

**Public Hearing Transcript - Required Curriculum (May 6, 2025 @ 10 AM):**

**Ellis Starrett, Agency Rules Coordinator:** Good morning. This is a public hearing before the Washington State Department of licensing being held to elicit public testimony, both oral and written, with regard to proposed rules amending WACS 308-108-020 definition, and WAC 308-108-155, required curriculum.

These proposed rules were, at the request of the Joint Administrative Rules Review Committee and will update curriculum course and instructor requirements to reflect updates to the national driving education standards and required curriculum document.

This hearing is being held via Zoom, and in person, at 1125 Washington Street Southeast, Olympia, Washington. This hearing is taking place at 10 Am on May 6, 2025.

Public notice of this hearing was given by notice number WSR 25-08-091, filed with the Code Advisor's office on April 2nd, 2025.

The Department posts all of our rulemaking information on [dol.wa.gov/about/rulemaking-activity](https://dol.wa.gov/about/rulemaking-activity) and this is where you can access all rulemaking notices and proposed language for this rulemaking.

The sign-in sheet, your testimony, and any documents you provide are public documents.

This rule is proposed pursuant to the provisions of RCW 46.01.110, RCW 46.82.290, and RCW 46.82.420.

My name is Ellis Starrett, and my title is rules and policy manager. The Director of Licensing has designated me to preside over this hearing.

Representatives of the Washington State Department of Licensing are present today, if there are questions: Bryan Jackson, Motorcycle Safety Program & Driver Training Schools Assistant Administrator; Cara Jockumsen, Management Analyst; Angela Berg, Management Analyst; Sarann Sinthavong, Program Specialist; Susan Campos, Professional Licensing Representative; Lindsay Cruse, I believe Management Analyst; Ryan Flanagan, Investigator - not sure if Ryan and Lindsay are here; Colton Myers, Legislative Policy Analyst; and Kelsey Stone, Legislative Policy Analyst.

The procedure today will be as follows: the Department is required to make a record of this hearing by stenographic, mechanical, or electronic means. Therefore, we are audio recording this hearing.

For virtual attendees wishing to testify, please provide your name and contact information in the chat or tell unmute and tell me you would like to testify when I call on your screen name. For those in the room wishing to testify who have not already noted their desire to testify on the sign in sheet, or in the chat, please wait for me to ask the room if there is anyone else willing to testify and notify me at that time. So I will go ahead and say is there anyone wishing to testify at the end of this and

then you can unmute and let me know. I will ask you to provide your contact information which will be added to the sign in sheet. This sign in sheet will be used to call forward individuals for testimony and is later used to ensure hearing participants are notified of rulemaking results and the agency's response to comments. You will be called to testify in the order in which I collect your information. To assist in preparing the record of this public hearing, individuals testifying today should state their name, who they represent if they are testifying on behalf of others, and whether they support or oppose the proposed rules.

The Department has received written comments on these proposed rules. For those wishing to provide written comments, please hand them to me - well, no one's here - or email them to [rulescoordinator@dol.wa.gov](mailto:rulescoordinator@dol.wa.gov), and we will include them in the formal record and our response to questions. Copies of these written comments will be added to the rulemaking file. Now we will hear oral statements from those present.

**Kelsey Stone:** First up is Dave Sedelmeier, and I haven't made it through the rest of the list, but I'm still working on that. So if anybody after Dave is done, we'll ask if anybody else is willing to testify. But, Dave, go ahead and unmute yourself.

**Dave Sedelmeier:** Just a sound check. Can you guys hear me?

**Ellis Starrett (Agency Rules Coordinator):** Yes, we can.

**Dave Sedelmeier:** Okay, thank you. And for the group, please testify. If you don't testify, then people say your silence means you agree with us.

And Cara, you said that this is to incorporate the required curriculum standards. That is a separate document. Then, Ellis, you only mentioned the WAC itself, the definition, and then 108-155. And then, when you said to find it, the only thing you find is the definition and the WAC and not the required curriculum standards. So for the record, because how can we testify? We don't know what we're testifying against?

Is this a public hearing to incorporate, as rule, the Washington's traffic safety education required curriculum standards document, yes or no?

**Ellis Starrett (Agency Rules Coordinator):** We're collecting testimony at this time, Dave.

**Dave Sedelmeier:** But, you're not being clear. How can we testify if you are not being clear? You said one thing and somebody else said another, and they are not truthful and thinking, how do you expect us to testify?

So hopefully my 10 min is not up because you guys aren't being clear. You guys need to be clear for everybody's sake.

**Ellis Starrett (Agency Rules Coordinator):** Are you wishing to testify today, Dave?

**Dave Sedelmeier:** Okay, on the record, please have it noted that I'm not getting a direct answer from Department of Licensing. I got all these representatives, I'm sorry.

Okay, so testifying. Now, I sent this, and I'm not going to read the whole thing, but - as written, this rule proposal is an exercise of malfeasance and misfeasance; an attempt to confuse the intents of the statutes of 34.05 RCW, 46.82.420 RCW, and RCW 46.82.

And, by the way, that whole thing about adopting the national standards, you can't find an RCW on that. If you can, please copy and paste it in a concise explanatory statement.

DOL and OSPI were ordered to write a required curriculum, not a loose list. Not a list of loosely open-ended standards.

You're supposed to tell us what to do, not "oh figure it out, and then we'll correct you later." Renaming the required curriculum, which is what you're required to do. You're required to do a required curriculum. Washington traffic safety education required curriculum standards is dishonest and confused the issue of the Department's duty to write regulations in accordance with Administrative Procedures Act.

You're a regulatory agency right? You're supposed to write regulations. Oh, for the record, I am not a public school. APEX Driving school is not a public school. I don't work for the public school system. Everything that I'm talking about right now is, how DOL as an administrative agency is supposed to deal with us commercial schools in the private sector. You can tell a frigging public school employee to do whatever, but that you don't have that afforded opportunity with us.

Any definition in the rule needs to be written. It could have been something as simple as required curriculum means a required curriculum, pursuant to RCW 46.82.420. It is maladministration to incorporate the Washington traffic safety education standard curriculum standards by reference as rule, and not include this document being incorporated as part of the rule hearing. And, here again, you already said pretty much it's not even though Cara said it is, which we never saw it.

Just listing generic concepts is void for vagueness and does not incorporate the actual provisions maintained in the chapter headings of the Washington Traffic safety education required curriculum standards. You know, when you just read this alone: vehicle handling. What's that?

It's not specific. Then you got to attach it to your required curriculum. And then even that says that the student must explain.

We're not public school teachers. Many of the concepts listed within listed above and contained within...I already covered that one.

Before the Department requires driving schools to submit a detailed description of their course, it is incumbent the department and staff write specific list of elements, and these exact elements must be adopted

as rule, be clearly and simply written, so you may understand for those to comply. If you just say student must explain coming to an intersection, that's not, I mean, that's clearly and simply stated, but I don't know what that means, as far as compliance, and you're supposed to do that ahead of time. You're supposed to give us notice.

By statute, schools are not required to be, are not supposed to be writing their own curriculums. You guys were in charge of writing our curriculum.

What we're supposed to teach the what, not the how.

And you guys already made reference in that in your document, even though the Department and the Office of Public Instruction gently developed the required curriculum does not relieve the Department as an administrative agency from its duty to formulate such curriculum over commercial schools as specific regulations and rule.

Then, the standards in that document don't meet the standards of rule writing, and as a... and you're supposed to have knowledge by RCW of - when I say you - rules coordinator - of these subjects. The Department must set specific regulations for driving schools to follow, rather than imposing broad end result requirements. And, by the way, that's the United States Supreme Court case; that's in my written testimony, not going to read the whole darn thing. It's in there. But, I think you're supposed to follow the law.

Washington traffic safety education required curriculum standards should be directed towards the school and the instructor. You don't have authority over the student. They don't have a license with you. I do. We're not supposed to teach students under 15. You don't have the law for the student; you got to be 15.

Okay, the above, after 5 years of developing a required curriculum, we still do not have a specific listing to teach about the rules of the road regarding stop signs or traffic signals. What have you guys been doing for 5 years where you don't even have a law, a regulation that says we need to teach about a traffic light and what those things mean? You're just assuming that, oh, you got to teach about intersections that's there. This is regulation, not assumptions.

But generic...yeah, generic inference and regulationism (unable to interpret word) violates and void for vagueness.

Okay, this was supposed to be negotiated rulemaking. You checked that off in your box for your pre-notice statement. Nobody negotiated with me. I never saw a thing going out to the industry. "Hey, we're working on this required curriculum document, we need your help. We're not drivers ed instructors. We're not in car. Oh, we're just gonna copy and paste a guidance document." The National standards, by the way, is a guidance document, but so is the RCWs, which you did not follow.

Okay, I did. Yeah, I covered that. I'm reading so I can skip through things.

Your unwillingness to perform a feasibility study for safety and compliance. RCW 34.05.313, feasibility study.

You could have developed methods. "Hey Come on out. We're gonna see if this is feasible. I ask you guys, can this be done in 30 hours? Is all this stuff safe? Oh, we don't... We don't see where we need to do a test run." Feasibility study.

You wonder why people are frustrated in the department and wonder why auditors have to come out and teach us what everything's supposed to mean, instead of just being audited the regulations - because your regulations are unclear.

Okay. But, it appears you guys are steadfast at ramming this curriculum through, no matter what problems it's going to cause. The old required curriculum was so poorly written, all you could do was push 11 bullet points and a form. And now, this one is supposed to be better? You know I got one car with 2 tires, and now I've redesigned it, and now I only got a car with 3 tires. It's still broken.

The department staff are well aware the curriculum document is lacking subject matter details, and is not an appropriate regulatory administration over commercial schools in the private sector.

There is no justifiable reason to move forward with this document when it repeatedly is questioned and raised such legal issues.

The department staff chooses to ignore these 23 bullet points. I want all these points in your concise explanatory statement.

I also expect to see a signature on the concise explanatory statement. Whether you believe one is required or not, that document is not authorized until it's signed and dated by a specific individual. Otherwise, it's just an ad.

Oh, wow, we've already already said you're gonna do that.

I've included a lot of pages in this. You know, you guys, this required curriculum was supposed to be safe, lawful, and responsible operation of a motor vehicle. That's what you were supposed to write upon. Why in the heck do you got...that we're supposed to, by law, requiring us to teach when the schools open or closed? Why are you telling us we're supposed to teach about a log for a student when the RCW doesn't require that? I'm sorry, the people that wrote this curriculum... you had 3 years.

I mean, I remember sitting...Cara, 5 years ago, where...where we were talking about this. And yet, this whole thing, you guys didn't reach out to me. I'm sorry, you know I know these RCWs. You know you're supposed to follow them. It's just...you're supposed to work with industry. And for the rest of you guys that are in here, you should be saying the same thing. You did not work with us.

This curriculum, as written is not clear and concise and even if it was, there's a lot of issues that we don't agree with in it.

And if I went over my 10 minutes, I will say thank you for letting me ramble on. But, this is serious malfeasance, misfeasance, maladministration.

Those are definitions of crimes, and I yield.

**Ellis Starrett (Agency Rules Coordinator):** Thank you for your testimony and engagement on this rulemaking, Dave. I know it's been a lot of work that you put in. I appreciate it.

**Dave Sedelmeier:** Yeah, but there's good reason for all this work.

**Ellis Starrett (Agency Rules Coordinator):** Thank you.

**Dave Sedelmeier:** You're welcome.

**Ellis Starrett (Agency Rules Coordinator):** Who do we have on deck?

**Kelsey Stone:** I think that the only other person noted potential interest in testifying was JC Fawcett. JC, are you interested in providing oral testimony today?

**JC Fawcett:** Sure. I won't get in the explanations, but I also am against the...yeah, I vote no, thank you.

**Ellis Starrett (Agency Rules Coordinator):** And if you do have, you know, a...It is helpful for us to kind of have a little bit of information as to what you would like to see different if we're, you know, if you are opposed to the proposed rules - but, I don't want to put you on the spot.

**JC Fawcett:** I'll...Yeah, I'll expand briefly. I'm of the opinion that - and, I'm not trying to...I don't want to contradict some of the things that Dave said. There are some things that I agree with on what you said, but I'm, for example: I don't believe that there's any driving school in the state that is not teaching about stop signs and stoplights. I'm...I am more in favor of the give us the...give us some general items to teach and allow us to develop our own. Obviously, someone from the DOL needs to look through it - make sure it meets the requirement, but I don't want to get. ..I don't want to be pulled to get into certain details on certain things that I think are... well, probably important, not... There are things that I believe we should be trusted to do. And I believe the DOL is, yeah, everything that we've been doing so far as an industry, I believe that things are being taught. Obviously right now we're in a 30 hour scenario, where we've got to try and cram a lot of stuff. And, there are things that I feel take more precedent than others, and I don't...I don't feel like we should be trapped in such a confined box.

**Ellis Starrett (Agency Rules Coordinator):** Thank you for your testimony, JC.

**Kelsey Stone:** We do have some other folks that are now wanting to testify. Jessica Carroll?

**Ellis Starrett (Agency Rules Coordinator):** I do see Nikki's hand too though.

**Kelsey Stone:** I wasn't sure if that was in response, or if we should go off of what was in the chat, but I'll let you lead.

**Ellis Starrett (Agency Rules Coordinator):** I'm sorry. Let's go ahead and take Nikki just because I see your hand, Nikki - and, I wanna make sure if folks are having trouble putting their information in the chat that they can.

**Nikki Bisconer:** Okay, fantastic. Thank you for having this today and inviting me to it. My name is Nikki Bisconer, and I'm with Driving 101.

So, I know the national standards - pretty sure they call for 45 hours, and we have a 30 hour program. So, I do think we need to be cautious that we're not trying to cram 15 extra hours into our curriculum because it's... and the kids have already been sitting in school all day. Now, they are going to be sitting in Driver's Ed, and if we try to shove so much detail at them, then we miss them, and the whole thing goes over their head - after 30 minutes they're full, and their brains aren't obtaining this information. So I think that, being cautious that we're not overdoing it is important with the 30 hours we're working with.

Technology. There are some things about technology which I think are fine as long as we're touching on them - But, if we have to go into extreme detail about everything that new technology brings, exactly how it works, what's the benefits, and what's the downside of it - we'd go through all of them. But, if you guys are wanting a more extreme in depth explanation of that list, we would need like a 2 hour class just for that portion where it's gonna be hard for us to really pack that much into their head to get them to retain that.

And the emotions is kind of the same way, where...

**\*Brief interruption\***

**Ellis Starrett (Agency Rules Coordinator):** Alright. Let me. I'm trying to fix it. Sorry.

**Nikki Bisconer:** No, that's okay. Okay, so the emotions part of it, it's the same that there's a lot of stuff about emotions, which is, which is cool and we do discuss those things - But if we go into a ton of detail about it, it's going to do the same thing... that making sure that we're not over...We're not giving them information out of a fire hose where they...or they're gonna have a hard time obtaining it. And if so, maybe having a video of a professional like psychiatrist, or something that goes over that where we can get it compressed into a small amount of time. That's real... exactly what you guys are wanting.

And then the overall teaching, I think the schools that have been around for a long time. We've spent a ton of time and money and love and effort and emotions creating our curriculums, and we want to be able to keep our curriculums, and I do think that I'm sure that there are schools that would like you to spoon feed them a curriculum where it's there for them to use, and they don't have to figure it out for themselves, but the ones that have built a curriculum, please don't take that away from the rest of us that in that want our curriculum.

And we'll just do whatever it is, whatever additions you need, we'll add that in. That's all I have. Thank you for your time today.

**Kelsey Stone:** Nikki, could you real quickly before you mute again...Could you spell your last name for me?

**Nikki Bisconer:** Yeah, Bisconnor: B, as in boy, I-S-C-O-N-E-R.

**Kelsey Stone:** Thank you. And did you have an email that you'd like to receive the concise explanatory statement at?

**Nikki Bisconer:** Yeah, I can put that in the chat.

**Kelsey Stone:** Okay, perfect. And then, I'm sorry, one more thing. I think that you were opposed to the proposed rules?

**Nikki Bisconer:** I'm not necessarily opposed to them. I just know that these specific things need to be...to make sure that we're considering, not cramming 45 hours of information into our 30 hour requirement, and not to go into so much details that kids can't obtain the information that we're feeding them, and that we want our own curriculum. So those are just big things I just wanna make sure that are in this.

**Kelsey Stone:** Absolutely. I'm gonna mark you as other, if that's alright?

**Nikki Bisconer:** Okay.

**Kelsey Stone:** And then I think that the only other...

**Ellis Starrett (Agency Rules Coordinator):** Thank you for your testimony, Nikki.

**Nikki Bisconer:** Thank you.

**Ellis Starrett (Agency Rules Coordinator):** And Jessica Carroll, if you can go ahead and unmute and provide your testimony, and can you provide your contact information as well, if you have not done so in the chat? You have, okay.

**Jessica Carroll:** Yeah, I put it in the chat. So, I am...I have a master's in education, and I also have my own driving school, and I've been doing...running my driving program for a little bit. And when I read through what is being proposed, I thought, just like Nikki, wow! That is going to take way longer than what we're doing right now; there's no way to cram all of those standards into what is currently the required 30 hours. It is just



not possible, and the language of student must explain...Student must explain on all of all of those standards, it made me think about how to assess that in...what is that going to be? And then students are going to be writing essays?

Is that going to be while they're driving, they're explaining step by step what they're going to be doing? That, or you know, that's just kind of...if it was a longer course and then students were writing, then that also makes it difficult, for we also...I'm sure a lot of you guys are serving students that have a lot of test anxiety. We've got kids that have...that are on the spectrum, kids that have educational challenges - and, if they're faced with these extra barriers to getting their license because of the way that we're now having to test them, because they have to explain, or they have to write essays rather than the way that we're testing them now through the testing practices we're using that is working. What I'm doing now is working; the curriculum using right now is working; and, it feels like I'm hitting everything that they...that needs to be met.

So just as a professional educator, I felt like, Oh, this this looks like a whole half year course, not a 30 hour course...and that's all I had to share.

**Ellis Starrett (Agency Rules Coordinator):** Thank you so much for your testimony, Jessica.

**Kelsey Stone:** Jessica, are you alright if we mark you as other as well?

**Jessica Carroll:** Sure.

**Ellis Starrett (Agency Rules Coordinator):** If you're opposed, you can be opposed...

**Kelsey Stone:** Absolutely. We wanna make sure we get that correct.

**Jessica Carroll:** I feel like there were some good points in there. I...cause the the way it is now, It is quite short. There is...you know, there's not much in there. And so, putting some more information, give more...some more standards in there is a good idea. I think it's just...it's overkill. It's...it was overshoot, and I can tell it was written by an educator and they just...they were...They put their educator mind on, which is great, and they were thinking about half a term or half a semester, not a 30 hour course that we are doing, and also a 30 hour course that is being taught by privately owned businesses.

And that...so I guess, opposed to the way it's written right now.

**Ellis Starrett (Agency Rules Coordinator):** Okay. Thank you. Alright, is there anyone else who would?

**Kelsey Stone:** Yes, sorry we have another one, Deb Grenier.

**Ellis Starrett (Agency Rules Coordinator):** Hey Deb, go ahead and testify.

**Deb Grenier:** Hi, this is Deb Grenier, and I would like to testify as other.

I am very aware of what public schools are required to teach and how they teach. I did it for 20 years, and because even with the other list that we used to have, it took longer than 30 hours at public school. Thankfully, we were able to add more hours - so, our class was actually 40 hours as it was, and it was very difficult to get all of that in when you have a number of different students at different levels.

I also was the one who went to Dave Hayes and brought in the bill that put OSPI curriculum together with DOL, and we worked very hard throughout the whole entire industry - through the whole legislation process to allow the public schools and private schools to create their own curriculum as they saw fit, and put it in any order that they did. Some schools have roundabouts, so the 1st drive kids have to go on roundabouts, is that ideal? No, but if they're ever going to get out of a parking lot, that's what we would teach them in our 1st lesson.

I just...the way it's written, I think, is very difficult, and I don't want the commercial schools to have their brand taken away, or how that they do things because of the way this is written.

**Ellis Starrett (Agency Rules Coordinator):** Thank you for your testimony. I realize I was in the process of realizing I was off camera on accident. Thank you for testimony.

**Deb Grenier:** Yup!

**Ellis Starrett (Agency Rules Coordinator):** Alright, is there anyone else who would wish to, who is wishing to testify today?

Alright. Hearing no one, I want to thank you for your comments. The Department will prepare a concise explanatory statement, which will, among other things, summarize all the oral and written comments received regarding the proposed rules, and respond to them by category or subject matter. Copies of the concise explanatory statement will be forwarded to all those who have made oral or written comments. This hearing is adjourned, and I'm going to stop the recording.