

Initiative Measure No. 1006

Filed

FEB 04 2008

SECRETARY OF STATE

1 AN ACT Relating to traffic safety education; amending RCW
2 28A.220.010, 28A.220.030, 28A.220.040, 28A.220.900, and 43.08.250;
3 creating new sections; and providing an effective date.

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

5 **DECLARATION OF INTENT**

6 **Sec. 1.** RCW 28A.220.010 and 1977 c 76 s 1 are each amended to read
7 as follows:

8 It is the purpose of chapter 76, Laws of 1977 to provide the
9 students of the state with an improved quality traffic safety education
10 program and to develop in the youth of this state a knowledge of the
11 motor vehicle laws, an acceptance of personal responsibility on the
12 public highways, an understanding of the causes and consequences of
13 traffic accidents, and to provide training in the skills necessary for
14 the safe operation of motor vehicles; to provide financial assistance
15 to the various school districts while permitting them to achieve
16 economies through options in the choice of course content and methods
17 of instructions by adopting in whole or with modifications, a program
18 prepared by the office of the superintendent of public instruction, and

1 keeping to a minimum the amount of estimating, bookkeeping and
2 reporting required of said school districts for financial reimbursement
3 for such traffic safety education programs.

4 In light of the disproportionately high incidence of motor vehicle
5 crashes involving youthful motorists, the people of the state of
6 Washington recognize the need to provide a quality traffic safety
7 education program in the public schools that provides affordability and
8 access to all students. Since the funding for this program was cut in
9 2001 and 2002, the majority of school districts have stopped offering
10 traffic safety education. This has especially impacted low-income
11 families and students living in rural areas where private sector
12 traffic safety education courses are either unavailable or too costly.
13 In addition, students with disabilities, students with developmental
14 disabilities, and students who speak limited English have also been
15 adversely affected as private sector schools, unlike public schools,
16 are not equipped or mandated to instruct these students. Realizing
17 that the school districts are reluctant to offer a traffic safety
18 education program without state funding assistance, the legislature is
19 directed by initiative of the people to restore and appropriate
20 continuing funding for this program, as provided in chapter 76, Laws of
21 1977.

22 Realizing that school districts and taxpayers are financially
23 strained, the most appropriate source of funding for traffic safety
24 education is not from the taxpayers but from violators who choose to
25 ignore the law. The best and most appropriate use of funds collected
26 from fines assessed to violators who make the roads unsafe is to
27 educate young drivers so that they will enter our highway system as
28 safe, responsible drivers. It is the intent of section 4 of this act
29 to direct the legislature to appropriate funds from the public safety
30 and education account, derived from the fines of traffic violators, to
31 carry out the purposes of chapter 76, Laws of 1977.

32 **TRAFFIC SAFETY EDUCATION PROGRAM**
33 **ADMINISTRATION AND FISCAL SUPPORT**

34 **Sec. 2.** RCW 28A.220.030 and 2000 c 115 s 9 are each amended to
35 read as follows:

36 (1) The superintendent of public instruction is authorized to

1 establish a section of traffic safety education, and through such
2 section shall: Define a "realistic level of effort" required to
3 provide an effective traffic safety education course, establish a level
4 of driving competency required of each student to successfully complete
5 the course, and ensure that an effective statewide program is
6 implemented and sustained, administer, supervise, and develop the
7 traffic safety education program and shall assist local school
8 districts in the conduct of their traffic safety education programs.
9 The superintendent shall adopt necessary rules and regulations
10 governing the operation and scope of the traffic safety education
11 program; and each school district shall submit a report to the
12 superintendent on the condition of its traffic safety education
13 program: PROVIDED, That the superintendent shall monitor the quality
14 of the program and carry out the purposes of this chapter.

15 (2) The board of directors of any school district maintaining a
16 secondary school which includes any of the grades 10 to 12, inclusive,
17 may establish and maintain a traffic safety education course. If a
18 school district elects to offer a traffic safety education course and
19 has within its boundaries a private accredited secondary school which
20 includes any of the grades 10 to 12, inclusive, at least one class in
21 traffic safety education shall be given at times other than regular
22 school hours if there is sufficient demand therefor.

23 (3) The board of directors of a school district, or combination of
24 school districts, may contract with any drivers' school licensed under
25 the provisions of chapter 46.82 RCW to teach the laboratory phase of
26 the traffic safety education course. Instructors provided by any such
27 contracting drivers' school must be properly qualified teachers of
28 traffic safety education under the joint qualification requirements
29 adopted by the superintendent of public instruction and the director of
30 licensing.

31 (4) The superintendent shall establish a required minimum number of
32 hours of continuing traffic safety education for traffic safety
33 education instructors. The superintendent may phase in the requirement
34 over not more than five years.

35 (5) The superintendent of public instruction shall hire or appoint
36 one full-time traffic safety education program manager, two full-
37 time regional traffic safety education program coordinators, and
38 secretarial staff for each, to assist school districts in implementing

1 and administering traffic safety education programs, and to carry out the
2 other duties required in RCW 28A.220.030(1). The program manager and
3 regional coordinators must each possess experience in teaching and
4 administering traffic safety education courses or programs.

5 **Sec. 3.** RCW 28A.220.040 and 2000 c 115 s 10 are each amended to
6 read as follows:

7 (1) Each school district offering a traffic safety education course
8 shall be reimbursed from funds appropriated for traffic safety
9 education.

10 (a) (~~The state superintendent shall determine the per pupil~~
11 ~~reimbursement amount for the traffic safety education course to be~~
12 ~~funded by the state. Each school district offering an approved~~
13 ~~standard traffic safety education course shall be reimbursed or granted~~
14 ~~an amount up to the level established by the superintendent of public~~
15 ~~instruction as may be appropriated.))~~

16 ((b)) The state superintendent may provide per-pupil reimbursements
17 to school districts only where all the traffic educators have satisfied
18 the continuing education requirement of RCW 28A.220.030(4).

19 (2) The board of directors of any school district or combination of
20 school districts may establish a traffic safety education fee, which
21 fee when imposed shall be required to be paid by any duly enrolled
22 student in any such school district prior to or while enrolled in a
23 traffic safety education course. Traffic safety education fees
24 collected by a school district shall be deposited with the county
25 treasurer to the credit of such school district, to be used to pay
26 costs of the traffic safety education course.

27 **PURPOSE**

28 **Sec. 4.** RCW 28A.220.900 and 1991 c 217 s 1 are each amended to
29 read as follows:

30 It is the state's duty to aggressively address public health risks,
31 especially the health risks of adolescents and young adults. Because
32 traffic collisions are the number one cause of injury and death to
33 adolescents and young adults, and the cost to society of each fatality
34 of this population exceeds one million dollars, it is incumbent upon
35 the state to provide financial and other support to maintain a quality

1 traffic safety education program. Therefore, it is the purpose of
2 ~~((this act))~~ chapter..... Laws of 2009 to provide the financial
3 assistance necessary to enable each high school district to offer a
4 course in traffic safety education and by that means to develop in the
5 youth of this state a knowledge of the motor vehicle laws, an
6 acceptance of personal responsibility on the public highways, and an
7 understanding of the causes and consequences of traffic accidents, with
8 an emphasis on the consequences, both physical and legal, of the use of
9 drugs or alcohol in relation to operating a motor vehicle. The course
10 in traffic safety education shall further provide to the youthful
11 drivers of this state training in the skills necessary for the safe
12 operation of motor vehicles.

13 **TRAFFIC SAFETY EDUCATION SUBACCOUNT--SCHOOL DISTRICT**
14 **REIMBURSEMENT--USE OF FUNDS**

15 **Sec. 5.** RCW 43.08.250 and 2007 c 522 s 950 are each amended to
16 read as follows:

17 (1) The money received by the state treasurer from fees, fines,
18 forfeitures, penalties, reimbursements or assessments by any court
19 organized under Title 3 or 35 RCW, or chapter 2.08 RCW, shall be
20 deposited in the public safety and education account which is hereby
21 created in the state treasury. The legislature shall appropriate the
22 funds in the account to promote traffic safety education, highway
23 safety, criminal justice training, crime victims' compensation,
24 judicial education, the judicial information system, civil
25 representation of indigent persons under RCW 2.53.030, winter
26 recreation parking, drug court operations, and state game programs.
27 Through the fiscal biennium ending June 30, 2009, the legislature may
28 appropriate moneys from the public safety and education account for
29 purposes of appellate indigent defense and other operations of the
30 office of public defense, the criminal litigation unit of the attorney
31 general's office, the treatment alternatives to street crimes program,
32 crime victims advocacy programs, justice information network
33 telecommunication planning, treatment for supplemental security income
34 clients, sexual assault treatment, operations of the administrative
35 office of the courts, security in the common schools, alternative
36 school start-up grants, programs for disruptive students, criminal

1 justice data collection, Washington state patrol criminal justice
2 activities, drug court operations, unified family courts, local court
3 backlog assistance, financial assistance to local jurisdictions for
4 extraordinary costs incurred in the adjudication of criminal cases,
5 domestic violence treatment and related services, the department of
6 corrections' costs in implementing chapter 196, Laws of 1999,
7 reimbursement of local governments for costs associated with
8 implementing criminal and civil justice legislation, the replacement of
9 the department of corrections' offender-based tracking system, secure
10 and semi-secure crisis residential centers, HOPE beds, the family
11 policy council and community public health and safety networks, the
12 street youth program, public notification about registered sex
13 offenders, and narcotics or methamphetamine-related enforcement,
14 education, training, and drug and alcohol treatment services.

15 (2) (a) The equal justice subaccount is created as a subaccount of
16 the public safety and education account. The money received by the
17 state treasurer from the increase in fees imposed by sections 9, 10,
18 12, 13, 14, 17, and 19, chapter 457, Laws of 2005 shall be deposited in
19 the equal justice subaccount and shall be appropriated only for:

20 (i) Criminal indigent defense assistance and enhancement at the
21 trial court level, including a criminal indigent defense pilot program;

22 (ii) Representation of parents in dependency and termination
23 proceedings;

24 (iii) Civil legal representation of indigent persons; and

25 (iv) Contribution to district court judges' salaries and to
26 eligible elected municipal court judges' salaries.

27 (b) For the 2005-07 fiscal biennium, an amount equal to twenty-five
28 percent of revenues to the equal justice subaccount, less one million
29 dollars, shall be appropriated from the equal justice subaccount to the
30 administrator for the courts for purposes of (a)(iv) of this
31 subsection. For the 2007-09 fiscal biennium and subsequent fiscal
32 biennia, an amount equal to fifty percent of revenues to the equal
33 justice subaccount shall be appropriated from the equal justice
34 subaccount to the administrator for the courts for the purposes of
35 (a)(iv) of this subsection.

36 (3) (a) The traffic safety education subaccount is created as a
37 subaccount of the public safety and education account. Fifteen percent
38 of the moneys collected by the state treasurer under subsection (1) of

1 this section from fines assessed for all moving traffic violations and
2 driving-related misdemeanors and felonies must be deposited into the
3 traffic safety education subaccount and must be appropriated only for:

4 (i) Reimbursing school districts administering a traffic safety
5 education program under chapter 28A.220 RCW at the rate of two hundred
6 dollars per student who attends and completes more than fifty percent
7 of the requirements of an approved traffic safety education course, and
8 the rate of two hundred seventy-five dollars for the same student if he
9 or she qualifies as a low-income student. Beginning July 1, 2009, and
10 annually thereafter, both reimbursement amounts shall be adjusted for
11 economic trends and conditions by increasing the amount allowable by
12 the consumer price index as published by the federal bureau of labor
13 statistics;

14 (ii) Administering the traffic safety education program as
15 described under RCW 28A.220.030;

16 (iii) Funding school districts to assist them in acquiring
17 vehicles, curriculum, and instructional materials, or simulation,
18 computer, or other technology, in order to begin or sustain traf-
19 fic safety education programs at the highest level of quality.
20 Funding priority must be given to school districts beginning or re-
21 instating a traffic safety education program under chapter 28A.220 RCW;

22 (iv) Supporting school districts to meet expanded curriculum or
23 instructional requirements, or both, in their traffic safety education
24 programs if directed by the legislature or the superintendent of public
25 instruction;

26 (v) Supporting school districts to provide the training of
27 qualified teachers in traffic safety education programs;

28 (vi) Funding school districts that develop an approved parent
29 involvement model that serves to inform and assist parents and students
30 to meet the requirements of RCW 46.20.075; or

31 (vii) Funding school districts that sponsor activities, assemblies,
32 and student clubs that compliment or are an adjunct of the school
33 districts' traffic safety education programs, especially the school
34 districts that encourage students to make responsible decisions
35 regarding alcohol and other drug use.

36 (b) The legislature, the office of the superintendent of public
37 instruction, and local school districts shall not use the moneys
38 appropriated under this subsection for any other purposes.

