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## Transportation Committee

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### ESSB 5583

**Brief Description:** Improving young driver safety.

**Sponsors:** Senate Committee on Transportation (originally sponsored by Senators Liias, Wilson, C., Kauffman, Valdez, Lovelett, Lovick, Nguyen and Nobles).

#### Brief Summary of Engrossed Substitute Bill

- Requires a person between 18 and 21 years of age to satisfactorily complete a driver training education course offered by a school district or a driver training school licensed by the Department of Licensing (DOL) to obtain a driver's license.
- Requires a person between 22 and 24 years of age to complete either a condensed traffic safety education course offered by a school district or a driver training school licensed by the DOL, or an online, self-paced condensed traffic safety education course offered by a driver training school licensed by the DOL, to obtain a driver's license.
- Expands the meaning of classroom instruction for all driver training education courses to include virtual classroom-based student instruction with a live instructor, and to also include self-paced, online components as authorized and certified by the DOL.
- Requires the DOL to establish a voucher program to cover the average cost of driver training education courses for novice drivers who reside in low-income households, subject to the availability of funds appropriated in the transportation budget.
- Requires the Office of Superintendent of Public Instruction, in collaboration with the DOL, to establish a grant program to facilitate schools providing traffic safety education programs as course offerings.
- Raises the driver's instruction permit fee by \$12 to \$37 and raises the

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

new driver's license examination fee by \$16 to \$51, with a stated legislative intent to use half the revenue raised for the driver training education course voucher program and the other half for the traffic safety education grant program.

**Hearing Date:** 3/16/23

**Staff:** Jennifer Harris (786-7143).

**Background:**

Driver's Instruction Permit.

A driver's instruction permit may be issued to an applicant who has passed the written portion of the driving exam and:

- is at least 15-1/2 years old; or
- is at least 15 years old and is enrolled in a driver training education course authorized by the Office of Superintendent of Public Instruction (OSPI) or by a private driver training school licensed by the Department of Licensing (DOL).

The DOL may waive the written portion of the driving exam if a driver's instruction permit applicant is enrolled in a driver training education course at the time of application.

Intermediate License.

An intermediate license authorizes the license holder to drive a motor vehicle subject to certain restrictions. An applicant for an intermediate license must:

- be at least 16 years old;
- have possessed a valid instruction permit for at least six months;
- have passed a driver's licensing exam;
- have passed an approved driver's education course; and
- present certification by a parent, guardian, or employer to the DOL stating that the applicant has had at least 50 hours of driving experience, 10 of which were at night.

For the first six months after the issuance of an intermediate license or until the holder reaches the age of 18, whichever occurs first, the holder of an intermediate license may not operate a motor vehicle carrying any passengers under the age of 21 who are not members of his or her immediate family. For the remaining period, the intermediate license holder may not operate a motor vehicle carrying more than three passengers who are under the age of 21 who are not members of his or her immediate family. The holder of an intermediate license may not operate a motor vehicle between the hours of 1:00 a.m. and 5:00 a.m., except when he or she is accompanied by a parent, guardian, or a licensed driver who is at least 25 years old.

An intermediate license holder may drive at any hour without restrictions on the number of

passengers in the vehicle if necessary for agricultural purposes.

Twelve months after the issuance, the holder of an intermediate license may drive at any hour without restrictions on the number of passengers in the vehicle if the holder:

- has not been involved in a collision involving only one motor vehicle;
- has not been involved in a collision for which he or she was cited in connection with the collision or was found to have caused it;
- has not been involved in a collision for which no one was cited or was found to have caused it; and
- has not been convicted of or found to have committed a traffic offense, or violated restrictions placed on the intermediate license.

#### Driver's License and Motorcycle Endorsement.

To be eligible to obtain a driver's license, a person under the age of 18 must satisfactorily complete a driver training education course offered by a school district or by a driver training school licensed by the DOL. The DOL may waive the driver training education course requirement for a driver's license if the applicant demonstrates to the DOL's satisfaction that:

1. the applicant was unable to take or complete a driver training education course;
2. a need exists for the applicant to operate a motor vehicle; and
3. the applicant has the ability to operate a motor vehicle in a manner that would not jeopardize the safety of persons or property.

To meet the traffic safety education requirement for a motorcycle endorsement, the applicant must successfully complete a motorcycle safety education course that meets the standards established by the DOL.

The DOL may waive the driver training education course requirement if an applicant was licensed to drive a motor vehicle or motorcycle outside the state and provides proof that he or she completed driver education equivalent to Washington's education requirement.

An applicant 18 years of age or older must successfully pass a driver licensing exam, but is not required to complete a driver training education course to be eligible for a driver's license.

#### Driver Education Courses.

##### *Private Driver Training Schools.*

The Director of the DOL is responsible for the administration and enforcement of laws pertaining to driver training schools and may adopt rules related to these laws. A driver training school must obtain a license to operate from the DOL. A license may be suspended, revoked, denied, or refused renewal by the DOL for failure to comply with certain specified business practices.

Traffic safety education courses for individuals under the age of 18 must include:

1. at least 30 hours of classroom instruction;

2. at least six hours of behind the wheel instruction (or five or more hours of behind the wheel instruction and four or more hours of driving simulation); and
3. one or more hours of in-vehicle driver observation.

#### *School Districts.*

The board of directors of a school district that maintains a secondary school that provides instruction for one or more of grades 10 through 12 may establish and maintain a traffic safety education course. The board of directors of a school district or of multiple school districts may contract with a driver training school to teach the behind-the-wheel portion of the traffic safety education course. Instructors of the contracting driver training school must be qualified teachers of traffic safety education under joint qualification requirements adopted by the OSPI and the DOL.

The DOL administers a certification process for a school district's traffic safety education program or the traffic safety education program of a private school approved by the Board of Education (approved private school). Any school district or approved private school that offers a driver training education course must certify to the DOL that:

- it is operating a driver training education program;
- that the driver training education course follows the curriculum set by the OSPI and the DOL;
- that it meets the course delivery standards set by the OSPI;
- that a record retention policy is in place that complies with retention requirements; and
- that the school district has verified that all instructors are authorized by the OSPI to teach a driver training education course.

Traffic safety education courses must include:

1. at least 30 hours of classroom instruction;
2. at least six hours of driving experience; and
3. at least four hours of driving observation times.

Four hours of simulation instruction may be substituted for up to one hour of driving experience. Two hours of multiple car off-street driving range time may be substituted for up to one hour of driving experience.

#### *Curriculum.*

The OSPI and the DOL maintain a required curriculum for school districts and approved private schools operating a driver training education program. The required curriculum includes content to develop knowledge, skills, and awareness. It is required to cover: rules of the road; vehicle components; vehicle handling; driver behavior; sharing the road; attention and perception; hazard and risk management; vehicle maintenance, malfunctions, and technology; managing emergencies and adverse conditions; respect and responsibility; and vehicle technology systems.

The curriculum jointly developed and maintained by the OSPI and the DOL is required to be used in private driver training school courses.

### Driver's Instruction Permit and Driver's License Exam Fees.

An applicant for a driver's instruction permit must pay an application fee of \$25. An applicant for a new driver's license must pay an examination fee of \$35, which is separate from other driver's license issuance fees.

### **Summary of Bill:**

#### Driver's License and Motorcycle Endorsement.

To be eligible to obtain a driver's license, a person between 18 and 21 years of age must satisfactorily complete a driver training education course offered by a school district, approved private school, or a driver training school licensed by the DOL that satisfies current requirements for driver training education courses for those under 18 years of age.

To be eligible to obtain a driver's license, a person between 22 and 24 years of age must satisfactorily complete:

- a condensed traffic safety education course offered by a school district, approved private school, or a driver training school licensed by the DOL; or
- an online, self-paced condensed traffic safety education course offered by a driver training school licensed by the DOL.

The condensed traffic safety education course offered by a school district or approved private school must be part of a traffic safety education program. To meet the traffic safety education requirement for a motorcycle endorsement, the applicant must successfully complete a motorcycle safety education course that meets the standards established by the DOL.

The DOL may waive the driver training education course requirement for a driver's license if the applicant demonstrates to the DOL's satisfaction that:

1. the applicant was unable to take or complete a driver training education course;
2. a need exists for the applicant to operate a motor vehicle; and
3. the applicant has the ability to operate a motor vehicle in a manner that would not jeopardize the safety of people or property.

The DOL may waive the driver training education course requirement if the applicant was licensed to drive a motor vehicle or motorcycle outside the state in a reciprocal jurisdiction, or provides proof that he or she received driver education equivalent to what is required in Washington in a reciprocal jurisdiction.

#### Driver's Instruction Permit.

The DOL may waive the written portion of the driving exam if a driver's instruction permit applicant is enrolled in a condensed traffic safety education course at the time of application.

#### Intermediate License.

The holder of an intermediate license is exempt from the hours of operation restriction that

prohibits him or her from operating a motor vehicle between the hours of 1:00 a.m. and 5:00 a.m. when the holder drives a vehicle for school, religious, or employment activities for himself or herself or for a member of the holder's immediate family.

#### Driver Education Courses.

The definition of "classroom instruction" as it applies to all driver training education courses is expanded to include virtual classroom-based student instruction with a live instructor. It may include self-paced, online components as authorized and certified by the DOL.

Online, self-paced condensed traffic safety education courses for those between 22 and 24 years of age must include at least eight hours of classroom instruction and at least three hours of behind-the-wheel instruction, and must follow curriculum approved by rule.

The DOL is required to publish on its website an interactive map of all driver training education course providers and providers of a traffic safety education program certified by the DOL. The interactive map must provide training and testing provider names, locations, contact information, course and program pricing, and services offered by language. Each driver training education course and traffic safety education program provider must report course and program pricing to the DOL on an annual basis.

#### Driver Training Voucher Program.

Subject to the availability of funds appropriated in the transportation budget, beginning January 1, 2025, the DOL is required to establish a program to provide vouchers to cover the average cost of driver training education courses for novice drivers who reside in low-income households. In consultation with the Washington Traffic Safety Commission (WTSC), the DOL must adopt rules establishing eligibility criteria and application and award procedures, and any other necessary rules for implementing the voucher program.

By January 1, 2024, the DOL is required to provide the appropriate committees of the Legislature with an implementation plan for the voucher program. On a biennial basis beginning June 30, 2026, the DOL must report the following to the appropriate committees of the Legislature:

- the income criteria used to determine voucher awards annually by county;
- the number of applicants for vouchers annually and by county;
- the number of vouchers awarded and redeemed annually by county;
- the dollar amount of vouchers redeemed annually by county; and
- the community average income of voucher recipients during the reporting period.

Income data of voucher program recipients is exempt from public disclosure.

#### Driver Training Grant Program.

Subject to the availability of funds appropriated in the transportation budget, beginning January 1, 2025, the OSPI, in collaboration with the DOL, is required to establish a grant program to facilitate schools providing traffic safety education programs as course offerings. In consultation

with the DOL, the OSPI must adopt rules to establish eligibility criteria and grant application and award procedures for implementing the grant program. The eligibility criteria must prioritize school districts in overburdened communities and school districts with above average concentrations of students eligible for free or reduced-price lunches.

By January 1, 2024, the OSPI, in collaboration with the DOL, is required to provide the appropriate committees of the Legislature with an implementation plan for the grant program. On a biennial basis, beginning June 30, 2026, the OSPI, with assistance from the DOL, must report the following to the appropriate committees of the Legislature:

- the grant amounts provided to each school district or school;
- the number of school districts or schools offering traffic safety education programs;
- the number of students receiving traffic safety instruction in these programs;
- the number of students eligible for free or reduced-price lunch receiving traffic safety instruction in these programs; and
- an assessment of the equity impacts on overburdened communities of the driver training grant program.

#### Driver's Instruction Permit and Driver's License Fees.

Beginning October 1, 2023, the fee for a driver's instruction permit rises \$12 to \$37. Also beginning October 1, 2023, the fee for a new driver's license rises \$16 to \$51.

#### Driver's Education Safety Improvement Account.

The Driver's Education Safety Improvement Account (Driver's Education Account) is created in the state treasury as an appropriated account. Beginning October 1, 2023, \$12 of the driver's instruction permit application fee and \$16 of the driver's examination fee must be deposited into the Driver's Education Account.

Expenditures from the Driver's Education Account may only be used for expanding and improving driver's education programs and activities. The Legislature intends to spend 50 percent of the amount available in the account on the driver training education course voucher program and 50 percent on the traffic safety education grant program.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains multiple effective dates. Please see the bill.