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## Transportation Committee

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### HB 2628

**Brief Description:** Modifying the operating restrictions for intermediate license holders.

**Sponsors:** Representatives Pike, Fitzgibbon, Moeller, Caldier, Tarleton, Riccelli and Kilduff.

#### Brief Summary of Bill

- Extends the time during which intermediate driver's license holders must drive under supervision to between 10:00 p.m. and 5:00 a.m.
- Provides for several exceptions to the supervised driving requirement that are applicable from 10:00 p.m. to 1:00 a.m. related to employment, school activities, and emergencies.

**Hearing Date:** 1/28/16

**Staff:** Jennifer Harris (786-7143).

#### Background:

A person can only be eligible for a driver's license when he or she reaches the age of 18. Individuals between the ages of 16 and 18 can be eligible for an intermediate driver's license if certain criteria are met. To obtain an intermediate driver's license, an applicant must: (1) have possession of a valid instruction permit for at least six months; (2) have passed a driver licensing examination; (3) have passed a course of driver's education; (4) present certification by his or her parent, guardian, or employer to the Department of Licensing (DOL) stating that the applicant has met supervised driving requirements and that the applicant has not been issued a notice of traffic infraction or cited for a traffic violation that is pending at the time of the application; (5) not have been convicted of or found to have committed a traffic violation in the past six months; and (6) not have been adjudicated for an offense involving the use of alcohol or drugs during the period the applicant held an instruction permit.

Holders of intermediate driver's licenses are subject to passenger and time-of-day driving restrictions. For the first six months after issuance of the license or until the holder reaches 18

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years of age, whichever occurs first, the holder is not permitted to operate a motor vehicle carrying passengers under the age of 20 who are not members of the holder's immediate family. After this period, the holder of an intermediate driver's license may not operate a motor vehicle carrying more than three passengers under the age of 20 who are not members of the holder's immediate family. Intermediate driver's license holders are not permitted to operate a motor vehicle between the hours of 1:00 a.m. and 5:00 am unless accompanied by a parent, guardian, or licensed driver who is at least 25 years old.

No exceptions are provided to the above restrictions during the first 12 months an intermediate driver's license holder has the intermediate driver's license. After 12 months, the holder may drive at any hour without restrictions on the number of passengers in the vehicle so long as: (1) the holder has not been involved in an accident (a) involving only one motor vehicle, (b) in which the holder was cited or was found to have caused it, or (c) in which no one was cited or was found to have caused it, and (2) the holder has not been convicted or found to have committed a traffic offense or to have violated restrictions placed on an intermediate driver's license.

It is a traffic infraction for the holder of an intermediate driver's license to operate a motor vehicle in violation of any of these restrictions. However, enforcement may only occur when a driver of a motor vehicle has been detained for a suspected violation of some other traffic infraction.

**Summary of Bill:**

Intermediate driver's license holders must be accompanied by a parent, guardian, or licensed driver who is at least 25 years old if operating a motor vehicle between 10:00 p.m. and 5:00 a.m. Between 10:00 p.m. and 1:00 a.m. only, the following exceptions apply: (1) driving for the purposes of employment; (2) driving for the purposes of an official school activity; and (3) driving due to a health or other emergency where no parent, guardian, or licensed driver is available to accompany the intermediate driver's license holder. The exceptions that are in place under current law for eligible license holders who have had an intermediate driver's license for 12 months or longer remain in place.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect on January 1, 2017.