

2011 -- H 5013

LC00123

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- OPERATORS' AND CHAUFFEURS'  
LICENSES

Introduced By: Representative Arthur J. Corvese

Date Introduced: January 11, 2011

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-10-6 of the General Laws in Chapter 31-10 entitled "Operators'  
2 and Chauffeurs' Licenses" is hereby amended to read as follows:

3 **31-10-6. Graduated licensing for person under the age of eighteen (18).** -- (a)

4 Purpose. - To ensure that license holders have sufficient training and experience and to promote  
5 safe, responsible driving, persons under the age of eighteen (18) shall be granted driving  
6 privileges on a limited basis as follows:

7 (1) Level 1 -- Limited instruction permit.

8 (2) Level 2 -- Limited provisional license.

9 (3) Level 3 -- Full operator's license.

10 (b) Requirements and privileges. - A permit or license issued pursuant to this section  
11 must have a color background or border that indicates the level of driving privileges granted by  
12 the permit or license.

13 (1) Limited instruction permit. - Any person who is at least sixteen (16) years of age but  
14 less than eighteen (18) years of age may apply to the division of motor vehicles for a limited  
15 instruction permit. The division of motor vehicles may, after the applicant has successfully  
16 completed a course of driver training prescribed in section 31-10-19 and passed a standardized  
17 written examination approved by the administrator of the division of motor vehicles or otherwise  
18 complied with the requirements of section 31-10-21, issue to the applicant a limited instruction

1 permit which shall entitle the applicant to drive a motor vehicle only under the following  
2 conditions:

3 (i) The permit holder must be in possession of the permit;

4 (ii) A supervising driver must be seated beside the permit holder in the front seat of the  
5 vehicle when it is in motion;

6 (iii) No person other than the supervising driver can be in the front seat;

7 (iv) Every person occupying the vehicle being driven by the permit holder must have a  
8 safety belt properly fastened about his or her body, or be restrained by a child passenger restraint  
9 system as provided in section 31-22-22 when the vehicle is in motion;

10 (v) The permittee shall wear a safety belt at all times unless the permittee provides the  
11 division of motor vehicles with a statement from a physician indicating that for medical reasons  
12 the permittee cannot wear a safety belt. A limited instruction permit shall be valid for a period of  
13 one year, and may be extended for a reasonable period of time if the holder of the permit provides  
14 the division of motor vehicles with evidence of a hardship. Any person who is at least sixteen  
15 (16) years of age and is enrolled in a commercial drivers' school or in a regularly recognized  
16 secondary school or college driver training program which is approved by the division of motor  
17 vehicles shall not be required to have a limited instruction permit while operating a dual-control  
18 training vehicle regularly used by that school in its driver training program and while a regular  
19 instructor in that school or program is occupying the seat beside that person.

20 (2) Limited provisional license. - A person may obtain a limited provisional license if the  
21 person meets all of the following requirements:

22 (i) (A) Has held a limited instruction permit issued by the division of motor vehicles for  
23 at least six (6) months;

24 (B) Has not been convicted of a motor vehicle moving violation or seat belt infraction  
25 during the preceding six (6) months;

26 (C) Passes a road test administered by the division of motor vehicles and shall also meet  
27 the requirements of subsection (iii) herein.

28 (ii) A limited provisional license authorizes the license holder to drive a motor vehicle  
29 only under the following conditions:

30 (A) The license holder must be in possession of the license.

31 (B) The license holder may drive without supervision in any of the following  
32 circumstances:

33 (I) From 5:00 a.m. to 1:00 a.m.;

34 (II) When driving to or from work;

1 (III) When driving to or from an activity of a volunteer fire department, volunteer rescue  
2 squad or volunteer emergency medical service, if the driver is a member of one of these  
3 organizations.

4 (C) The license holder may drive with supervision at any time. When the license holder  
5 is driving with supervision, the supervising driver must be seated beside the license holder in the  
6 front seat of the vehicle when it is in motion.

7 (D) Every person occupying the vehicle being driven by the license holder must have a  
8 safety belt properly fastened about his or her body, or be restrained by a child safety passenger  
9 restraint system as provided in section 31-22-22 when the vehicle is in motion.

10 (iii) In addition to meeting the requirements of paragraph (i) of this subdivision, a person  
11 under the age of eighteen (18) years seeking to obtain a provisional license shall present with his  
12 or her application a statement signed by the person's parent or guardian stating that the applicant  
13 has obtained a minimum of fifty (50) hours of experience with ten (10) of those at night as a  
14 driver while driving with a supervising driver. These fifty (50) hours may include driving lessons  
15 with a commercial driving school or any other supervised driving.

16 (iv) During the first twelve (12) months of a limited provisional license no more than one  
17 passenger younger than twenty-one (21) years of age is allowed in the vehicle. Immediate  
18 family/household members are excepted from this subsection.

19 (3) Full operator's license. - (i) A person who is at least seventeen (17) years old but less  
20 than eighteen (18) years old may apply for and obtain a full operator's license if the person meets  
21 all of the following requirements:

22 (i) (A) Has held a limited provisional license issued by the division of motor vehicles for  
23 at least twelve (12) months;

24 (B) Has not been convicted of a motor vehicle moving violation or seat belt infraction  
25 during the preceding six (6) months.

26 (ii) A person who meets the requirements of this section may obtain a full operator's  
27 license by mail. The restrictions on Level 1 and Level 2 drivers concerning time of driving,  
28 supervision and passenger limitations do not apply to a full operator's license.

29 (C) Notwithstanding any provision of the general or public laws to the contrary, no  
30 person shall be eligible for a Rhode Island driver's license, unless such person shall have  
31 completed a minimum of six (6) hours of over-the-road driver's training from a licensed driver's  
32 training school in this state. This provision shall not apply to persons who seek to obtain a Rhode  
33 Island driver's license and who have a current driver's license from another state.

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1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

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LICENSES

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1           This act would require persons seeking a Rhode Island driver's license to complete a  
2 minimum of six (6) hours of over-the-road driver's training from a licensed drivers training  
3 school within this state.

4           This act would take effect upon passage.

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