

1 HB226
2 149886-6
3 By Representatives Hanes, Wood, Patterson, Rich, Pettus,
4 Ledbetter, Greer, Hill (M), Mooney and Ainsworth
5 RFD: Public Safety and Homeland Security
6 First Read: 10-MAR-15

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT

7
8 Relating to driver's licenses; to amend Section
9 32-6-7.2, Code of Alabama 1975, to increase the minimum number
10 of hours of behind-the-wheel driving practice required for a
11 Stage II driver's license for a person 16 years of age; and to
12 add grandparents to the list of persons who can sign
13 verification forms for Stage II driver's license applicants
14 who are 16 years of age.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

18 "§32-6-7.2.

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

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

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

5 "(2) A verification form provided by the Department
6 of Public Safety signed by a parent, ~~grandparent,~~ legal
7 guardian, or grandparent with the consent of a parent or legal
8 guardian or licensed or certified driving instructor
9 certifying that the applicant has completed a minimum of ~~30~~ 50
10 hours of behind-the-wheel driving practice, or submission of a
11 certificate of completion from the State Department of
12 Education that the applicant has passed a driver's education
13 course approved by the State Department of Education.

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

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

21 "a. The licensee is accompanied by a parent or legal
22 guardian.

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

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

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

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

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

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

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

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

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

24 "(e) The driver's license of any person who is
25 driving with restricted privileges as provided in subsection
26 (c) who during such time is convicted of a second moving
27 traffic violation or is convicted of failure to give

1 information or render aid, racing, fleeing or attempting to
2 elude a law enforcement officer, reckless driving, illegal
3 passing, driving on the wrong side of the road, or any other
4 offense where four or more points are assessed and other
5 violations as designated by rules or regulations promulgated
6 pursuant to the Administrative Procedure Act, shall be
7 automatically suspended for 60 days unless the Alabama Rules
8 of the Road provide a more serious penalty, and the time
9 period that the licensee is subject to the restrictions of
10 subsection (c) shall be extended for six months from the date
11 the person would otherwise be eligible to be designated as an
12 unrestricted driver's license holder or until age 18.

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

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

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

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

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

26 "(h) A person who drives a motor vehicle in
27 violation of the conditions imposed in subsection (c) shall be

1 guilty of a traffic violation, but shall not be subject to any
2 criminal penalties or court costs. No citation shall be issued
3 for a traffic violation pursuant to this subsection unless the
4 person is stopped by a law enforcement officer for a separate
5 violation of law and issued a citation or warrant for the
6 separate violation. Information concerning a violation
7 pursuant to this subsection shall not be released to any party
8 and shall not result in any points on a driver's license
9 record.

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

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

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

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

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

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

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Public Safety
and Homeland Security..... 10-MAR-15

Read for the second time and placed
on the calendar..... 02-APR-15

Read for the third time and passed
as amended..... 09-APR-15

Yeas 91, Nays 6, Abstains 0

Jeff Woodard
Clerk