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## LEGAL UPDATE

Legal Services Division



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### MINOR DRIVER'S LICENSE INTERIM STUDY COMMITTEE — OCTOBER 13 AND NOVEMBER 13, 2023

**Purpose.** *Legal updates are prepared by the nonpartisan Legal Services Division of the Legislative Services Agency. A legal update is intended to provide legislators, legislative staff, and other persons interested in legislative matters with summaries of recent meetings, court decisions, Attorney General Opinions, regulatory actions, federal actions, and other occurrences of a legal nature that may be pertinent to the General Assembly's consideration of a topic. Although an update may identify issues for consideration by the General Assembly, it should not be interpreted as advocating any particular course of action.*

Co-Chairpersons: Senator Adrian Dickey; Representative Brian Best

**Overview.** The Minor Driver's License Interim Study Committee met on two separate occasions and examined policy matters regarding statutory changes for licensed driving by persons between 14 and 18 years of age. The committee included six legislative members and five ex officio members. The committee made recommendations and will submit a report with such recommendations to the General Assembly. Additional materials presented for consideration by the committee are included on the committee's Internet site.

**First Meeting.** On October 13, 2023, the committee sought and received information from the ex officio members, including representatives from the state departments of education, public safety, transportation, and workforce development, and the automotive insurance industry. The ex officio members presented information about existing statutes regulating licensed minor driving, described matters relating to administering and enforcing those statutes, and provided suggestions for a legislative approach to changing current law.

Following the ex officio member presentations, the committee briefly discussed possible changes to existing statutes regulating the unsupervised driving privileges for minors. Possible changes include authorizing minors to drive unsupervised to both school and employment locations, restricting the maximum driving distance, and modifying the permitted hours of operation under the license. The committee agreed on a second meeting date to discuss in more detail potential changes to current law.

**Second Meeting.** On November 13, 2023, the committee discussed in greater detail ideas for amending current law relating to minor driver's license provisions. The committee agreed there is a desire to simplify the current statutes and make minor driving privileges more uniform regardless of which school the minor attends or where the minor is employed. Committee discussion included the following:

- Permitted locations specially licensed minors may drive to and from.
- Special restrictions on a special minor's license, including but not limited to the maximum safe driving distance for each trip, hours of operation, and minimum driver experience before issuing a license.
- Special considerations for license administration and enforcing license restrictions.
- Penalties for violations of restrictions imposed on a special minor's license.

Following the discussion among the committee's legislative members, the ex officio members were invited to comment on potential committee recommendations. The ex officio members provided some examples and information specific to each member's area of expertise. The ex officio members expressed gratitude for being invited to join the committee and reasserted a willingness to continue to be available to help the legislature during the upcoming and future sessions.

The committee agreed to include certain recommendations to change current minor driver's license regulations based on the committee's discussion topics in the committee's report to be delivered to the General Assembly on or before December 15, 2023.

The committee's recommendations include:

- Any potential changes to the special minor's license framework should incorporate the ability for the holder of the license to obtain a combined farm and work permit.
- Continue to require a school official to sign off in order for a student to be able to drive to school under a special minor's license.
- Require a parent or guardian to give his or her approval before the holder of a special minor's license will be allowed to obtain a permit to drive to work.
- Eliminate the current restriction that prevents an individual from obtaining a special minor's license if the individual lives within one mile of the school in which the individual is enrolled.
- The proper starting point for discussions related to the size of the radius that will govern driving restrictions under the special minor's license is 25 miles from the school the holder of the special minor's license attends.
- Holders of a special minor's license who are enrolled in public school should be allowed to drive to school under such license so long as the holder's primary residence is within 25 miles of the school, with an exception for holders whose primary residence is located outside of that 25-mile radius.
- Holders of a special minor's license who are enrolled in nonpublic school should be allowed to drive to school under such license so long as the holder's primary residence is within 25 miles of the school, with no exception for holders whose primary residence is located outside of that 25-mile radius.
- Current law related to the number and types of passengers a person holding a special minor's license may transport should be maintained.
- Allow two additional residences to be added under the special minor's license.
- Allow a holder of a special minor's license to drive through a contiguous school district, so long as that contiguous school district is within the 25-mile allowable driving radius.

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