

2016 Regular Session

**ACT No. 317**

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.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_