

IN THE SENATE

SENATE BILL NO. 1120

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO DRIVER'S TRAINING; AMENDING SECTION 49-307, IDAHO CODE, TO PRO-
2 VIDE THAT PART OF A DRIVER'S TRAINING COURSE FEE BE DEPOSITED IN THE
3 OCCUPATIONAL LICENSES FUND OR THE DRIVER TRAINING ACCOUNT DEPENDING
4 UPON THE SELECTED DRIVER'S TRAINING PROGRAM, TO PROVIDE A METHOD FOR
5 CALCULATING THE FEES THAT SHALL BE DEPOSITED IN THE OCCUPATIONAL LI-
6 CENSES FUND AND TO MAKE TECHNICAL CORRECTIONS.
7

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Section 49-307, Idaho Code, be, and the same is hereby
10 amended to read as follows:

11 49-307. CLASS D DRIVER'S TRAINING INSTRUCTION PERMIT -- CLASS D SU-
12 PERVISED INSTRUCTION PERMIT -- APPLICATION FOR A CLASS D DRIVER'S LICENSE
13 -- RESTRICTIONS ON CLASS D DRIVER'S LICENSE. (1) No enrollee of any class D
14 driver's training course shall be allowed to attend classes or participate
15 in driving instruction unless he has obtained a class D driver's training in-
16 struction permit, or a class D instruction permit as provided in subsection
17 (4) of this section.

18 (2) Every enrollee of a class D driver's training course shall pay a
19 nonrefundable fee of fifteen dollars (\$15.00). Five dollars (\$5.00) of each
20 fee so imposed shall be deposited in the driver training account, ~~five dol-~~
21 ~~lars (\$5.00) shall be deposited in the state highway account, and five dol-~~
22 ~~lars (\$5.00) shall be deposited in the county current expense fund, and five~~
23 ~~dollars (\$5.00) shall be:~~

24 (a) Deposited in the driver training account if the person is taking
25 driver's training from a public school; or

26 (b) Paid to the bureau of occupational licenses and deposited in the
27 state treasury to the credit of the occupational licenses fund if the
28 person is taking driver's training from a private driver's training
29 program. The amount to be remitted to the bureau of occupational li-
30 licenses shall be annually calculated and paid. To calculate such amount,
31 the total number of public driver's training students as submitted to
32 the state department of education shall be subtracted from the total
33 number of permits sold as reported by the Idaho transportation de-
34 partment, and the resulting number shall be multiplied by five dollars
35 (\$5.00).

36 (3) Each enrollee of a class D driver's training course shall provide
37 the type of information required for a driver's license or instruction per-
38 mit. If an enrollee of a class D driver's training course cannot provide a
39 certified copy of his birth certificate at the time of application for a per-
40 mit, the department may issue a class D driver's training instruction permit
41 or a class D instruction permit upon receipt of identification acceptable

1 to the department. The certified copy of an applicant's birth certificate
2 shall be required before a class D driver's license will be issued.

3 (4) The class D driver's training instruction permit shall expire five
4 (5) days after the permittee's eighteenth birthday for permittees fourteen
5 and one-half (14 1/2) years of age through seventeen and one-half (17 1/2)
6 years of age. The class D driver's training instruction permit shall ex-
7 pire one hundred eighty (180) days from the date of issue for persons sev-
8 enteen and one-half (17 1/2) years of age or older. Persons aged seventeen
9 (17) years or older may attend classes or participate in driver's training
10 instruction while operating with a class D instruction permit or a class D
11 driver's training instruction permit.

12 (5) The class D driver's training instruction permit shall be issued to
13 the instructor of the course.

14 (6) Class D supervised instruction permit.

15 (a) Upon successful completion of the class D driver's training course,
16 the driver's training instructor shall submit the student log to the
17 county driver's license office and give the class D driver's training
18 instruction permit to the parent or legal guardian of the permittee, and
19 the parent or legal guardian shall assume responsibility for ensuring
20 that the permittee complies with the requirements of operating a vehi-
21 cle with a class D supervised instruction permit. The class D driver's
22 training instruction permit shall then serve as a class D supervised
23 instruction permit.

24 (b) In the event the permittee reaches the age of seventeen (17) years
25 while operating a class D vehicle with a class D supervised instruction
26 permit, the supervised instruction permit shall become a class D in-
27 struction permit.

28 (7) No permittee may apply for a class D driver's license sooner than
29 fifteen (15) years of age and no sooner than six (6) months after completing a
30 class D driver's training course, during which time the permittee shall sat-
31 isfy all requirements for operation of a class D vehicle with a class D super-
32 vised instruction permit as follows:

33 (a) The permittee shall not operate a vehicle unless he is accompanied
34 by a driver who holds a valid driver's license, is twenty-one (21) years
35 of age or older, and who is actually occupying a seat beside the permit-
36 tee driver. The supervising driver and the permittee shall be the only
37 occupants of the front passenger section of the vehicle.

38 (b) Over a period of time not less than six (6) months, the permittee
39 shall accumulate at least fifty (50) hours of supervised driving time,
40 ten (10) hours of which shall be during hours of darkness.

41 (c) The permit shall be in the permittee's immediate possession at all
42 times while operating a vehicle.

43 (d) In addition to the permittee driver and the supervising driver, all
44 other occupants of the vehicle shall wear a seat belt or be restrained by
45 child passenger restraints as required by law.

46 (e) The permittee is subject to the provisions of sections 18-1502 and
47 18-8004, Idaho Code, relating to violation of age restrictions on con-
48 sumption of beer, wine, and alcohol and driving under the influence of
49 alcohol, drugs or any other intoxicating substances, respectively.

1 (f) The permittee shall not have been convicted of any moving traffic
2 violation, or have had driving privileges suspended by the department
3 or the court for any offense, or found to be in violation of any of the
4 restrictions on the class D supervised instruction permit, for a period
5 of at least six (6) months from the date the driver's training instruc-
6 tor gave the permit to the parent or legal guardian, or from the date a
7 canceled class D supervised instruction permit was reissued, or until
8 the permittee reaches seventeen (17) years of age.

9 (g) If the permittee is under seventeen (17) years of age and is con-
10 victed of a violation of any traffic law, or section 18-1502, ~~Idaho~~
11 ~~Code, or section 18-8004, Idaho Code, or section 23-949, Idaho Code,~~
12 or is found to be in violation of any of the restrictions on the class D
13 supervised instruction permit, the department shall cancel the class D
14 supervised instruction permit, and the cancellation shall not be used
15 to establish rates of motor vehicle insurance charged by a casualty
16 insurer. If the permittee is under seventeen (17) years of age, the
17 permittee may reapply for and be issued a new class D supervised in-
18 struction permit upon payment of the appropriate fee, and shall again
19 be required to operate with the class D supervised instruction permit
20 for at least six (6) months from the date of reissue without a conviction
21 or suspension, accumulate the required hours of driving time and adhere
22 to the requirements as specified in paragraphs (a) through (f) of this
23 subsection ~~(7)~~.

24 (8) Upon completion of the requirements in subsection (7) of this sec-
25 tion, the permittee shall take the knowledge test and skills test adminis-
26 tered by a person certified by the Idaho transportation department to admin-
27 ister knowledge and skills tests.

28 (9) Upon passage of the knowledge and skills tests, the permittee may
29 apply for a class D driver's license with driving privileges restricted to
30 daylight hours for persons under sixteen (16) years of age, and with full
31 privileges at sixteen (16) years of age or older. Provided however, the re-
32 striction on daylight hours only driving privileges for persons under six-
33 teen (16) years of age shall not apply if:

34 (a) The person under sixteen (16) years of age has a valid class D
35 driver's license; and

36 (b) Is accompanied by a driver who holds a valid driver's license and is
37 twenty-one (21) years of age or older and is actually occupying a seat
38 beside the licensee who is under sixteen (16) years of age; and

39 (c) The two (2) licensed drivers are the only occupants of the front
40 passenger section of the vehicle.

41 The restriction of daylight hours only shall mean that period of time one-
42 half (1/2) hour before sunrise to one-half (1/2) hour after sunset.

43 (10) Upon passage of the knowledge and skills tests, the permittee may
44 apply for a class D driver's license. Any such licensee who is under the age
45 of seventeen (17) years shall be required, during the first six (6) months
46 from the date of issue of the class D driver's license, to limit the number
47 of passengers in the vehicle who are under the age of seventeen (17) years to
48 not more than one (1) such passenger. Provided however, the limit of one (1)
49 passenger under the age of seventeen (17) years shall not apply to passengers
50 who are related to the driver by blood, adoption or marriage.