



Standards & Assessment Services

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Graduated Driver License (GDL): New Law went into effect January 1, 2010

On March 27, 2009, Kansas became the second to last state in the country to approve a graduated driver license (GDL) system for new drivers under the age of 17 (only North Dakota doesn't have a GDL in place). The GDL aims to decrease the number of teenagers injured or killed in car accidents each year by instigating safer driving practices for teens, such as not allowing teens to use cell phones while driving and place limits on teens driving after 9 p.m. Sub. For HB 2143 modified the requirements for driving permits and drivers' licenses for drivers younger than 17 years old, for those who get a driver permit or license after January 1, 2010.

Highlights from Sub for House Bill 2143

Instruction Permit

Changes from current law are noted in red

- Available starting at age 14
- Required tests include: Vision and Written (or present a certificate of completion from a completed driver education course)
- **Driver Education not required, but encouraged as soon as teen turns 14 because of the twelve month holding period of the "Instruction Permit" that is required before a "Restricted" license can be obtained at age 15.**
- Permit holder may drive when accompanied by a parent (or an adult at least age 21). Supervising driver must be in front seat and hold a valid driver license.
- **Every teen must hold an Instruction Permit for 12 months before obtaining a "Restricted" license or a "Full" license.** (Unless, within that time the teen turns 17, then a drive test or a certificate of completion from driver education is all that is required)

Farm Permit

- Available starting at age 14 to teens who live or work on a farm.
- Required tests include: Driving, vision and written (or present a certificate of completion from a completed driver education course).
- Permits teen drivers to drive unsupervised to and from farm related work and to and from school.
- Allows teen drivers to transport siblings and adult passengers; may not transport non-siblings under the age of 18.
- No changes to existing "Farm Permit."



Restricted Driver License

- Available starting at age 15.
- Teen drivers must successfully complete a Driver Education course to obtain a "Restricted" license.
- Permits teen drivers to drive unsupervised to and from work or school.
- Allows teen drivers to transport siblings and adult passengers; may not transport non-siblings under the age of 18.
- Parents must show at least 25 hours of practice driving to receive "Restricted" license and then a total of 50 hours of adult supervised driving, with 10 of those hours being at night when applying for a "Full" license.
- No changes to existing "Restricted License."

Full License (Restricted)

- Available starting at age 16.
- Limits teen drivers to no more than one non-sibling passenger under the age of 18 during first 6 months of full licensing.
- Limits late-night driving to 9 p.m. during the first 6 months of full licensing unless driving to and from work or school.
- No wireless communication devices except to report illegal activity or to summons medical or emergency help. 
- After driver has held the “Full” license for 6 months, is at least 16 ½, and if they have complied with all laws, then the restrictions will no longer apply and the license will be categorized as a “Full” unrestricted license.
- Applicant must provide an affidavit showing at least 50 hours of adult supervised driving, with 10 of those hours being at night in order to get a “Full” license. **If affidavit is not provided prior to age 16 ½, the license will have the restrictions remain until age 17.**

Penalties for Violation –

- 30 day suspension of license for first offense;
- 90 day suspension of license for second offense; and
- one year suspension of license for third offense.

Penalties would apply to all teen drivers.

Grandfather Clause –

Teens entering the licensing system prior to January 1, 2010, with any current license, would fall under the current licensing guidelines rather than the GDL guidelines.

SUMMARY OF CHANGES **Graduated Driver License**
Increasing Requirements for Drivers Younger Than 17
 Prepared by the Kansas Legislative Research Department

Sub. For HB 2143 modified the requirements for driving permits and drivers’ licenses for drivers younger than 17 years old, for those who first got a driver permit or license after January 1, 2010. The changes from the previous law are explained below.

Instruction permit. The minimum age for application is still age 14. The bill requires the adult who has a valid driver license and is accompanying the holder of an instruction permit to be at least 21 years old. The bill adds that an instruction permit can be suspended or revoked like any other driver license.

Farm permit. A farm permit will be available from age 14 until age 17 (changed from age 16). The bill continues to allow farm permit holders to drive in connection with any farm work and to drive to and from school. The bill allows permit holders who are 16 or older also to drive at any time from 5 a.m. to 9 p.m. and while going to and from authorized school activities.

Restricted license. Under the bill, an applicant for a restricted license must have held an instruction permit for at least one year instead of the current six months. If the applicant is younger than 16, the applicant must have completed driver education. The bill requires a 16-year-old applicant to have completed at least 50 hours of adult-supervised driving, with 10 of those hours at night; a 15-year-old applicant continues to be subject to a requirement of 25 hours of adult-supervised driving. The bill allows licensees who are 16 or older also to drive at any time from 5 a.m. to 9 p.m. and while going to and from authorized school activities.

Restrictions on nonsibling passengers. The bill continues to ban nonsibling minor passengers if the holder of the restricted license or farm permit is younger than 16. It allows the holder of a farm permit or a restricted license who is at least 16 years old to have one passenger younger than 18 who is not a member of the permit holder's or licensee's immediate family.

Restrictions on use of wireless devices. The bill bans those with instruction permits, farm permits, and restricted licenses from operating wireless communication devices while driving except to report illegal activity or to summon emergency help. The bill defines "wireless communication device" as "any wireless electronic communication device that provides for voice or data communication between two or more parties."

Lifting of restrictions possible at age 16 ½. The bill lifts restrictions, such as limits of nonsibling passengers and time of day when driving would be allowed, on holders of farm permits and restricted licenses who are at least 16 years old and who have not violated any of the restrictions for at least six months. However, penalties for those who violate terms of a permit or restricted license can be imposed.

Full licensure at 17. Under the bill, a first-time applicant for a full license must be at least 17 years old; the previous law allowed full licensure at 16. The applicant for a full license who is younger than 18 must have completed at least 50 hours of supervised driving, with 10 of those hours at night.

Penalties. The bill makes several changes to penalties for violations of driving restrictions:

- The bill requires suspension of a farm permit or restricted license for any violation of restrictions or if the holder has two or more accidents chargeable to the holder.
- Under the terms of the bill, a suspended restricted license or farm permit cannot be reinstated for one year if two or more accidents are charged to the holder. The previous law stipulated a suspended license could not be reinstated for one year or until the license holder reaches 16, whichever is longer.
- Under the previous law, the holder who was younger than 16 and convicted of two moving violations committed on separate occasions would not be eligible to receive an unrestricted license until age 17. The bill adds that if the holder of a farm permit or restricted license is 16 and is convicted of two moving violations committed on separate occasions, the holder may not receive a driver license that is not restricted until age 18.
- The bill adds required suspensions of driving privileges for those guilty of violating permit or license restrictions:
 - 30 days for a first conviction,
 - 90 days for a second conviction, and
 - one year for a third or subsequent conviction.

Full text of the Sub. for House Bill 2143: <http://www.kslegislature.org/leqsrsv-legisportal/index.do>

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