

2016 Regular Session

HOUSE BILL NO. 1138 (Substitute for House Bill No. 822 by Representative Montoucet)

BY REPRESENTATIVE MONTOUCET

1 AN ACT

2 To enact R.S. 32:402.1(E) and to repeal R.S. 32:422(B) and 422.1, relative to permits and
3 licenses issued to persons to operate motor vehicles; to provide for the issuance of
4 a temporary instructional permit for first-time applicants for driving privileges prior
5 to beginning a driver's education or training course; to provide for the imposition of
6 a fee; to provide for exceptions; to repeal existing authority for the issuance of
7 certain permits authorizing certain persons to drive with certain driving instructors;
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) is hereby enacted to read as follows:

11 §402.1. Driver education; required

12 * * *

13 E.(1) Any person who is at least of age to participate in the classroom
14 instruction portion of a driver education course, driver training program, or a
15 prelicensing training course shall apply to the department for a Class "E" temporary
16 instructional permit prior to enrolling in any driver education course, driver training
17 program, or prelicensing training course. The application for a Class "E" temporary
18 instructional permit shall be in accordance with R.S. 32:409.1 and R.S. 32:410. The
19 fee for a Class "E" temporary instructional permit shall be the same as the fee for a
20 Class "E" driver's license.

1 (2) A person shall be required to possess a Class "E" temporary instructional
2 permit in order to enroll in any driver education course, driver training program, or
3 prelicensing training course.

4 (3) A person with a Class "E" temporary instructional permit required by this
5 Subsection is permitted to operate a motor vehicle on the public highways and streets
6 of this state only when the permit holder is accompanied by an instructor of driver
7 education and traffic safety, and while actually operating a motor vehicle during the
8 behind-the-wheel instruction or during the administration of the skills test.

9 (4) The holder of a Class "E" temporary instructional permit required by this
10 Subsection shall be in possession of the permit during the period of its validity and
11 such permit shall be presented for examination when so requested by any law
12 enforcement officer or representative of the department.

13 (5) Upon successful completion of a driver education course, driver training
14 program, or prelicensing training course and the knowledge test, a person shall
15 surrender a Class "E" temporary instructional permit issued pursuant to this
16 Subsection to the department and apply for the issuance of an age-appropriate
17 learner's license. The department shall not charge a fee for a learner's license issued
18 in connection with the surrender of a Class "E" temporary instructional permit.

19 (6) The Class "E" temporary instructional permit issued pursuant to this
20 Subsection shall not be required for any person to enroll in a driver education course,
21 driver training program, or prelicensing course administered in conjunction with a
22 National Guard Youth Challenge Program. A person enrolled in a driver education
23 course, driver training program, or prelicensing course administered in conjunction
24 with a National Guard Youth Challenge Program may operate a motor vehicle on the
25 public highways of this state without a Class "E" temporary instructional permit
26 provided that such person is accompanied by an instructor of driver education and
27 safety.

1 Section 2. R.S. 32:422(B) and 422.1 are hereby repealed in their entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____