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SENATE BILL NO. 107

Offered January 13, 2010

Prefiled January 6, 2010

A *BILL to amend and reenact § 46.2-324.1 of the Code of Virginia, relating to requirements for initial driver's license; restricted permit.*

Patron—McDougle

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

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

§ 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 30 days prior to his first behind-the-wheel examination by the Department. *The Department may issue a restricted learner's permit pursuant to § 46.2-335 to any person who is 19 years of age or older if a court has previously authorized or issued a restricted license to that person. Such restricted learner's permit shall authorize the person to drive for the purpose of practice driving within ten miles of such person's residence, travelling to and from a Department service center and taking the behind-the-wheel examination by the Department, in addition to the purposes specified by the court.*

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 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, except that the provisions of this section shall apply to applicants for commercial driver's licenses who are 18 years old or older and have never before held a commercial driver's license or have never held the license endorsement or classification required to operate the type of commercial motor vehicle that they now propose to operate. 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.

INTRODUCED

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