

1 HB388
2 149886-1
3 By Representative Wood
4 RFD: Public Safety and Homeland Security
5 First Read: 05-MAR-13

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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
16 A BILL
17 TO BE ENTITLED
18 AN ACT

19
20 Relating to driver's licenses; to amend Section
21 32-6-7.2, Code of Alabama 1975, to increase the minimum number
22 of hours of behind-the-wheel driving practice required for a
23 Stage II driver's license for a person 16 years of age.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

27 "§32-6-7.2.

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

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

10 "(1) A verification form provided by the Department
11 of Public Safety signed by a parent or legal guardian
12 consenting to the licensure of the applicant.

13 "(2) A verification form provided by the Department
14 of Public Safety signed by a parent, legal guardian, or
15 licensed or certified driving instructor certifying that the
16 applicant has completed a minimum of ~~30~~ 50 hours of
17 behind-the-wheel driving practice, or submission of a
18 certificate of completion from the State Department of
19 Education that the applicant has passed a driver's education
20 course approved by the State Department of Education.

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

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

1 "a. The licensee is accompanied by a parent or legal
2 guardian.

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

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

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

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

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

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

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

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

25 "(d) A violation of subsection (c) shall not result
26 in a suspension of the person's driver's license, but shall
27 extend the time period for six months that the person is

1 subject to the restrictions of subsection (c) before the
2 person is eligible to be designated as an unrestricted
3 driver's license holder or until age 18.

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

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

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

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

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

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

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

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

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

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

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

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

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