
31 waived. Revenue from this fee shall be forwarded to the state
32 treasurer for deposit in the driver training trust account created in
33 section 4 of this act.

34 NEW SECTION. Sec. 4. A new section is added to chapter 74.08A RCW
35 to read as follows:

36 The driver training trust account is created in the custody of the
37 state treasurer. All receipts from the fee imposed under RCW

1 46.63.110(11) must be deposited into the account. Expenditures from
2 the account may be used only for offsetting the cost of driver training
3 programs for low-income individuals. Only the director of the
4 department of social and health services or the director's designee may
5 authorize expenditures from the account. The account is subject to
6 allotment procedures under chapter 43.88 RCW, but an appropriation is
7 not required for expenditures.

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