

1 HB304
2 149886-3
3 By Representatives Wood, Ball, Patterson, Carns, Johnson (K),
4 Davis, Hill, Sanderford, Tuggle, Williams (P) and McClurkin
5 RFD: Public Safety and Homeland Security
6 First Read: 21-JAN-14

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8 SYNOPSIS: Under existing law, an applicant for a Stage
9 II driver's license who is 16 years of age must
10 submit a verification form certifying that the
11 applicant has completed a minimum of 30 hours of
12 behind-the-wheel driving practice.

13 This bill would require that the applicant
14 complete a minimum of 50 hours.

15 The bill would also add grandparents to the
16 list of persons who can sign verification forms for
17 Stage II driver's license applicants who are 16
18 years of age.

19
20 A BILL

21 TO BE ENTITLED

22 AN ACT

23
24 Relating to driver's licenses; to amend Section
25 32-6-7.2, Code of Alabama 1975, to increase the minimum number
26 of hours of behind-the-wheel driving practice required for a
27 Stage II driver's license for a person 16 years of age; and to

1 add grandparents to the list of persons who can sign
2 verification forms for Stage II driver's license applicants
3 who are 16 years of age.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

7 "§32-6-7.2.

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

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

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

20 "(2) A verification form provided by the Department
21 of Public Safety signed by a parent, grandparent, legal
22 guardian, or licensed or certified driving instructor
23 certifying that the applicant has completed a minimum of ~~30~~ 50
24 hours of behind-the-wheel driving practice, or submission of a
25 certificate of completion from the State Department of
26 Education that the applicant has passed a driver's education
27 course approved by the State Department of Education.

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

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

8 "a. The licensee is accompanied by a parent or legal
9 guardian.

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

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

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

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

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

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

26 "(2) If there is more than one passenger in the
27 vehicle not including the parents, legal guardians of the

1 licensee, accompanying family members, or a licensed driver
2 who is at least 21 years of age.

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

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

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

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

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

9 "(1) Any resident of this state age 16 years and
10 over who is married or who is the head of a household.

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

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

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

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

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

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

4 "(2) STAGE II. A regular driver's license with
5 restrictions based on age and the date of issuance.

6 "(3) STAGE III. An unrestricted driver's license."

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