

1 HB20  
2 170656-1  
3 By Representative Hanes  
4 RFD: Public Safety and Homeland Security  
5 First Read: 03-AUG-15

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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 a grandparent with  
16 the consent of a parent or legal guardian to the  
17 list of persons who can sign verification forms for  
18 Stage II driver's license applicants who are 16  
19 years of age.

20  
21 A BILL  
22 TO BE ENTITLED  
23 AN ACT

24  
25 Relating to driver's licenses; to amend Section  
26 32-6-7.2, Code of Alabama 1975, to increase the minimum number  
27 of hours of behind-the-wheel driving practice required for a

1 Stage II driver's license for a person 16 years of age; and to  
2 add a grandparent with the consent of a parent or legal  
3 guardian to the list of persons who can sign verification  
4 forms for Stage II driver's license applicants who are 16  
5 years of age.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

9 "§32-6-7.2.

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

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

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

23 "(2) A verification form provided by the Department  
24 of Public Safety signed by a parent, legal guardian, a  
25 grandparent with the consent of a parent or legal guardian, or  
26 a licensed or certified driving instructor, certifying that  
27 the applicant has completed a minimum of ~~30~~ 50 hours of

1 behind-the-wheel driving practice, or submission of a  
2 certificate of completion from the State Department of  
3 Education that the applicant has passed a driver's education  
4 course approved by the State Department of Education.

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

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

12 "a. The licensee is accompanied by a parent or legal  
13 guardian.

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

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

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

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

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

25 "g. The licensee is driving to or from a place where  
26 the licensee participates in hunting or fishing activities. In  
27 order for this particular exception to apply, the licensee

1 must have in his or her immediate possession a valid hunting  
2 or fishing license for the activity.

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

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

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

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

1 subsection (c) shall be extended for six months from the date  
2 the person would otherwise be eligible to be designated as an  
3 unrestricted driver's license holder or until age 18.

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

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

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

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

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

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

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

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

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

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

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