

## CHAPTER 1

[Engrossed Senate Bill No. 3942]

DRIVERS' LICENSES—FEE INCREASE—FUND DEPOSITION MODIFIED—  
MOTORCYCLE INSTRUCTION PERMIT RENEWAL—PHOTOGRAPH  
REQUIREMENTS MODIFIED

AN ACT Relating to drivers licensing; amending RCW 46.20.070, 46.20.091, 46.20.117, 46.20.120, 46.20.200, 46.20.380, 46.20.470, 46.20.505, 46.20.510, 46.29.050, 46.52.130, and 46.68.041; repealing RCW 46.20.115; declaring an emergency; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 46.20.070, chapter 12, Laws of 1961 as last amended by section 4, chapter 61, Laws of 1979 and RCW 46.20.070 are each amended to read as follows:

Upon receiving a written application on a form provided by the director for permission for a person under the age of eighteen years to operate a motor vehicle over and upon the public highways of this state in connection with farm work, the director may issue a limited driving permit containing a photograph to be known as a juvenile agricultural driving permit, such issuance to be governed by the following procedure:

(1) The application must be signed by the applicant and by the applicant's father, mother, or legal guardian.

(2) Upon receipt of the application, the director shall cause an examination of the applicant to be made as by law provided for the issuance of a motor vehicle driver's license.

(3) The director shall cause an investigation to be made of the need for the issuance of such operation by the applicant.

Such permit authorizes the holder to operate a motor vehicle over and upon the public highways of this state within a restricted farming locality which shall be described upon the face thereof.

A permit issued under this section shall expire one year from date of issue, except that upon reaching the age of eighteen years such person holding a juvenile agricultural driving permit shall be required to make application for a motor vehicle driver's license.

The director shall charge a fee of ~~((one))~~ three dollars for each such permit and renewal thereof to be paid as by law provided for the payment of motor vehicle driver's licenses and deposited to the credit of the ~~((traffic))~~ highway safety ~~((education account in the general))~~ fund.

The director may transfer this permit from one farming locality to another, but this does not constitute a renewal of the permit.

The director may deny the issuance of a juvenile agricultural driving permit to any person whom the director determines to be incapable of operating a motor vehicle with safety to himself or herself and to persons and property.

The director may suspend, revoke, or cancel the juvenile agricultural driving permit of any person when in the director's sound discretion the director has cause to believe such person has committed any offense for which mandatory suspension or revocation of a motor vehicle driver's license is provided by law.

The director may suspend, cancel, or revoke a juvenile agricultural driving permit when in the director's sound discretion the director is satisfied the restricted character of the permit has been violated.

Sec. 2. Section 8, chapter 121, Laws of 1965 ex. sess. as amended by section 2, chapter 63, Laws of 1979 and RCW 46.20.091 are each amended to read as follows:

(1) Every application for an instruction permit or for an original driver's license shall be made upon a form prescribed and furnished by the department which shall be sworn to and signed by the applicant before a person authorized to administer oaths. Every application for an instruction permit containing a photograph shall be accompanied by a fee of ~~((two))~~ five dollars ((and fifty cents)). The department shall forthwith transmit the fees collected for instruction permits and temporary drivers' permits to the state treasurer.

(2) Every ~~((said))~~ such application shall state the full name, date of birth, sex, and residence address of the applicant, and briefly describe the applicant, and shall state whether the applicant has theretofore been licensed as a driver or chauffeur, and, if so, when and by what state or country, and whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for such suspension, revocation, or refusal, and shall state such additional information as the department shall require.

(3) Whenever application is received from a person previously licensed in another jurisdiction, the department shall request a copy of such driver's record from such other jurisdiction. When received, the driving record shall become a part of the driver's record in this state.

(4) Whenever the department receives request for a driving record from another licensing jurisdiction, the record shall be forwarded without charge ~~((: PROVIDED, HOWEVER, That))~~ if the other licensing jurisdiction extends the same privilege to the state of Washington ~~((:))~~. Otherwise there shall be a reasonable charge for transmittal of the record, the amount to be fixed by the director of the department.

Sec. 3. Section 4, chapter 155, Laws of 1969 ex. sess. as last amended by section 1, chapter 212, Laws of 1985 and RCW 46.20.117 are each amended to read as follows:

(1) The department shall issue "identicards," containing a picture, to individuals for a fee of ~~((three))~~ four dollars. ~~((Such fee shall be deposited in the highway safety fund.))~~ However, the fee shall be the actual cost of production to recipients of continuing public assistance grants under Title

74 RCW who are referred in writing to the department by the secretary of social and health services. The fee shall be deposited in the highway safety fund. To be eligible, each applicant shall produce evidence (~~((commensurate to))~~) as required by the ((regulations)) rules adopted by the director that positively proves identity. The "identocard" shall be distinctly designed so that it will not be confused with the official driver's license. The identocard shall be valid for five years.

(2) The department may cancel an "identocard" upon a showing by its records or other evidence that the holder of such "identocard" has committed a violation relating to "identocards" defined in RCW 46.20.336.

Sec. 4. Section 46.20.120, chapter 12, Laws of 1961 as last amended by section 6, chapter 61, Laws of 1979 and RCW 46.20.120 are each amended to read as follows:

No new driver's license may be issued and no previously issued license may be renewed until the applicant therefor has successfully passed a driver licensing examination: PROVIDED, That the department may waive all or any part of the examination of any person applying for the renewal of a driver's license except when the department determines that an applicant for a driver's license is not qualified to hold a driver's license under this title. For a new license examination a fee of ~~((three))~~ seven dollars shall be paid by each applicant, in addition to the fee charged for issuance of the license. A new license is one issued to a driver who has not been previously licensed in this state or to a driver whose last previous Washington license has expired.

Any person who is outside the state at the time his or her driver's license expires or who is unable to renew the license due to any incapacity may renew the license within sixty days after returning to this state or within sixty days after the termination of any such incapacity without the payment of a new license examination fee. In such case the department may waive all or any part of the examination as in the case of renewal of driver licenses.

The department shall provide for giving examinations at places and times reasonably available to the people of this state.

Sec. 5. Section 46.20.200, chapter 12, Laws of 1961 as last amended by section 5, chapter 191, Laws of 1975 1st ex. sess. and RCW 46.20.200 are each amended to read as follows:

~~((In the event that))~~ (1) If an instruction permit, identocard, or a driver's license ((shall be)) is lost or destroyed, the person to whom ((the same)) it was issued may obtain a duplicate ((thereof)) of it upon furnishing proof of such fact satisfactory to the department ((without reexamination upon)) and payment of a fee of ((two)) five dollars ((and fifty cents)) to the department.

(2) A replacement permit, identocard, or driver's license may be obtained to change or correct material information upon payment of a fee of

two dollars and surrender of the permit, identicard, or driver's license being replaced.

Sec. 6. Section 46.20.380, chapter 12, Laws of 1961 as last amended by section 12, chapter 61, Laws of 1979 and RCW 46.20.380 are each amended to read as follows:

No person may file an application for an occupational driver's license as provided in RCW 46.20.391 unless he or she first pays to the director or other person authorized to accept applications and fees for driver's licenses a fee of ~~((ten))~~ twenty-five dollars. The applicant shall receive upon payment an official receipt for the payment of such fee. All such fees shall be forwarded to the director who shall transmit such fees to the state treasurer in the same manner as other driver's license fees.

Sec. 7. Section 4, chapter 20, Laws of 1967 ex. sess. as amended by section 3, chapter 68, Laws of 1969 ex. sess. and RCW 46.20.470 are each amended to read as follows:

There shall be an additional fee for the special endorsement for each class of vehicle in addition to the prescribed fee required for the issuance of the original driver's license. The additional fee for each endorsement shall not exceed ten dollars for the original endorsement nor more than three dollars for subsequent endorsement renewals. The ~~((said))~~ fee shall be deposited in the highway safety fund.

Sec. 8. Section 50, chapter 145, Laws of 1967 ex. sess. as last amended by section 2, chapter 77, Laws of 1982 and RCW 46.20.505 are each amended to read as follows:

Every person applying for a special endorsement or a new category of endorsement of a driver's license authorizing such person to drive a motorcycle or a motor-driven cycle shall pay a motorcycle examination fee which is not refundable. The director of licensing shall prescribe the examination fee at an amount equal to the cost of administering such examination, but in no event more than four dollars for the initial or new category examination nor more than two dollars for a subsequent renewal examination. ~~((One))~~ Two dollars of the initial or new category examination fee and ~~((one))~~ two dollars of any subsequent fee for a renewal shall be deposited in the motorcycle safety education account of the highway safety fund.

Sec. 9. Section 3, chapter 77, Laws of 1982 as amended by section 3, chapter 234, Laws of 1985 and RCW 46.20.510 are each amended to read as follows:

(1) There shall be three categories for the special motorcycle endorsement of a driver's license. Category one shall be for motorcycles or motor-driven cycles having an engine displacement of one hundred fifty cubic centimeters or less. Category two shall be for motorcycles having an engine displacement of five hundred cubic centimeters or less. Category three shall

include categories one and two, and shall be for motorcycles having an engine displacement of five hundred one cubic centimeters or more.

(2) A motorcycle endorsement issued prior to June 10, 1982, is deemed to be for category three. Thereafter, a person first seeking a motorcycle endorsement or a person seeking an endorsement to operate a motorcycle with an engine displacement of a higher category than the one covered by his or her existing endorsement, shall obtain an endorsement for the appropriate category pursuant to RCW 46.20.505 through 46.20.515.

(3) The department may issue a motorcyclist's instruction permit to an individual who wishes to learn to ride a motorcycle or obtain an endorsement of a larger endorsement category for a period not to exceed ninety days. This motorcyclist's instruction permit may be renewed for an additional ninety days. The director shall collect a two dollar and fifty cent fee for the motorcyclist's instruction permit or renewal, and the fee shall be deposited in the motorcycle safety education account of the highway safety fund. This permit and a valid driver's license with current endorsement, if any, shall be carried when operating a motorcycle. An individual with a motorcyclist's instruction permit may not carry passengers, may not operate a motorcycle during the hours of darkness or on a fully-controlled, limited-access facility, and shall be under the direct visual supervision of a person with a motorcycle endorsement of the appropriate category.

Sec. 10. Section 5, chapter 169, Laws of 1963 as last amended by section 63, chapter 136, Laws of 1979 ex. sess. and RCW 46.29.050 are each amended to read as follows:

(1) The department shall upon request furnish any person or his attorney a certified abstract of his driving record, which abstract shall include enumeration of any motor vehicle accidents in which such person has been involved. Such abstract shall (a) indicate the total number of vehicles involved((:)), whether the vehicles were legally parked or moving, and((:)) whether ((such)) the vehicles were occupied at the time of the accident; and (b) contain reference to any convictions of ((said)) the person for violation of the motor vehicle laws as reported to the department((,-and)), reference to any findings that the person has committed a traffic infraction which have been reported to the department((:)), and a record of any vehicles registered in the name of ((such)) the person. The department shall collect for each abstract the sum of ((one)) three dollars and fifty cents which shall be deposited in the highway safety fund.

(2) The department shall upon request furnish any person who may have been injured in person or property by any motor vehicle, with an abstract of all information of record in the department pertaining to the evidence of the ability of any driver or owner of any motor vehicle to respond in damages. The department shall collect for each abstract the sum of ((one)) three dollars and fifty cents which shall be deposited in the highway safety fund.

Sec. 11. Section 27, chapter 21, Laws of 1961 ex. sess. as last amended by section 84, chapter 136, Laws of 1979 ex. sess. and RCW 46.52.130 are each amended to read as follows:

Any request for a certified abstract must specify which part is requested, and only the part requested shall be furnished. The employment driving record part shall be furnished only to the individual named in the abstract, an employer, the insurance carrier that has insurance in effect covering ~~((such))~~ the employer, or a prospective employer. The other part shall be furnished only to the individual named in the abstract, the insurance carrier that has insurance in effect covering ~~((such))~~ the named individual, or the insurance carrier to which ~~((such))~~ the named individual has applied. The director, upon proper request, shall furnish a certified abstract covering the period of not more than the last three years ~~((last-past))~~, and ~~((such))~~ the abstract, whenever possible, shall include an enumeration of motor vehicle accidents in which ~~((such))~~ the person was involved; the total number of vehicles involved; whether the vehicles were legally parked or moving; whether ~~((such))~~ the vehicles were occupied at the time of the accident; and any reported convictions, forfeitures of bail, or findings that an infraction was committed based upon a violation of any motor vehicle law. ~~((Such))~~ The enumeration shall include any reports of failure to appear in response to a traffic citation or failure to respond to a notice of infraction served upon ~~((such-person))~~ the named individual by an arresting officer.

The abstract ~~((herein))~~ provided to an insurance company shall have excluded ~~((therefrom))~~ from it any information pertaining to any occupational driver's license when the ~~((same))~~ license is issued to any person employed by another or self-employed as a motor vehicle driver who during the five years preceding the request has been issued such a license by reason of a conviction or finding of a traffic infraction involving a motor vehicle offense outside the scope of his principal employment, and who has during ~~((such))~~ that period been principally employed as a motor vehicle driver deriving the major portion of his income therefrom. The abstract provided to the insurance company shall also exclude any information pertaining to law enforcement officers or fire fighters as defined in RCW 41.26.030, or any member of the Washington state patrol, while driving official vehicles in the performance of occupational duty during an emergency situation if the chief of the officer's or fire fighter's department certifies on the accident report that the actions of the officer or fire fighter were reasonable under the circumstances as they existed at the time of the accident.

The director shall collect for each ~~((such))~~ abstract the sum of ~~((one))~~ three dollars and fifty cents which shall be deposited in the highway safety fund.

Any insurance company or its agent receiving ~~((such))~~ the certified abstract shall use it exclusively for its own underwriting purposes and shall not divulge any of the information ~~((therein))~~ contained in it to a third

party(~~(-PROVIDED, That)~~). No policy of insurance (~~(shall)~~) may be canceled on the basis of such information unless the policyholder was determined to be at fault(~~(-PROVIDED FURTHER, That)~~). No insurance company or its agent for underwriting purposes relating to the operation of commercial motor vehicles (~~(shall)~~) may use any information contained in the abstract relative to any person's operation of motor vehicles while not engaged in such employment.

Any employer or prospective employer receiving (~~(such)~~) the certified abstract shall use it exclusively for his own purpose to determine whether the licensee should be permitted to operate a commercial vehicle or school bus upon the public highways of this state and shall not divulge any information (~~(therein)~~) contained in it to a third party.

Any violation of this section (~~(shall be)~~) is a gross misdemeanor.

Sec. 12. Section 4, chapter 25, Laws of 1965 as last amended by section 3, chapter 245, Laws of 1981 and RCW 46.68.041 are each amended to read as follows:

(1) The department shall forward all funds accruing under the provisions of chapter 46.20 RCW together with a proper identifying, detailed report to the state treasurer who shall deposit such moneys to the credit of the highway safety fund except as otherwise provided in this section.

(2) (~~One dollar and forty cents of each fee collected for a temporary instruction permit shall be deposited in the traffic safety education account in the general fund:~~

~~(3))~~ Out of each fee of fourteen dollars collected for a driver's license, the sum of ten dollars and twenty cents shall be deposited in the highway safety fund, and three dollars and eighty cents shall be deposited in the general fund.

~~((Out of each fee of seven dollars collected for any two-year license renewal during the period July 1, 1981, through June 30, 1983, the sum of five dollars and ten cents shall be deposited in the highway safety fund and one dollar and ninety cents shall be deposited in the general fund.))~~

NEW SECTION. Sec. 13. Section 51, chapter 145, Laws of 1967 ex. sess., section 2, chapter 155, Laws of 1969 ex. sess., section 1, chapter 191, Laws of 1975 1st ex. sess., section 148, chapter 158, Laws of 1979 and RCW 46.20.115 are each repealed.

NEW SECTION. Sec. 14. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1985.

Passed the Senate June 10, 1985.

Passed the House June 10, 1985.

Approved by the Governor June 14, 1985.

Filed in Office of Secretary of State June 14, 1985.