ACT No. 295

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.

CODING: Words in struck through type are deletions from existing law; words $\underline{\text{underscored}}$ are additions.

HB NO. 157 ENROLLED

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

* * *

- (5) Upon successful completion of a driver education course, driver training program, or prelicensing training course and the knowledge test, a person who is ineligible for a permanent license pursuant to R.S. 32:407, shall surrender a Class "E" temporary instructional permit issued pursuant to this Subsection to the department and apply for the issuance of an age-appropriate a learner's license. The department shall not charge a fee for a learner's license issued in connection with the surrender of a Class "E" temporary instructional permit.
- (6) Upon successful completion of a driver education course, driver training program, or prelicensing training course, and the knowledge and on-road driving skills test, a person who is eligible for a permanent license pursuant to R.S. 32:407, shall surrender their Class "E" temporary instructional permit issued pursuant to this Section to the department and apply for the issuance of a permanent license. The department shall not charge a fee for a license issued in connection with the surrender of a Class "E" temporary instructional permit.
- (6) (7) The Class "E" temporary instructional permit issued pursuant to this Subsection shall not be required for any person to enroll in a driver education course, driver training program, or prelicensing course administered in conjunction with a National Guard Youth Challenge Program. A person enrolled in a driver education course, driver training program, or prelicensing course administered in conjunction with a National Guard Youth Challenge Program may operate a motor vehicle on the public highways of this state without a Class "E" temporary instructional permit provided that such person is accompanied by an instructor of driver education and safety.

HB NO. 157 **ENROLLED**

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. 20 SPEAKER OF THE HOUSE OF REPRESENTATIVES PRESIDENT OF THE SENATE GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____