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SENATE BILL NO. 821

Offered January 12, 2005

Prefiled January 10, 2005

A BILL to amend and reenact §§ 46.2-300 and 46.2-324.1 of the Code of Virginia and to repeal § 46.2-309 of the Code of Virginia, relating to the operation of motor vehicles by non-residents.

Patron—Williams

Referred to Committee on Transportation

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 46.2-300 and 46.2-324.1 of the Code of Virginia are amended and reenacted as follows:**

§ 46.2-300. Driving without license prohibited; penalties.

No person, except those expressly exempted in §§ 46.2-303 through 46.2-308, shall drive any motor vehicle on any highway in the Commonwealth until such person has applied for a driver's license, as provided in this article, satisfactorily passed the examination required by § 46.2-325, and obtained a driver's license, nor unless the license is valid.

A conviction of a violation of this section shall constitute a Class 2 misdemeanor.

§ 46.2-324.1. Requirements for initial licensure of certain applicants.

No driver's license shall be issued to any applicant unless he either (i) provides written evidence of having satisfactorily completed a course of driver instruction at a driver training school licensed under Chapter 17 (§ 46.2-1700 et seq.) of this title or a comparable course approved by the Department or Department of Education or (ii) has held a learner's permit issued by the Department for at least thirty days prior to his first behind-the-wheel examination by the Department.

The provisions of this section shall only apply to persons who are at least 19 years old and who either (i) have never held a driver's license issued by Virginia or any other state or territory of the United States or foreign country with which the Commissioner has established reciprocal driver's licensing privileges or (ii) have never been licensed or held the license endorsement or classification required to operate the type of vehicle which they now propose to operate. The provisions of this section shall apply to applicants for commercial driver's licenses who have never before held a commercial driver's license. *Nothing in this section shall be construed to prohibit the Department from requiring any person to complete the skills examination as prescribed in §46.2-325 and the written or automated examinations as prescribed in §46.2-335.*

**2. That § 46.2-309 of the Code of Virginia is repealed.**

INTRODUCED

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