

2016 Regular Session

HOUSE BILL NO. 822

BY REPRESENTATIVE MONTOUCET

MTR VEHICLE/DRIVER LIC: Provides for the issuance of a temporary instructional permit for driver's education students

1 AN ACT

2 To amend and reenact R.S. 32:407(A)(2) and to repeal R.S. 32:422(B), relative to permits  
3 and licenses issued to minors to operate motor vehicles; to provide for the issuance  
4 of a temporary instructional permit for first-time applicants for driving privileges  
5 prior to beginning a driver's education course; to provide for the imposition of a fee;  
6 and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 32:407(A)(2) is hereby amended and reenacted to read as follows:

9 §407. Application of minors; revocation; applications of persons less than  
10 twenty-one years of age

11 A.

12 \* \* \*

13 (2)(a) Any person who is at least fifteen years of age may apply to the  
14 department for a temporary instructional permit. The department's cost for issuing  
15 a temporary instructional permit shall be six dollars and such permit shall be valid  
16 for two years. An unlicensed student driver must possess a department-issued permit  
17 to participate in behind-the-wheel instruction and such permit shall be valid for  
18 operating a motor vehicle only when the permit holder is accompanied by an  
19 instructor of driver education and traffic safety. The holder of a temporary  
20 instructional permit shall be in possession of the permit during the period of its

validity and such permit shall be presented for examination when so requested by  
any law enforcement officer.

(a)(b) Upon completion of a driver's education course approved by the Department of Public Safety and Corrections, public safety services, and upon passing a visual examination and a road knowledge test, including rules of the road, signs, and signals, sharing the road with motorcycles and tractor/trailer trucks, knowledge of distracted driving issues, and not less than two questions relative to railroad and highway grade railroad safety, an applicant at least fifteen years of age, but less than seventeen years of age, applying for the first time may be issued a Class "E" learner's license. The license may be issued for a four-year period at the same fee as a Class "E" driver's license and must be maintained for at least one hundred eighty days, unless prior to such time the driver reaches seventeen years of age, prior to being converted to a Class "E" intermediate driver's license. The Class "E" learner's license shall authorize the holder to drive while being accompanied by a licensed parent, guardian, adult at least age twenty-one or older, or licensed sibling at least age eighteen or older.

~~(b)~~(c) Any applicant at least sixteen years of age, but less than seventeen years of age, moving into Louisiana from another state shall be eligible for the issuance of a Class "E" intermediate driver's license provided such applicant meets all other requirements for licensure in Louisiana and furnishes the department with proof of successful completion of an equivalent driver's education course and proof of issuance of a learner's license for a minimum of one hundred eighty days, unless prior to such time the driver reaches seventeen years of age, from the state of previous residence.

\* \* \*

Section 2. R.S. 32:422(B) is hereby repealed in its entirety.

---

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 822 Original

2016 Regular Session

Montoucet

**Abstract:** Provides for the issuance of a temporary instructional permit.

Present law authorizes a person who is at least 15 years of age to apply to the Dept. of Public Safety and Corrections, public safety services, for a school instruction permit if he is enrolled in a driver education course conducted by a person who meets certification requirements as established by the Dept. of Public Safety and Corrections, public safety services, for instructors of driver education and traffic safety.

Present law authorizes the department, in its discretion, after the applicant has successfully passed all parts of the examination, other than the driving test, to issue the applicant a school instruction permit for which no fee shall be charged.

Present law provides that such driving school instruction permit is valid only during the period of such instruction, and when the person to whom the permit is issued is accompanied by the instructor of driver education and traffic safety.

Present law requires such permit to be in the possession of the instructor during the period of its validity and that it is presented at any time for examination, when so requested by any law enforcement officer.

Present law provides that upon completion of such course of instruction, it is the responsibility of the instructor, as directed by the department, to return for cancellation any and all permits which have been issued and are held by him.

Proposed law repeals present law.

Proposed law provides that any person who is at least 15 years of age may apply to the department for a temporary instructional permit. The department may issue to the applicant a temporary instructional permit for a six-dollar fee.

Proposed law provides that the permit will be required for an unlicensed student driver to participate in behind-the-wheel instruction and is valid only when the permit holder is accompanied by an instructor of driver education and traffic safety.

Proposed law requires the permit be in the possession of the permit holder during the period of its validity and must be presented at any time for examination, when so requested by any law enforcement officer.

(Amends R.S. 32:407(A)(2); Repeals R.S. 32:422(B))