



## NEW DRIVING LAWS FOR MINOR DRIVERS

by Lauren Sisneros

Graduated driver's licensing laws (GDL) are designed to give young drivers more experience behind the wheel and limit high-risk situations when minor drivers are in the learning stages. This issue brief summarizes new measures enacted by the Colorado General Assembly in 2006 to address minor drivers, including passenger restrictions, permits and driver's licenses, and traffic violation penalties.

### Restrictions for Drivers Under the Age of 18 Years

**Passengers.** House Bill 06-1162 raises the age of minor drivers who are subject to specific restrictions, making 17 year olds subject to provisions that those 16 and under are subject to currently. Effective July 1, 2006, a driver under the age of 18 cannot transport more than one passenger in the front seat of a vehicle, and the number of passengers in the back seat may not exceed the number of seat belts. In addition, the new law requires that occupants of vehicles driven by persons under the age of 18 be properly restrained or wear a seat belt.

Current Colorado law also provides other passenger restrictions. Drivers under the age of 18 who have held a minor driver's license less than six months are prohibited from transporting any passenger who is under 21 years of age. A minor driver who has held a license for at least six months, but less than one year, is prohibited from transporting more than one person under 21 years of age. The law allows exceptions to the passenger restrictions when:

- the minor's parent, legal guardian, or other responsible adult who has legally signed an affidavit of liability is in the vehicle;
- an adult who has held a valid driver's license for at least one year is in the vehicle;

- a passenger who is under the age of 21 is in the vehicle due to a medical emergency; or
- a passenger who is under the age of 21 is an immediate family member and wearing a seat belt.

House Bill 06-1162 also creates penalties for minors who violate seat belt provisions. Drivers under the age of 18 years whose occupants in motor vehicles are not properly restrained or wearing a seat belt commit a traffic infraction. Table 1 summarizes the penalties created under the new law.

**Table 1**  
**Penalties for Violation of Minor Driver Seat Belt Laws**

Violation	Fine	Hours of Community Service	License Suspension Points
1 <sup>st</sup> offense	up to \$50	8 to 24	2
2 <sup>nd</sup> offense	up to \$100	16 to 40	2
Subsequent Offense	\$150	16 to 40	2

**Permits and driver's licenses.** Requirements for people who are learning to drive were modified by House Bill 06-1107 and Senate Bill 06-083. A minor driver's application for an instruction permit must be accompanied by an affidavit of liability signed by:

- a parent or stepparent;
- a grandparent with power of attorney; or
- a guardian or foster parent.

The affidavit of liability states that the adult agrees to take legal responsibility for the minor's actions as a driver. Under the changes in law, if the person who

signs the affidavit of liability does not hold a Colorado driver's license, he or she can appoint an alternate permit supervisor. The alternate permit supervisor must be at least 21 years of age and hold a Colorado driver's license. In addition, if the person who signs the affidavit of liability holds a driver's license from another state, he or she is permitted to supervise the minor driver as long as that person has proper military identification. The new law also authorizes the person who signed the affidavit of liability to allow the minor to drive with an individual who is at least 21 years of age and holds a valid driver's license in order to gain additional driving experience. Individuals who are supervising minor drivers are required to sit in the front passenger seat.

**Driver log.** Drivers under the age of 18 must hold a permit for at least one year before applying for a driver's license. In addition, minor drivers must submit a log sheet certifying that they have completed at least 50 hours of actual driving experience, of which 10 hours were at night. The only driving experience that counts toward the required hours of the log sheet are those hours that were supervised by:

- the person who signed the liability affidavit;
- the person appointed by the person who signed the liability affidavit; or
- the driver education instructor.

**Driver education.** House Bill 06-1107 also requires the driver education course necessary to obtain an *instruction permit* to include a minimum of six hours behind the wheel with a certified education instructor. The minor driver has three available options for driver education:

- At the age of 15, drivers can hold a *minor instruction permit* if enrolled in a driver education course, which is a 30-hour program that includes six hours behind the wheel. The permit is available to drivers at the earliest age of 15 years to 15½. The permit must be held for 12 months before obtaining a driver's license.
- A *minor instruction permit* can be obtained by drivers aged 15½ by completing an approved driving awareness program. The permit must be held for 12 months, which would allow a minor to obtain a license, at the earliest, at the age of 16½. The four-hour driving awareness classes are offered through instructors approved by the Department of Revenue.

- Finally, if an underage driver chooses not to participate in a driver education or driving awareness course, the individual can obtain an *temporary instruction permit* at the age of 16, hold the permit for 12 months, and obtain a driver's license at the age of 17.

Table 2 summarizes the requirements for minor drivers to obtain a driver's license.

**Table 2  
Obtaining a Driver's License**

Age*	Description	Earliest Age Possible to Obtain Driver's License
15 to 15½	Minor instruction permit available to minors enrolled in a driver education course.	16 years. If driver education permit is obtained at 15¼ years, driver's license can be obtained at 16¼ years of age.
15½ to 16	Minor instruction permit available to minors who complete a driver awareness program.	16½ years. If driver awareness permit is obtained at 15¾ years, driver's license can be obtained at 16¾ years of age.
16 to 18	Temporary instruction permit available to all individuals in age group.	17 years. If instruction permit is obtained at 16½ years, driver's license can be obtained at 17½ years of age.

\*Age groups represent the earliest age individuals can participate in educational programs. Individuals older than the ages listed for each category may also enroll.

**Traffic violation penalties.** House Bill 06-1108 creates additional traffic violation penalties for minor drivers. Under the new law, courts are required to order minors under 18 years of age, who have been convicted of violating traffic laws, with the exception of traffic infractions, to attend and complete a driving course at a driver improvement school. A traffic infraction is a violation that is not classified as a misdemeanor or felony. The minor or the minor's parent is required to pay the cost of attending the designated driver improvement school. In addition, the courts are required to make information on scholarships and other financial assistance available to help minors and their parents offset the costs of the driver improvement school.