

2020 Regular Session

HOUSE BILL NO. 607

BY REPRESENTATIVE HODGES

MTR VEHICLE/DRIVER LIC: Provides relative to documentation required for certain driver's licenses

1 AN ACT

2 To amend and reenact R.S. 32:431.1(E)(2) and (3), relative to documentation of school
3 attendance for a minor's application for certain driver's licenses; to authorize the
4 presentation of documentation of school attendance by a minor's parents or legal
5 guardians; to provide for the documentation evidencing the requirements for an
6 emancipated minor; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:431.1(E)(2) and (3) are hereby amended and reenacted to read as
9 follows:

10 §431.1. School attendance as condition of driving privileges; authorized local policy

11 * * *

12 E. Documentation of school attendance.

13 * * *

14 (2) The minor, their parents, or legal guardians shall present such
15 documentation of his compliance to the office of motor vehicles upon application for
16 or renewal of a driver's permit, which shall include the temporary instruction permit
17 and learners permit, or license to operate a motor vehicle.

18 (3) Documentation of the minor's compliance with Subsection B of this
19 Section shall be provided ~~on a form developed by the Department of Education and~~
20 ~~made available to all school boards, home school providers, and adult education~~

1 ~~supervisors upon request to the Department of Education in a signed statement to the~~
2 ~~department attesting to compliance. The documentation shall be provided by an~~
3 ~~applicant who is at least eighteen years of age or the parent or guardian of a~~
4 ~~seventeen year old first time applicant for a Class "E" license. However, if the first~~
5 ~~time applicant for a Class "E" license is seventeen years of age and emancipated, the~~
6 ~~applicant shall provide the signed attestation confirming compliance with Subsection~~
7 ~~B of this Section for himself, provided that the applicant has proof of emancipation~~
8 ~~and the necessary identifying information and documents. Such documentation of~~
9 ~~the minor's compliance with Subsection B of this Section shall be valid for a period~~
10 ~~of ninety days from the date of issuance.~~

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 607 Original

2020 Regular Session

Hodges

Abstract: Requires an attestation regarding required school attendance from a minor, their parents, or legal guardians at the time of application for a driver's permit or license.

Present law prohibits a minor from being issued a driver's license or learner's permit for the operation of a motor vehicle unless, at the time of the application, documentation of required school attendance is presented to demonstrate that the minor has:

- (1) Received a high school diploma or a high school equivalency diploma.
- (2) Enrolled in and is attending a school.
- (3) Enrolled in and is attending a course leading to a high school equivalency diploma.
- (4) Completed the required minimum units of credit for high school graduation and all other graduation requirements as mandated by the State Board of Elementary and Secondary Education, but has failed to pass the high school graduation exit exam.
- (5) Received a special education certificate of achievement certifying the student has completed high school.
- (6) Enrolled in and is participating in a home school program.
- (7) Requested and received a decision by the appropriate authority that the minor is unable to attend any school or program due to circumstances beyond the control of the minor and deemed acceptable.

Present law requires the appropriate authority provide documentation of compliance with the school attendance requirements upon the request of any minor enrolled and attending school, and eligible to apply for a license.

Present law requires the minor to present documentation of their compliance with the school attendance requirements upon application or renewal of a driver's permit or license.

Proposed law modifies present law to include a temporary instruction permit and a learner's permit. Proposed law modifies present law to allow a minor's parents or legal guardians to present documentation of the minor's compliance with the school attendance requirements upon application or renewal of a driver's permit or license.

Present law requires the minor's compliance with the school attendance requirements for a driver's license or permit be provided on a form developed by the Dept. of Education and made available to all school boards, home school providers, and adult education supervisors upon the request of the Dept. of Education.

Proposed law repeals present law, instead requires the minor's compliance with the school attendance requirements for a driver's license or permit be provided on a signed statement to the department attesting the applicant has complied with the school attendance requirements. Requires that the documentation be provided by an applicant of at least 18 years of age, or parent or guardian of a 17 year old first time applicant for a Class "E" license. Specifies that if the first time applicant for a Class "E" license is 17 years of age and emancipated, the applicant must provide the attestation for himself, provided that the applicant has proof of the emancipation and the necessary identifying information and documents.

(Amends R.S. 32:431.1(E)(2) and (3))