

2019 Regular Session

HOUSE BILL NO. 157

BY REPRESENTATIVE STAGNI

1 AN ACT

2 To amend and reenact R.S. 32:402.1(E)(1), (2), (5), and (6) and to enact R.S. 32:402.1(E)(7)  
3 and (8), relative to Class "E" temporary instructional permits; to change when Class  
4 "E" temporary instructional permits are required; to provide for the design on Class  
5 "E" temporary instructional permits; to provide for the surrender of a Class "E"  
6 temporary instructional permit; to provide an exception to ignition interlock  
7 requirements for certain applicants for Class "E" temporary instructional permits;  
8 and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 32:402.1(E)(1), (2), (5), and (6) are hereby amended and reenacted  
11 and R.S. 32:402.1(E)(7) and (8) are hereby enacted to read as follows:

12 §402.1. Driver education; required

13 \* \* \*

14 E.(1) Any person who is at least of age to participate in the classroom  
15 instruction portion of a driver education course, driver training program, or a  
16 prelicensing training course shall apply to the department for a Class "E" temporary  
17 instructional permit prior to ~~enrolling in any driver education course, driver training  
18 program, or prelicensing training course~~ the administration of the knowledge test.  
19 The application for a Class "E" temporary instructional permit shall be in accordance  
20 with R.S. 32:409.1 and 410. The fee for a Class "E" temporary instructional permit  
21 shall be the same as the fee for a Class "E" driver's license. The Class "E" temporary  
22 instructional permit issued pursuant to this Section shall contain a highly visible  
23 distinctive color or restriction code that clearly indicates the permit has been issued  
24 for the purpose of on-road driving skills instruction with a Department of Public  
25 Safety and Corrections certified driving instructor.

1 (2) A person shall be required to possess a Class "E" temporary instructional  
2 permit in order to ~~enroll in any driver education course, driver training program, or~~  
3 ~~prelicensing training course~~ participate in the administration of the knowledge test,  
4 operate a motor vehicle during on-road driving skills instruction, or participate in the  
5 administration of an on-road driving skills test.

6 \* \* \*

7 (5) Upon successful completion of a driver education course, driver training  
8 program, or prelicensing training course and the knowledge test, a person who is  
9 ineligible for a permanent license pursuant to R.S. 32:407, shall surrender a Class  
10 "E" temporary instructional permit issued pursuant to this Subsection to the  
11 department and apply for the issuance of ~~an age-appropriate~~ a learner's license. The  
12 department shall not charge a fee for a learner's license issued in connection with the  
13 surrender of a Class "E" temporary instructional permit.

14 (6) Upon successful completion of a driver education course, driver training  
15 program, or prelicensing training course, and the knowledge and on-road driving  
16 skills test, a person who is eligible for a permanent license pursuant to R.S. 32:407,  
17 shall surrender their Class "E" temporary instructional permit issued pursuant to this  
18 Section to the department and apply for the issuance of a permanent license. The  
19 department shall not charge a fee for a license issued in connection with the  
20 surrender of a Class "E" temporary instructional permit.

21 ~~(6)~~ (7) The Class "E" temporary instructional permit issued pursuant to this  
22 Subsection shall not be required for any person to enroll in a driver education course,  
23 driver training program, or prelicensing course administered in conjunction with a  
24 National Guard Youth Challenge Program. A person enrolled in a driver education  
25 course, driver training program, or prelicensing course administered in conjunction  
26 with a National Guard Youth Challenge Program may operate a motor vehicle on the  
27 public highways of this state without a Class "E" temporary instructional permit  
28 provided that such person is accompanied by an instructor of driver education and  
29 safety.

1           (8)(a) In the event that the person applying for the temporary instructional  
 2           permit has or has had his driving privileges suspended pursuant to R.S. 32:661 et  
 3           seq., and the person is required to have an ignition interlock as a condition of  
 4           reinstatement, then the temporary instructional permit may be issued for purposes  
 5           of operating a motor vehicle during the behind-the-wheel portion of the driver  
 6           education program or while administering the road skills test without an ignition  
 7           interlock device being required.

8           (b)(i) If the driving school instructor suspects that the person is impaired at  
 9           the time he presents himself for the behind-the-wheel training or the administration  
 10          of the road skills test, the driving school instructor shall not conduct the behind-the-  
 11          wheel instruction or administer the road skills test, and the driving school instructor  
 12          shall promptly report the incident to the office of motor vehicles.

13          (ii) The office of motor vehicles shall promulgate such rules as are necessary  
 14          to implement the provisions of this Subparagraph.

15          (c) Neither the driving school instructor, nor the driving school utilizing the  
 16          driving school instructor shall be liable in any manner to any person who is denied  
 17          behind-the-wheel training pursuant to Subparagraph (b) of this Paragraph, except for  
 18          any partial refund attributable to the behind-the-wheel portion of the training or the  
 19          road skills test.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_