

## Safety Belt Law

Under Virginia law, the drivers and all front seat passengers must wear safety belts. A driver transporting anyone younger than age 18 must ensure that the passenger is properly secured in a safety belt, booster seat or child safety seat no matter where the child is seated in the vehicle.

## Cell Phone Law

Virginia drivers younger than 18 years of age may not operate a motor vehicle on the highways of the Commonwealth while using any cellular telephone, or any other wireless telecommunications device. That includes cell phones or wireless devices that are considered to be hands-free. Text-messaging or reading of text messages while driving is also prohibited.

Exceptions are granted for a driver emergency or if the motor vehicle is lawfully parked or stopped.

## Sanctions

- ▶ **Texting while driving convictions** are assessed three demerit points.
- ▶ **If you are under the age of 18 and have ten or more unapproved absences from school** on consecutive school days, a court may suspend your driving privileges for any period of time, or until you reach the age of 18.
- ▶ **A second or subsequent conviction for a violation** of the passenger, curfew or wireless communication device restrictions may result in a court suspension of your teen's driver's license for up to six months.
- ▶ **Drivers under age 20 receiving a demerit point conviction** (including safety belt or child restraint violations) will be required to attend a driver-improvement clinic. If your teen is under age 18 and receives a second conviction, DMV will suspend his or her driving privilege for 90 days. If you are under 19 and have no other means of transportation, you may petition the Juvenile and Domestic Relations Court in your jurisdiction for restricted driving privileges to drive between home, work, and/or an institution of higher learning. After the third demerit point

conviction, DMV will revoke your teen's permit or license for one year or until he or she reaches age 18, whichever is longer.

- ▶ **Drivers renewing licenses at age 20** will be required to take the knowledge exam if their driving record reflects at least one conviction for a traffic violation.

## Zero Tolerance

If your teen is under age 21, they cannot purchase, possess or consume alcohol. It is illegal for any person under the age of 21 to operate any motor vehicle after illegally consuming alcohol. If your teen is convicted of driving after illegally consuming alcohol and was found to have a BAC of 0.02 and less than 0.08, the court penalty will include a suspension of your driving privilege for one year from the date of conviction, and a minimum mandatory fine of \$500, or the requirement that you complete at least 50 hours of community service.

## Learner's Permit

If your teen wants to go driving with his or her learner's permit, there must be a licensed driver at least 21 years of age seated next to him or her at all times. The driver accompanying your teen must be legally permitted to drive and be alert to assist your teen.

There are exceptions. The driver supervising your teen's driving may be as young as 18 years of age if he or she is your teen's brother, sister, half-brother, half-sister, stepbrother, or stepsister.

Of course, the person accompanying your child must not be under the influence of alcohol or drugs.

The in-car driver education teacher will administer your teen's final road test. If your child successfully passes the test, the school will issue your teen a completion certificate. The certificate, combined with your teen's learner's permit, acts as a valid driver's license for 180 days.

Virginia Department of Motor Vehicles

## Court Licensing Ceremony

Within the 180 day period, you and your teen will receive a notice from your local juvenile and domestic relations court that will tell you when to appear in court for a licensing ceremony. During this ceremony your teen will receive his or her driver's license.

## Stay Involved

Take an active role in your child's beginning driving years. After your teen is licensed, don't opt out – continue to monitor his or her driving behavior. Your involvement may save a life.



  
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# Parents

## *in the Driver's Seat*

Now that your teen has a learner's permit, you have rights and responsibilities that can minimize the risks he or she will face on the road.



**Driving  
is not a right  
for teens.  
It's a privilege  
parents grant  
to teens.**

Virginia Department of Motor Vehicles

## The Leading Cause of Death

Driving is a complex task, even for most seasoned drivers. For young drivers, driving is especially difficult and can be lethal. In fact, motor vehicle crashes are the leading cause of death for persons between the ages of 15 and 20. That's why it's important for you to be involved in the first years of your teen's driving. This can be a rewarding experience for you and your teen that will help minimize the risks he or she will face on the road.

As your teen's parent or guardian, you know when he or she has the skills and maturity to drive. That's why your permission is required at many steps in the juvenile licensing process. That's why you have the right to withhold or cancel your teen's driving privileges.

## Rights and Responsibilities

With your permission, your teen now has a learner's permit. This means that you now have rights and responsibilities that will involve you in your child's driving experience.

### Your Rights

- ▶ You have already exercised your first right – you gave DMV permission to issue your teen a learner's permit and, eventually, a driver's license.
- ▶ You also have the right to grant or not grant your teen's school permission to enroll your child in the in-car phase of driver education.
- ▶ Until your teen turns age 18, you have the right to withhold or cancel his or her learner's permit or driver's license for any reason you deem appropriate. If you choose to cancel your teen's learner's permit or driver's license, complete the "Cancellation of Minor's Driving Privilege" form (DL 18). The form is available on the DMV website at [www.dmvNOW.com](http://www.dmvNOW.com) or contact DMV at 1-866-DMVLINE and request the form. But remember, you and your child will not be able to reapply for at least six months.



### Your Responsibilities

Before your teen can get a driver's license, you must certify that he or she has 45 hours of behind-the-wheel driving experience, 15 hours of which must be after sunset. This requirement applies only if your teen is under age 18. The driver's education/training completion certificate must include your signature and driver's license or identification card number.

To help you meet this requirement, your child will bring home a publication from his or her driver education class or from DMV when the learner's permit is issued for you to use. Created by the Department of Education, the 45-Hour Parent/Teen Driving Guide provides:

- ▶ suggested in-car guided practice sessions
- ▶ helpful tips on how to coach your child during the guided practice sessions
- ▶ a detailed understanding of the fundamentals of driving
- ▶ a 45-hour driving log that you complete and give to your teen's driver education instructor
- ▶ a sound groundwork to foster responsible attitudes and driving behaviors in your teen

The guide is also available online at [www.doe.virginia.gov/VDOE/Instruction/PE/parent\\_teen\\_driving\\_guide.pdf](http://www.doe.virginia.gov/VDOE/Instruction/PE/parent_teen_driving_guide.pdf).

## Licensing Requirements and Restrictions

### Learner's Permit

**Age of applicant** – Your teen must be at least 15 years, 6 months of age before he or she can apply for a learner's permit.

**Testing** – Successful completion of the two-part knowledge test is required to obtain a learner's permit. If your teen fails the knowledge test three times, completion of the classroom component of driver's education or training will be required before he/she is allowed to take the knowledge test a fourth time.

**Passenger limits** – While driving with a learner's permit, your teen may not carry more than one passenger under age 18. (This does not apply to family members.)

**Curfew** – While driving with a learner's permit, your teen may not operate a motor vehicle between the hours of midnight and 4 a.m.

### Driver's License

**Age of applicant** – Your teen must be at least 16 years, 3 months of age and have held his or her learner's permit for at least nine months before he or she can apply for a driver's license.

#### Passenger limits

- ▶ If your teen is under age 18, he or she may carry only one passenger under age 18 during the first year that he or she holds a driver's license.
- ▶ After the first year or until age 18, your teen may carry only three passengers under age 18. (This does not apply to family members.)

**Curfew** – If your teen is under age 18, he or she may not operate a motor vehicle between the hours of midnight and 4 a.m. except:

- ▶ in case of an emergency
- ▶ when traveling to and from work or a school-sponsored event
- ▶ when accompanied by a parent or other adult acting in place of a parent

- ▶ when responding to an emergency call as a volunteer firefighter or rescue squad member

## Driver Education Requirements

If your teen is under age 19, he or she must complete a state-approved driver education program. The program must present 36 classroom periods. It must also include 14 in-car instruction periods, 7 periods of driving and 7 periods of observation. The course must be taken at a **Virginia** public or private driver training school unless your teen is home-schooled\*.

**Transferring from another state** – Your teen's out-of-state driver's education may be accepted if it was successfully completed while residing in that state and the program meets a minimum of 30 classroom hours and six in-car hours.

If your teen holds a current out-of-state driver's license but does not have proof of driver's education, he or she may be issued a Virginia six-month temporary license. This will give your teen time to obtain proof or to complete a state-approved driver education program.

\* Information about home-schooled requirements are online.

