

2017 -- S 0394 SUBSTITUTE A AS AMENDED

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LC000227/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- OPERATORS' AND CHAUFFEURS'
LICENSES

Introduced By: Senators Sheehan, Ruggerio, McCaffrey, Jabour, and DaPonte

Date Introduced: March 02, 2017

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-10-6 of the General Laws in Chapter 31-10 entitled "Operators'
2 and Chauffeurs' Licenses" is hereby amended to read as follows:

3 **31-10-6. Graduated licensing for person under the age of eighteen (18).**

4 (a) Purpose. To ensure that license holders have sufficient training and experience and to
5 promote safe, responsible driving, persons under the age of eighteen (18) shall be granted driving
6 privileges on a limited basis as follows:

7 (1) Level 1 -- Limited instruction permit.

8 (2) Level 2 -- Limited provisional license.

9 (3) Level 3 -- Full operator's license.

10 (b) Requirements and privileges. A permit or license issued pursuant to this section must
11 have a color background or border that indicates the level of driving privileges granted by the
12 permit or license.

13 (1) Limited instruction permit. Any person who is at least sixteen (16) years of age but
14 less than eighteen (18) years of age may apply to the division of motor vehicles for a limited
15 instruction permit. The division of motor vehicles may, after the applicant has successfully
16 completed a course of driver training prescribed in § 31-10-19 and passed a standardized written
17 examination approved by the administrator of the division of motor vehicles or otherwise
18 complied with the requirements of § 31-10-21, issue to the applicant a limited instruction permit

1 which shall entitle the applicant to drive a motor vehicle only under the following conditions:

2 (i) The permit holder must be in possession of the permit;

3 (ii) A supervising driver must be seated beside the permit holder in the front seat of the
4 vehicle when it is in motion;

5 (iii) No person other than the supervising driver can be in the front seat;

6 (iv) Every person occupying the vehicle being driven by the permit holder must have a
7 safety belt properly fastened about his or her body, or be restrained by a child passenger restraint
8 system as provided in § 31-22-22 when the vehicle is in motion;

9 (v) The permittee shall wear a safety belt at all times unless the permittee provides the
10 division of motor vehicles with a statement from a physician indicating that for medical reasons
11 the permittee cannot wear a safety belt. A limited instruction permit shall be valid for a period of
12 one year, and may be extended for a reasonable period of time if the holder of the permit provides
13 the division of motor vehicles with evidence of a hardship. Any person who is at least sixteen
14 (16) years of age and is enrolled in a commercial drivers' school or in a regularly recognized
15 secondary school or college driver training program which is approved by the division of motor
16 vehicles shall not be required to have a limited instruction permit while operating a dual-control
17 training vehicle regularly used by that school in its driver training program and while a regular
18 instructor in that school or program is occupying the seat beside that person.

19 (2) Limited provisional license. A person may obtain a limited provisional license if the
20 person meets all of the following requirements:

21 (i) (A) Has held a limited instruction permit issued by the division of motor vehicles for
22 at least six (6) months;

23 (B) Has not been convicted of a motor vehicle moving violation or seat belt infraction
24 during the preceding six (6) months;

25 (C) Passes a road test administered by the division of motor vehicles and shall also meet
26 the requirements of subsection (iii) herein.

27 (ii) A limited provisional license authorizes the license holder to drive a motor vehicle
28 only under the following conditions:

29 (A) The license holder must be in possession of the license.

30 (B) The license holder may drive without supervision in any of the following
31 circumstances:

32 (I) From 5:00 a.m. to 1:00 a.m.;

33 (II) When driving to or from work;

34 (III) When driving to or from an activity of a volunteer fire department, volunteer rescue

1 squad or volunteer emergency medical service, if the driver is a member of one of these
2 organizations.

3 (IV) From 4:00 a.m. to 5:00 a.m. when driving between the license holder's home and a
4 school sponsored athletic activity for which no transportation is provided by the school.

5 (C) The license holder may drive with supervision at any time. When the license holder is
6 driving with supervision, the supervising driver must be seated beside the license holder in the
7 front seat of the vehicle when it is in motion.

8 (D) Every person occupying the vehicle being driven by the license holder must have a
9 safety belt properly fastened about his or her body, or be restrained by a child safety passenger
10 restraint system as provided in § 31-22-22 when the vehicle is in motion.

11 (iii) In addition to meeting the requirements of paragraph (i) of this subdivision, a person
12 under the age of eighteen (18) years seeking to obtain a provisional license shall present with his
13 or her application a statement signed by the person's parent or guardian stating that the applicant
14 has obtained a minimum of fifty (50) hours of experience with ten (10) of those at night as a
15 driver while driving with a supervising driver. These fifty (50) hours may include driving lessons
16 with a commercial driving school or any other supervised driving.

17 (iv) During the first twelve (12) months of a limited provisional license no more than one
18 passenger younger than twenty-one (21) years of age is allowed in the vehicle. Immediate
19 family/household members are excepted from this subsection.

20 (3) Full operator's license. (i) A person who is at least seventeen (17) years old but less
21 than eighteen (18) years old may apply for and obtain a full operator's license if the person meets
22 all of the following requirements:

23 (i) (A) Has held a limited provisional license issued by the division of motor vehicles for
24 at least twelve (12) months;

25 (B) Has not been convicted of a motor vehicle moving violation or seat belt infraction
26 during the preceding six (6) months.

27 (ii) A person who meets the requirements of this section may obtain a full operator's
28 license by mail. The restrictions on Level 1 and Level 2 drivers concerning time of driving,
29 supervision and passenger limitations do not apply to a full operator's license.

30 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would allow the holder of a level 2-limited provisional license to drive from the
2 holder's home to a school event for which no transportation is provided by the school, between
3 4:00 a.m. to 5:00 a.m.

4 This act would take effect upon passage.

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