
SENATE BILL 5133

State of Washington

60th Legislature

2007 Regular Session

By Senators Haugen, Swecker and Murray; by request of Department of Licensing

Read first time 01/11/2007. Referred to Committee on Transportation.

1 AN ACT Relating to commercial driver's license requirements;
2 amending RCW 46.25.060 and 46.25.060; providing effective dates; and
3 declaring an emergency.

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

5 **Sec. 1.** RCW 46.25.060 and 2004 c 187 s 3 are each amended to read
6 as follows:

7 (1)(a) No person may be issued a commercial driver's license unless
8 that person is a resident of this state and has passed a knowledge and
9 skills test for driving a commercial motor vehicle that complies with
10 minimum federal standards established by federal regulation enumerated
11 in 49 C.F.R. part 383, subparts G and H, and has satisfied all other
12 requirements of the CMVSA in addition to other requirements imposed by
13 state law or federal regulation. The tests must be prescribed and
14 conducted by the department. In addition to the fee charged for
15 issuance or renewal of any license, the applicant shall pay a fee (~~of~~
16 ~~no more than ten dollars~~) as set by rule of the department for each
17 classified knowledge examination, classified endorsement knowledge
18 examination, or any combination of classified license and endorsement
19 knowledge examinations. The applicant shall pay a fee (~~of no more~~

1 ~~than fifty dollars))~~ as set by rule of the department for each
2 classified skill examination or combination of classified skill
3 examinations conducted by the department.

4 (b) The department may authorize a person, including an agency of
5 this or another state, an employer, a private driver training facility,
6 or other private institution, or a department, agency, or
7 instrumentality of local government, to administer the skills test
8 specified by this section under the following conditions:

9 (i) The test is the same which would otherwise be administered by
10 the state;

11 (ii) The third party has entered into an agreement with the state
12 that complies with the requirements of 49 C.F.R. part 383.75; and

13 (iii) The director has adopted rules as to the third party testing
14 program and the development and justification for fees charged by any
15 third party.

16 (2) The department shall work with the office of the superintendent
17 of public instruction to develop modified P1 and P2 skill examinations
18 that also include the skill examination components required to obtain
19 an "S" endorsement. In no event may a new applicant for an "S"
20 endorsement be required to take two separate examinations to obtain an
21 "S" endorsement and either a P1 or P2 endorsement, unless that
22 applicant is upgrading his or her existing commercial driver's license
23 to include an "S" endorsement. The combined P1/S or P2/S skill
24 examination must be offered to the applicant at the same cost as a
25 regular P1 or P2 skill examination.

26 (3) The department may waive the skills test specified in this
27 section for a commercial driver's license applicant who meets the
28 requirements of 49 C.F.R. part 383.77.

29 (4) A commercial driver's license or commercial driver's
30 instruction permit may not be issued to a person while the person is
31 subject to a disqualification from driving a commercial motor vehicle,
32 or while the person's driver's license is suspended, revoked, or
33 canceled in any state, nor may a commercial driver's license be issued
34 to a person who has a commercial driver's license issued by any other
35 state unless the person first surrenders all such licenses, which must
36 be returned to the issuing state for cancellation.

37 (5)(a) The department may issue a commercial driver's instruction
38 permit to an applicant who is at least eighteen years of age and holds

1 a valid Washington state driver's license and who has submitted a
2 proper application, passed the general knowledge examination required
3 for issuance of a commercial driver's license under subsection (1) of
4 this section, and paid the appropriate fee for the knowledge
5 examination and an application fee of ten dollars.

6 (b) A commercial driver's instruction permit may not be issued for
7 a period to exceed six months. Only one renewal or reissuance may be
8 granted within a two-year period.

9 (c) The holder of a commercial driver's instruction permit may
10 drive a commercial motor vehicle on a highway only when accompanied by
11 the holder of a commercial driver's license valid for the type of
12 vehicle driven who occupies a seat beside the individual for the
13 purpose of giving instruction in driving the commercial motor vehicle.
14 The holder of a commercial driver's instruction permit is not
15 authorized to operate a commercial motor vehicle transporting hazardous
16 materials.

17 (d) The department shall transmit the fees collected for commercial
18 driver's instruction permits to the state treasurer.

19 **Sec. 2.** RCW 46.25.060 and 2007 c ... s 1 (section 1 of this act)
20 are each amended to read as follows:

21 (1)(a) No person may be issued a commercial driver's license unless
22 that person presents evidence satisfactory to the department that he or
23 she is a resident of this state, has successfully completed a course of
24 instruction in the operation of a commercial motor vehicle that has
25 been approved by the director, and has passed a knowledge and skills
26 test for driving a commercial motor vehicle that complies with minimum
27 federal standards established by federal regulation enumerated in 49
28 C.F.R. part 383, subparts G and H, and has satisfied all other
29 requirements of the CMVSA in addition to other requirements imposed by
30 state law or federal regulation. The tests must be prescribed and
31 conducted by the department. In addition to the fee charged for
32 issuance or renewal of any license, the applicant shall pay a fee as
33 set by rule of the department for each classified knowledge
34 examination, classified endorsement knowledge examination, or any
35 combination of classified license and endorsement knowledge
36 examinations. The applicant shall pay a fee as set by rule of the

1 department for each classified skill examination or combination of
2 classified skill examinations conducted by the department.

3 (b) The department may authorize a person, including an agency of
4 this or another state, an employer, a private driver training facility,
5 or other private institution, or a department, agency, or
6 instrumentality of local government, to administer the skills test
7 specified by this section under the following conditions:

8 (i) The test is the same which would otherwise be administered by
9 the state;

10 (ii) The third party has entered into an agreement with the state
11 that complies with the requirements of 49 C.F.R. part 383.75; and

12 (iii) The director has adopted rules as to the third party testing
13 program and the development and justification for fees charged by any
14 third party.

15 (2) The department shall work with the office of the superintendent
16 of public instruction to develop modified P1 and P2 skill examinations
17 that also include the skill examination components required to obtain
18 an "S" endorsement. In no event may a new applicant for an "S"
19 endorsement be required to take two separate examinations to obtain an
20 "S" endorsement and either a P1 or P2 endorsement, unless that
21 applicant is upgrading his or her existing commercial driver's license
22 to include an "S" endorsement. The combined P1/S or P2/S skill
23 examination must be offered to the applicant at the same cost as a
24 regular P1 or P2 skill examination.

25 (3) The department may waive the skills test and the requirement
26 for completion of a course of instruction in the operation of a
27 commercial motor vehicle specified in this section for a commercial
28 driver's license applicant who meets the requirements of 49 C.F.R. part
29 383.77.

30 (4) A commercial driver's license or commercial driver's
31 instruction permit may not be issued to a person while the person is
32 subject to a disqualification from driving a commercial motor vehicle,
33 or while the person's driver's license is suspended, revoked, or
34 canceled in any state, nor may a commercial driver's license be issued
35 to a person who has a commercial driver's license issued by any other
36 state unless the person first surrenders all such licenses, which must
37 be returned to the issuing state for cancellation.

1 (5)(a) The department may issue a commercial driver's instruction
2 permit to an applicant who is at least eighteen years of age and holds
3 a valid Washington state driver's license and who has submitted a
4 proper application, passed the general knowledge examination required
5 for issuance of a commercial driver's license under subsection (1) of
6 this section, and paid the appropriate fee for the knowledge
7 examination and an application fee of ten dollars.

8 (b) A commercial driver's instruction permit may not be issued for
9 a period to exceed six months. Only one renewal or reissuance may be
10 granted within a two-year period.

11 (c) The holder of a commercial driver's instruction permit may
12 drive a commercial motor vehicle on a highway only when accompanied by
13 the holder of a commercial driver's license valid for the type of
14 vehicle driven who occupies a seat beside the individual for the
15 purpose of giving instruction in driving the commercial motor vehicle.
16 The holder of a commercial driver's instruction permit is not
17 authorized to operate a commercial motor vehicle transporting hazardous
18 materials.

19 (d) The department shall transmit the fees collected for commercial
20 driver's instruction permits to the state treasurer.

21 NEW SECTION. **Sec. 3.** (1) Section 1 of this act is necessary for
22 the immediate preservation of the public peace, health, or safety, or
23 support of the state government and its existing public institutions,
24 and takes effect July 1, 2007.

25 (2) Section 2 of this act takes effect January 15, 2008.

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