

RÉSUMÉ DIGEST

ACT 317 (HB 1138)

2016 Regular Session

Montoucet

Prior law authorized a person who is at least 15 years of age to apply to the Dept. of Public Safety and Corrections, public safety services, for a school instruction permit if he was enrolled in a driver education course conducted by a person who meets certification requirements as established by the Dept. of Public Safety and Corrections, public safety services, for instructors of driver education and traffic safety.

Prior law authorized the department, in its discretion, after the applicant successfully passed all parts of the examination, other than the driving test, to issue the applicant a school instruction permit for which no fee would have been charged.

Prior law provided that such driving school instruction permit was valid only during the period of such instruction, and when the person to whom the permit was issued was accompanied by the instructor of driver education and traffic safety.

Prior law required such permit to be in the possession of the instructor during the period of its validity and that it was presented at any time for examination, when so requested by any law enforcement officer.

Prior law provided that upon completion of such course of instruction, it was the responsibility of the instructor, as directed by the department, to return for cancellation any and all permits which were issued and were held by him.

Prior law authorized persons licensed or contracted with the Department of Public Safety and Corrections, public safety services, to engage in the business of operating a driver training school or approved and certified instructors for such schools to issue Class "E" student driving permits.

Prior law authorized a Class "E" student driving permit to be issued to a person who met the age requirement for driver education courses. Such permit was only valid when the student was accompanied by an approved and certified instructor, and the approved and certified instructor was required to maintain possession of the permit for a period of time established by rule.

New law repeals prior law.

New law requires any person who is at least of age to participate in the classroom instruction portion of a driver education course, driver training program, or a prelicensing training course to apply to the Dept. of Public Safety and Corrections, public safety services, for a Class "E" temporary instructional permit prior to enrolling in any driver education course, driver training program, or a prelicensing training course.

New law provides that the application for a Class "E" temporary instructional permit shall be in accordance with existing law (R.S. 32:409.1 and R.S. 32:410).

New law provides that the fee for a Class "E" temporary instructional permit will be the same as the fee for a Class "E" driver's license.

New law requires a person possess a Class "E" temporary instructional permit in order to enroll in a driver education course, driver training program, or a prelicensing training course.

New law limits a person with a Class "E" temporary instructional permit to operating a motor vehicle on the public highways and streets of this state only when the permit holder is accompanied by an instructor of driver education and traffic safety, and while actually operating a motor vehicle during the behind-the-wheel instruction or during the administration of the skills test.

New law requires the holder of a Class "E" temporary instructional permit to be in possession of the permit during the period of its validity and to present such permit for examination when so requested by any law enforcement officer or representative of the Dept. of Public Safety and Corrections, public safety services.

New law requires that upon successful completion of a driver education course, driver training program, or a prelicensing training course and the knowledge test, a person shall surrender a Class "E" temporary instructional permit issued pursuant to new law to the Dept. of Public Safety and Corrections, public safety services, and apply for the issuance of an age appropriate learner's license.

New law prohibits the Dept. of Public Safety and Corrections, public safety services, from charging a fee for a learner's license issued in connection with the surrender of a Class "E" temporary instructional permit.

New law exempts participants in a driver education course, driver training program, or prelicensing course administered in conjunction with a National Guard Youth Challenge Program from obtaining the Class "E" temporary instructional permit required by new law. Also authorizes such person to operate a motor vehicle on public highways without a Class "E" temporary instructional permit if the person is accompanied by an instructor of driver education and safety.

Effective August 1, 2016.

(Adds R.S. 32:402.1(E); Repeals R.S. 32:422(B) and 422.1)