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HOUSE BILL 1223

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State of Washington

65th Legislature

2017 Regular Session

By Representatives Pike, Goodman, Caldier, Griffey, Fitzgibbon, Riccelli, Tarleton, Chapman, Gregerson, and Kilduff

Read first time 01/13/17. Referred to Committee on Transportation.

1 AN ACT Relating to extending the term of validity for a driver's  
2 instruction permit; amending RCW 46.20.055 and 46.20.075; and  
3 providing an effective date.

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

5 **Sec. 1.** RCW 46.20.055 and 2012 c 80 s 5 are each amended to read  
6 as follows:

7 (1) **Driver's instruction permit.** The department may issue a  
8 driver's instruction permit with or without a photograph to an  
9 applicant who has successfully passed all parts of the examination  
10 other than the driving test, provided the information required by RCW  
11 46.20.091, paid an application fee of twenty-five dollars, and meets  
12 the following requirements:

13 (a) Is at least fifteen and one-half years of age; or

14 (b) Is at least fifteen years of age and:

15 (i) Has submitted a proper application; and

16 (ii) Is enrolled in a traffic safety education program offered,  
17 approved, and accredited by the superintendent of public instruction  
18 or offered by a driver training school licensed and inspected by the  
19 department of licensing under chapter 46.82 RCW, that includes  
20 practice driving.

1           (2) **Waiver of written examination for instruction permit.** The  
2 department may waive the written examination, if, at the time of  
3 application, an applicant is enrolled in:

4           (a) A traffic safety education course as defined by RCW  
5 28A.220.020(2); or

6           (b) A course of instruction offered by a licensed driver training  
7 school as defined by RCW 46.82.280.

8           The department may require proof of registration in such a course  
9 as it deems necessary.

10          (3) **Effect of instruction permit.** A person holding a driver's  
11 instruction permit may drive a motor vehicle, other than a  
12 motorcycle, upon the public highways if:

13           (a) The person has immediate possession of the permit;

14           (b) The person is not using a wireless communications device,  
15 unless the person is using the device to report illegal activity,  
16 summon medical or other emergency help, or prevent injury to a person  
17 or property; and

18           (c) An approved instructor, or a licensed driver with at least  
19 five years of driving experience, occupies the seat beside the  
20 driver.

21          (4) **Term of instruction permit.** A driver's instruction permit is  
22 valid for (~~one year~~) eighteen months from the date of issue.

23           (a) The department may issue one additional (~~one year~~)  
24 eighteen-month permit.

25           (b) The department may issue a third driver's permit if it finds  
26 after an investigation that the permittee is diligently seeking to  
27 improve driving proficiency.

28           (c) A person applying for an additional instruction permit must  
29 submit the application to the department in person and pay an  
30 application fee of twenty-five dollars for each issuance.

31          **Sec. 2.** RCW 46.20.075 and 2011 c 60 s 44 are each amended to  
32 read as follows:

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

37           (a) Have possessed a valid instruction permit for a period of not  
38 less than (~~six months~~) one year;

1 (b) Have passed a driver licensing examination administered by  
2 the department;

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

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

13 (e) Not have been convicted of or found to have committed a  
14 traffic violation within the last (~~six~~) twelve months before the  
15 application for the intermediate license; and

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

19 (2) For the first six months after the issuance of an  
20 intermediate license or until the holder reaches eighteen years of  
21 age, whichever occurs first, the holder of the license may not  
22 operate a motor vehicle that is carrying any passengers under the age  
23 of twenty who are not members of the holder's immediate family as  
24 defined in RCW 42.17A.005. For the remaining period of the  
25 intermediate license, the holder may not operate a motor vehicle that  
26 is carrying more than three passengers who are under the age of  
27 twenty who are not members of the holder's immediate family.

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

32 (4) The holder of an intermediate license may not operate a  
33 moving motor vehicle while using a wireless communications device  
34 unless the holder is using the device to report illegal activity,  
35 summon medical or other emergency help, or prevent injury to a person  
36 or property.

37 (5) It is a traffic infraction for the holder of an intermediate  
38 license to operate a motor vehicle in violation of the restrictions  
39 imposed under this section.

1 (6) Except for a violation of subsection (4) of this section,  
2 enforcement of this section by law enforcement officers may be  
3 accomplished only as a secondary action when a driver of a motor  
4 vehicle has been detained for a suspected violation of this title or  
5 an equivalent local ordinance or some other offense.

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

9 (8) An intermediate licensee may drive at any hour without  
10 restrictions on the number of passengers in the vehicle if, for the  
11 twelve-month period following the issuance of the intermediate  
12 license, he or she:

13 (a) Has not been involved in an accident involving only one motor  
14 vehicle;

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

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

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

23 NEW SECTION. **Sec. 3.** This act takes effect January 1, 2018.

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