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**SUBSTITUTE SENATE BILL 5469**

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**State of Washington**

**61st Legislature**

**2009 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Parlette, Eide, Jarrett, and McCaslin)

READ FIRST TIME 02/13/09.

1 AN ACT Relating to limitations on the use of intermediate licenses;  
2 and amending RCW 46.20.075.

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;

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

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

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

19 (3) The holder of an intermediate license may not operate a motor  
20 vehicle between the hours of 1 a.m. and 5 a.m. except when the holder  
21 is accompanied by a parent, guardian, or a licensed driver who is at  
22 least twenty-five years of age.

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

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

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

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

37 (a) Has not been involved in an (~~automobile~~) accident involving  
38 only one motor vehicle;

1        (b) Has not been involved in an accident where he or she was cited  
2 in connection with the accident or was found to have caused the  
3 accident;

4        (c) Has not been involved in an accident where no one was cited or  
5 was found to have caused the accident; and

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

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