



STATE OF WASHINGTON
DEPARTMENT OF LICENSING
PO Box 9020 • Olympia, Washington 98507-9020

CONCISE EXPLANATORY STATEMENT
WAC 308-108-155 Required curriculum
Public Hearings: January 22, 2020
Effective: March 20, 2020

Purpose of Rulemaking

This rule provides a framework for ensuring driver training schools are teaching the required curriculum as mandated by RCW 46.82.420.

Background:

RCW 46.82.420 mandated the Office of the Superintendent of Public Instruction (OSPI) and the Department establish consistency in traffic safety education provided to novice drivers. The law also requires schools to show proper diligence in teaching the required curriculum. This rule will clarify how schools show proper diligence in teaching the required curriculum provided by the Department. Compliance with these changes will not require significant resources for the small business but will require the owner to complete a form. This form is simple in nature and lists the required curriculum with space for the owner to show where each element is taught in their courses.

The agency held a series of five workshops around the state to solicit feedback from all industry stakeholders on how schools should demonstrate proper diligence in teaching the required curriculum. All ideas were collected, compiled, and discussed with the industry in two additional workshops in Eastern and Western Washington.

An invitation was then sent to all school owners, OSPI and industry stakeholders to attend a series of Rule Writing workshops. There were a total of four workshops in October. Participants included representation from five schools, OSPI, Washington Traffic Safety Commission, and industry advocates. During these workshops all participants reviewed the previous feedback. These meetings resulted in a collaboratively drafted proposed rule and form, agreed to by all parties. The agency then conducted a cost analysis and posted a report related to the impact on small business on its website.

Public Comment

The public comment period for this rulemaking began on December 6, 2019 and ended on January 22, 2020. There were four comments in favor and zero opposed. The comments in favor came from impacted businesses.

Changes to Proposed Language

The Department did not make changes to the proposed language.

Summary of Comments Received on the Proposed Rules and Department Response

Comments	
Paraphrased Comment	Department Response
<i>Related to auditing standards</i>	
<ol style="list-style-type: none"> 1. This comment was in favor of the proposed rule. The comment also asserts the Department is not authorized to enforce the required curriculum because it did not adopt the complete contents of the required curriculum into rule, or incorporate the required curriculum by reference. 2. Two comments submitted in favor of this rulemaking had noted concerns. Specifically, their concerns were related to the cross reference form. They wanted to ensure the form requirements are tightly held to what is specifically described in this WAC and adheres to the high level concepts. They did not want to have to prove every line item in the required curriculum document. 	<p>RCW 46.82.420 authorizes the Department to develop a required curriculum to ensure consistency in traffic safety education. The RCW also tasks the Department with ensuring Driver Training Schools show proper diligence in teaching the required curriculum. WAC 308-108-155 outlines what the Department will audit for, the form that will be used, and how it will be submitted to the agency.</p> <p>Department auditors will adhere to auditing the 11 concepts as outlined on the cross reference form developed in the rulemaking workgroup and adopted in WAC.</p>

Closing

The Department would like to thank the Driver Training Schools of Washington State, the Washington Traffic Safety Commission, and the Office of the Superintendent of Public Instruction for collaborating with us throughout this process. If you still have questions related to the rulemaking you can email rulescoordinator@dol.wa.gov or call 360-902-3846.

Sincerely,

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 Policy and Legislative Unit
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