

Section 32-6-7.2**Restrictions on issuance to persons under 18.**

(a) A person who is under the age of 18 may not apply for a regular driver's license until the person has held a learner's license issued pursuant to Section 32-6-8 or a comparable license issued by another state for at least a six-month period.

(b) In addition to any other requirements of this chapter, if the applicant for a driver's license is 16 years of age, he or she shall submit to the Department of Public Safety the following:

(1) A verification form provided by the Department of Public Safety signed by a parent or legal guardian consenting to the licensure of the applicant and granting permission for the applicant to drive without supervision.

(2) A verification form provided by the Department of Public Safety signed by a parent, legal guardian, or licensed or certified driving instructor certifying that the applicant has completed a minimum of 30 hours of behind-the-wheel driving practice, or submission of a certificate of completion from the State Department of Education that the applicant has passed a driver's education course approved by the State Department of Education.

(c) A person who is issued a regular driver's license after October 1, 2002, who is age 17 and has been licensed for less than six months or who is age 16 shall be deemed to have a restricted driver's license. The person may not operate a vehicle under any of the following conditions:

(1) Between 12:00 o'clock midnight and 6:00 o'clock a.m. unless the following exceptions apply:

- a. The licensee is accompanied by a parent or legal guardian.
- b. The licensee is accompanied by a person who is a licensed driver and is at least 21 years of age or the consent of a parent or legal guardian of the driver is given.
- c. The licensee is driving to or from a place where the licensee is employed on a regular basis.
- d. The licensee is driving to or from a school sponsored event.
- e. The licensee is driving to or from an event sponsored by a religious organization.
- f. The licensee is driving for the purpose of a medical, fire, or law enforcement related emergency.

(2) If there are more than four occupants in the vehicle not including the parents or legal guardians of the licensee.

A violation of this subsection shall not result in a suspension of the person's driver's license, but shall extend the time period for six months that the person is subject to the restrictions of this subsection before the person is eligible to be designated as an unrestricted driver's license holder or until age 18.

(d) The driver's license of any person who is driving with restricted privileges as provided in subsection (c) who during such time is convicted of a second moving traffic violation or is convicted of failure to give information or render aid, racing, fleeing or attempting to elude a law enforcement officer, reckless

driving, illegal passing, driving on the wrong side of the road, or any other offense where four or more points are assessed and other violations as designated by rules or regulations promulgated pursuant to the Administrative Procedure Act, shall be automatically suspended for 60 days unless the Alabama Rules of the Road provide a more serious penalty, and the time period that the licensee is subject to the restrictions of subsection (c) shall be extended for six months from the date the person would otherwise be eligible to be designated as an unrestricted driver's license holder or until age 18.

(e) The license possessed by any resident of this state who is 17 years of age shall be deemed an unrestricted driver's license if the license has been issued for a period of six months or longer and the Department of Public Safety verifies that the license holder has not been convicted of a moving violation of the Alabama Rules of the Road within the preceding six months.

(f) This section shall not apply to the following:

(1) Any resident of this state age 16 years and over who is married or who is the head of a household.

(2) Any resident who has otherwise been legally relieved of minority.

(3) Any resident who is age 18 or over.

(g) Every driver's license issued prior to October 1, 2002, shall be considered an unrestricted driver's license.

(h) A person who drives a motor vehicle in violation of the conditions imposed in subsection (c) shall be guilty of a traffic violation, but shall not be subject to any criminal penalties or court costs. No citation shall be issued for a traffic violation pursuant to this subsection unless the person is stopped by a law enforcement officer for a separate violation of law and issued a citation or warrant for the separate violation. Information concerning a violation pursuant to this subsection shall not be released to any party and shall not result in any points on a driver's license record.

(i) The Department of Public Safety may promulgate reasonable rules and regulations to carry out and to aid in enforcement of this section and Sections 32-6-7.3 and 32-6-8.

(Act 2002-408, p. 1026, §2; Act 2009-714, §1.)