

CURRENT VIRGINIA YOUNG DRIVER APPROACHES

General Regulations:

A person must be a resident of the Commonwealth of Virginia and at least 16 years old to obtain a Virginia driver's license. A person may apply for a learner's permit at age 15, and may apply for full driving privileges at age 16. No exceptions are made to these age requirements. If an applicant is under age 18, s/he must provide written consent from one parent or legal guardian unless the applicant is married or emancipated. Applicants under age 19 must complete a state-approved driver education program. If a person is older than 19 when applying to a license, and has not previously held a driver's license, s/he must show proof of passing an approved driver education course, or have held a learner's permit for at least 30 days before taking the DMV road skills test.

Learner's Permit:

To obtain a learner's permit, a person must be at least 15 years old. Since age 15 is the earliest one can receive a learner's permit and 16 is the minimum age to obtain full driving privileges in Virginia, most juveniles hold a learner's permit for one entire year. This provides additional time for parental guidance as well as to give the young driver more on-the-road experience in a variety of weather, traffic, roadways, and other driving conditions.

A learner's permit allows the holder to operate a motor vehicle when a licensed driver at least 21 years old is seated beside her or him. The driver accompanying the permit holder may be 18 years of age if he or she is the legal guardian, brother, sister, half-brother, half-sister, step-brother or step-sister. The driver accompanying the permit holder must hold a valid driver's license and be legally permitted to drive; for example, the person may not be under the influence of alcohol or have a suspended license.

For those age 16 or 17, a driver education certificate (see below) and a valid learner's permit allow them to drive for up to 90 days without a licensed driver beside them provided they have held their learner's permit for six months and the certificate is signed by a parent or legal guardian. Without exception, everyone under age 18 must hold the permit for at least six months or until turning 18 before receiving a driver's license

Written Examination and Vision Screening:

Applicants for a learner's permit must apply in person at any DMV customer service location. When applying for a learner's permit, the applicant is required to pass the two-part knowledge exam and a vision screening.

Driver's License:

For juveniles under age 18, parents must provide permission for the license. When applying for a driver's license, the applicant is required to pass a vision screening, a two-part knowledge exam and a road skills test. The DMV representative will inform the applicant what tests are needed,

depending on the prior involvement with the learner's permit and driver education programs. For the road skills test, the individual must provide his/her own vehicle.

Fifteen Day Wait:

Juveniles who fail the general knowledge test have to wait a period of 15 days before they can take the test again.

Driver Education Requirements:

Driver education programs are available statewide to students, adults and out-of-school youths. Applicants under age 19 must complete a state-approved driver education program. Courses are available in public and private school settings, as well as in commercial schools. The courses taught in public and private schools are approved by the Virginia Department of Education. Commercial driver training schools are licensed by DMV and follow the same course content as is found in public and private schools. Currently, the state DMV is undertaking a thorough review of the curriculum of these courses, with an intention of improving the content and delivery of the content materials delivered to youth through these courses.

As part of the driver's education program, in-car instruction must be taken at a commercial driver training school or at a public or private school. After a student successfully completes a driver education program, s/he receives a Driver Education Certificate of Completion (a DE-TLC for public and private schools or a CDT-A for commercial driver training schools). Those 18 years of age or younger receive a driver education certificate stating they successfully completed the required state-approved driver education program. The certificate is valid, accompanied by the student's learner's permit, for 90 days and allows students age 16 or 17 to drive without having a licensed driver seated beside them

The school forwards a copy of the Driver Education Certificate of Completion to the DMV Headquarters for processing. The local juvenile and domestic relations court then notifies the permit holder of the required license presentation ceremony. The permit holder and a parent or legal guardian must both attend the ceremony.

Driver Education Schools:

As noted, driver's education programs takes place in both the school setting and the commercial setting. In an effort to ensure quality standards, and to address some concerns that had been raised about the commercial setting, a legislative study was conducted in 1999 to review these services. The results of this demonstrate that attention is being provided to maintaining quality control over these parallel services.

Juvenile Licensing Ceremony:

In Virginia, teen drivers and their parents or legal guardians must participate in a Juvenile Licensing program that encourages responsible driving behavior. This ceremony is scheduled by and held in

the local juvenile and domestic relations court. During this ceremony, judges inform parents and juveniles of their respective rights and responsibilities. Typically, the judge hands the license to the adult accompanying the juvenile, further emphasizing the rights of the parents. For example, parents have the right to cancel the driver's license of their 16-17 year old for six months. In addition, many judges, upon handing the license to an accompanying adult, request that the license be given to the teen only after a discussion of expectations and rules has been held.

A handbook has been prepared by the DMV to assist judges in their implementation of this ceremony. Further, a brief review of the different ways in which these ceremonies are being conducted in different courts is currently being compiled.

Parental Responsibilities and Rights to Cancel License:

Parents who have juvenile drivers who are 16- or 17-years old have rights and responsibilities. A resource booklet has recently been prepared, and is currently being distributed statewide. This booklet provides assistance and guidance to parents about talking clearly with their sons/daughters, and ways of providing assistance to them as they learn how to drive an automobile.

Regarding parental rights, they may cancel the learner's permit privileges or driver's license privileges at any time until the son/daughter is 18 years old. A parent may take the license for any period of time, or may request DMV to cancel the license for a six-month period. The juvenile may not reapply for the license for at least six months. This can be accomplished by the parent notifying DMV in writing.

Legal Consequences for Juvenile Offenders:

During the 1998 session of the Virginia General Assembly, legislation was passed affecting juvenile drivers. Rather than place restrictions on all juvenile drivers, the law deals directly with those juveniles who have demonstrated poor driving skills and judgment and who have been convicted of traffic offenses. The law requires any individual under the age of 18 to attend a driver improvement clinic if he or she is convicted of a demerit point violation, to include safety belt and child restraint offenses (no safe driving points will be awarded for clinic attendance). Additionally, the juvenile is then restricted to transporting no more than three passengers when driving a vehicle (this restriction remains until age 18).

If a juvenile is convicted of a second demerit point offense (including safety belt and child restraint offenses) his or her driving privileges are suspended for 90 days. For a third conviction, the juvenile's driving privileges are revoked for one year or until he or she turns eighteen, whichever is longer. The intent of this legislation is to place restrictions on those juveniles who demonstrate poor judgment, while allowing the majority of juveniles who safely and legally operate motor vehicles the freedom to share the highways. In addition, anyone with more than two convictions during a licensing period must undergo full knowledge testing prior to renewal.

In addition, DMV can deny or suspend driving privileges for persons under age 18 if a juvenile court judge finds that the juvenile is delinquent, is in need of supervision (i.e., violates local curfew laws or is truant), is involved in an alcohol- or drug-related offense, or needs court-assigned services or programs such as counseling.

Driver's License Card:

Virginia began issuing driver's licenses and ID cards using a new format in April, 1999. In this format, all photographs are taken full faced, and licenses and ID cards for minors show the date that the individual turns 18 and the date s/he turns 21. The messages are printed in red beside the photograph. Photographs are displayed in the lower left corner on driver's licenses, and in the lower right corner of ID cards. Different formats and orientation of these cards are used: adults age 21 and over – horizontal; minors age 15 to 21 – vertical; and minors under age 15 – horizontal. In addition, graduated color bands across the top of each card distinguish the different types of cards: blue – driver's licenses; yellow – children's ID cards; and plum – all other ID cards.

Zero Tolerance:

Virginia has a zero tolerance law that makes it illegal for persons under the age of 21 to drive with any measurable alcohol in their blood. Under Virginia's "Use and Lose" statute, it is illegal for anyone under the age of 21 to purchase, possess, transport or consume alcohol.

Driver Improvement Clinic:

Driver improvement clinics are offered to help attendees learn defensive driving techniques that will help avoid and prevent crashes. These classroom sessions are eight hours in duration, and are offered at sites around the state. These sessions are available for drivers of all ages, and include juvenile drivers.

Additional Resources:

DMV maintains its driver licensing handbook on its extensive web site. Further, it promotes a large emphasis on safety with a dedicated portion of this web site, including a specific focus on young drivers.