HB20

170656-3

By Representative Hanes

RFD: Public Safety and Homeland Security

First Read: 03-AUG-15
ENROLLED, An Act,

Relating to driver's licenses; to amend Section 32-6-7.2, Code of Alabama 1975, to increase the minimum number of hours of behind-the-wheel driving practice required for a Stage II driver's license for a person 16 years of age; and to add a grandparent with the consent of a parent or legal guardian to the list of persons who can sign verification forms for Stage II driver's license applicants who are 16 years of age.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-6-7.2, Code of Alabama 1975, is amended to read as follows:

"§32-6-7.2.

"(a) A person who is under the age of 18 may not apply for a Stage II restricted regular driver's license until the person has held a Stage I learner's license issued pursuant to Section 32-6-8 or a comparable license issued by another state for at least a six-month period.

"(b) In addition to any other requirements of this chapter, if the applicant for a driver's license is 16 years of age, he or she shall submit to the Department of Public Safety the following:

"(1) A verification form provided by the Department of Public Safety signed by a parent or legal guardian, or a
grandparent with the consent of a parent or legal guardian, consenting to the licensure of the applicant.

"(2) A verification form provided by the Department of Public Safety signed by a parent, legal guardian, a grandparent with the consent of a parent or legal guardian, or a licensed or certified driving instructor, certifying that the applicant has completed a minimum of 50 hours of behind-the-wheel driving practice, or submission of a certificate of completion from the State Department of Education that the applicant has passed a driver's education course approved by the State Department of Education.

This subdivision shall not be construed to require a course sanctioned by the State Department of Education to include the 50-hour requirement for behind-the-wheel driving practice.

"(c) A person who is issued a regular driver's license who is age 17 and has been licensed for less than six months or who is age 16 shall be deemed to have a Stage II restricted driver's license. The person may not operate a vehicle under any of the following conditions:

"(1) Between 12:00 o'clock midnight and 6:00 o'clock a.m. unless one of the following exceptions applies:

"a. The licensee is accompanied by a parent or legal guardian.
"b. The licensee is accompanied by a person who is a licensed driver and is at least 21 years of age or the consent of a parent or legal guardian of the driver is given.

c. The licensee is driving to or from a place where the licensee is employed or works.

d. The licensee is driving to or from a school sponsored event.

e. The licensee is driving to or from an event sponsored by a religious organization.

f. The licensee is driving for the purpose of a medical, fire, or law enforcement related emergency.

g. The licensee is driving to or from a place where the licensee participates in hunting or fishing activities. In order for this particular exception to apply, the licensee must have in his or her immediate possession a valid hunting or fishing license for the activity.

(2) If there is more than one passenger in the vehicle not including the parents, legal guardians of the licensee, accompanying family members, or a licensed driver who is at least 21 years of age.

(3) While operating any handheld communication device that is nonessential to the functioning of the vehicle.

(d) A violation of subsection (c) shall not result in a suspension of the person's driver's license, but shall extend the time period for six months that the person is
subject to the restrictions of subsection (c) before the 
person is eligible to be designated as an unrestricted 
driver's license holder or until age 18.

"(e) The driver's license of any person who is 
driving with restricted privileges as provided in subsection 
(c) who during such time is convicted of a second moving 
traffic violation or is convicted of failure to give 
information or render aid, racing, fleeing or attempting to 
elude a law enforcement officer, reckless driving, illegal 
passing, driving on the wrong side of the road, or any other 
offense where four or more points are assessed and other 
vviolations as designated by rules or regulations promulgated 
pursuant to the Administrative Procedure Act, shall be 
automatically suspended for 60 days unless the Alabama Rules 
of the Road provide a more serious penalty, and the time 
period that the licensee is subject to the restrictions of 
subsection (c) shall be extended for six months from the date 
the person would otherwise be eligible to be designated as an 
unrestricted driver's license holder or until age 18.

"(f) The license possessed by any resident of this 
state who is 17 years of age shall be deemed a Stage III 
unrestricted driver's license if the license has been issued 
for a period of six months or longer and the Department of 
Public Safety verifies that the license holder has not been
convicted of a moving violation of the Alabama Rules of the
Road within the preceding six months.

"(g) This section shall not apply to the following:

"(2) Any resident who has otherwise been legally
relieved of minority.

"(3) Any resident who is age 18 or over.

"(h) A person who drives a motor vehicle in
violation of the conditions imposed in subsection (c) shall be
guilty of a traffic violation, but shall not be subject to any
criminal penalties or court costs. No citation shall be issued
for a traffic violation pursuant to this subsection unless the
person is stopped by a law enforcement officer for a separate
violation of law and issued a citation or warrant for the
separate violation. Information concerning a violation
pursuant to this subsection shall not be released to any party
and shall not result in any points on a driver's license
record.

"(i) The Department of Public Safety may promulgate
reasonable rules and regulations to carry out and to aid in
enforcement of this section and Sections 32-6-7.3 and 32-6-8.

"(j) As used in this section, the following words
shall have the following meanings:

"(1) STAGE I. A learner's permit.

"(2) STAGE II. A regular driver's license with
restrictions based on age and the date of issuance.
"(3) STAGE III. An unrestricted driver's license."

Section 2. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.
Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 06-AUG-15.

Jeff Woodard
Clerk

<table>
<thead>
<tr>
<th>Senate</th>
<th>10-AUG-15</th>
<th>Amended and Passed Concurred in Senate Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>House</td>
<td>10-AUG-15</td>
<td></td>
</tr>
</tbody>
</table>