

HOUSE BILL REPORT

ESHB 1635

As Amended by the Senate

Title: An act relating to reducing customer wait times at driver licensing offices.

Brief Description: Concerning the administration of exams for and issuance and renewal of certain drivers' licenses and identicards.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Upthegrove, Clibborn, Eddy, Armstrong, Lias, Rivers, Angel, Van De Wege, Wilcox, Maxwell, Rolfes, Finn, Sullivan, Dammeier, Orwall, Warnick and Moscoso).

Brief History:

Committee Activity:

Transportation: 2/10/11, 2/24/11 [DPS].

Floor Activity:

Passed House: 3/5/11, 97-1.

Senate Amended.

Passed Senate: 4/9/11, 48-0.

Brief Summary of Engrossed Substitute Bill

- Authorizes driver training schools and school districts to administer both the knowledge portion and the driving portion of the driver licensing examination.
- Increases fees for a commercial driver endorsement, an identicard, a motorcycle endorsement, and a driver's license, and extends the expiration period for each of the licenses proportionately.
- Requires the Department of Licensing (DOL) to adopt rules to oversee the driver training schools' administration of the driver licensing examinations, and requires the driver training schools to enter into contract with the DOL before the schools may administer the exams.
- Requires the Superintendent of Public Instruction to work in consultation with the DOL to develop standards for the administration of the driver licensing examinations that are comparable to the standards required of driver training schools, and requires school districts to enter into a contract with the DOL before the schools may administer the exams.
- Requires the DOL to convene an advisory committee.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 23 members: Representatives Clibborn, Chair; Billig, Vice Chair; Armstrong, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel, Asay, Eddy, Finn, Fitzgibbon, Jinkins, Johnson, Klippert, Kristiansen, Ladenburg, McCune, Moeller, Moscoso, Rivers, Rolfes, Ryu, Takko, Upthegrove and Zeiger.

Minority Report: Do not pass. Signed by 4 members: Representatives Liias, Vice Chair; Overstreet, Reykdal and Shea.

Staff: Wendy Malkin (786-7114).

Background:

An applicant for a new or renewed driver's license must successfully pass a driver licensing examination to qualify for a driver's license. The Department of Licensing (DOL) is required to give examinations at locations and times that are reasonably accessible. The driver's license examination includes a written examination that tests an applicant's ability to safely operate a motor vehicle. The DOL may waive parts of the examination under certain conditions; for example, the DOL may waive the examination for a person renewing a license unless the DOL determines the person is not qualified to hold a driver's license.

The fee for the examination is \$20, which is used to cover the costs of processing the application, administering the vision exam, and administering the driver's license examination. In addition to the examination fee, a person must pay \$25 for the license.

The DOL is responsible for overseeing the commercial driver training school program. Driver training schools, in addition to school districts, provide traffic safety education courses, which must be completed by an individual under the age of 18 before he or she can receive a driver's license. Driver training schools are licensed by the DOL, and driver training schools must be annually approved by the DOL. The DOL sets standards and requirements for the driver training schools, including standards for curriculum and licensing driver training school instructors. The DOL has standards and processes in place to suspend, revoke, and deny licenses to driver training schools.

The Office of Superintendent of Public Instruction is responsible for overseeing traffic safety education courses provided by school districts.

A driver's license expires on the fifth anniversary of the licensee's birthdate following the issuance of the license. A person may renew his or her license up to a year before the expiration date by renewing in person at a DOL licensing office. A person eligible to renew online or by mail may renew up to six weeks in advance. The application fee to receive a driver's license is \$30, and the fee to issue the license is \$20. The issuance fee includes the cost of the driver licensing examination. The fee to renew a license is \$25.

The fee for an initial commercial driver's license (CDL) and subsequent renewals is \$30, and the renewal period is five years.

The fee for an initial identicard and subsequent renewals is \$20, and the renewal period for an identicard is five years.

A person must receive a motorcycle endorsement to operate a motorcycle on public highways. A person must pass both a knowledge test and a riding test to receive an endorsement. The DOL may waive the riding portion of the test for a person who completes a private motorcycle skills education course that has been approved by the DOL. The fee for an initial motorcycle endorsement is \$10, and the fee for subsequent renewals is \$25. The renewal period is five years.

Summary of Engrossed Substitute Bill:

The original fee and the renewal fee for a CDL endorsement, an identicard, a motorcycle endorsement, and a driver's license are increased and the expiration period for each of the licenses is extended proportionately. The DOL may waive part of the renewal fee when a person renews a driver's license online or through the mail.

Driver training schools licensed by the DOL and school districts that offer a traffic safety education program under the supervision of the Office of Superintendent of Public Instruction are authorized to administer driver licensing examinations. In addition, motorcycle training schools that are under contract with the DOL are authorized to administer the motorcycle endorsement examination.

The DOL is required to adopt rules to oversee the driver training school's administration of the driver's license examination. Certain provisions are required to be included in the rules, such as oversight provisions and limits on the fees that may be charged to administer the examination. In addition, driver training schools are required to enter into a contract with the DOL before a school may administer the driver's license examination, and the contract must contain certain provisions.

The Superintendent of Public Instruction is required to work in consultation with the DOL to develop standards for the administration of the driver licensing examinations that are comparable to the standards required of driver training schools. In addition, school districts are required to enter into a contract with the DOL before the schools may administer the exams, and the contract must contain certain provisions.

If the DOL does not offer driver licensing examinations as a routine part of its licensing services within a department region because adequate testing sites are offered by driver training schools or school districts, the DOL is required to administer driver licensing examinations by appointment to applicants 18 years of age and older in at least one licensing office within each region.

The DOL is required to form an advisory committee to facilitate communication in connection with the transition to driving training schools and school districts administering the driver's license examination. The advisory committee must contain certain members and must complete certain reporting and evaluation requirements.

Liability for government entities, including school districts, and driver training schools is limited in connection with administering the driver licensing examination.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment: (1) requires that an agreement between a school district and the DOL to allow a school district to administer the driver licensing examination sets forth an accountability and audit process that takes into account the unique nature of school district facilities and school hours; (2) removes the increased renewal period and proportional increased fee for a driver's license, identicard, commercial driver's license, and motorcycle endorsement; (3) removes the requirement that rules to regulate the administration of driver licensing examinations by driver training schools contain limitations on fees that may be charged for administering the examination; and (4) removes the driver licensing examination advisory committee established within the DOL and requires the DOL to include certain stakeholders in facilitating communication around the transition to driver training schools and school districts administering the driver licensing examination.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The DOL offices are the face of state government, and people do not have a good impression given the long wait times at many of the DOL licensing offices. In November, a slow month, wait times in west Seattle were 90 minutes. If exams were done elsewhere, wait times would be more like 35 minutes.

This bill will relieve the DOL from providing license examinations, which is the most staff intensive part of the DOL services at the offices. In King County, the DOL has eight offices, but there are 48 driver training schools. The increased locations will reduce wait times. The DOL already tracks outcomes for the driving training schools, and it regulates the schools, so it will not be difficult to have adequate oversight over the testing. The DOL has a pilot program allowing driver training schools to provide the knowledge test. The pilot has been successful.

The bill increases fees but proportionately extends the renewal period of the licenses. The changes will not cost people more money over time, and will reduce wait times by spreading out the renewals.

There will be no net job loss under this bill because the DOL employees will shift to other duties, including administering contracts and increasing oversight.

The work of the DOL has become more complex because of increased reliance on the DOL documents for identification. In addition, there has been population growth with no new

staff. In the past few years, the DOL has moved services outside of our office. But even with this, customer growth is beyond the DOL's capacity. The provision that gives an incentive to renew online will be helpful.

(With concerns) Teachers who teach driver education at public schools also teach other subjects or teach driver education at several schools. It might be difficult for these teachers to do driver's license examinations and have enough capacity to continue the full driver education program. School district programs have good standards and should continue to offer the full program. School district programs will need to figure out how to make test unbiased. The same teacher should not be an instructor and a tester for a student. There is some concern about the public coming to public schools to take the tests. There is also concern about the financial cost to the schools.

(Opposed) The bill will impact current standards for driver's license testing. A third party would not have the same standardized training and regular scrutiny as our public employees. There must be oversight to ensure that public safety is not compromised for profit. Public employees would like to work with the DOL to reduce wait times. This bill will displace work currently being done by public employees. The DOL has been gracious in talking with the union about this, and we want that to continue.

Persons Testifying: (In support) Representative Upthegrove, prime sponsor; and Liz Luce and Alan Haight, Department of Licensing.

(With concerns) Lucinda Young, Washington Education Association; and Matt Zovich, Washington Federation of State Employees.

(Opposed) Vince Oliveri, Professional and Technical Engineers Local 17.

Persons Signed In To Testify But Not Testifying: None.