

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.

Texting Law

Text-messaging or reading text messages while driving are prohibited.

Sanctions

- ▶ **Texting while driving convictions** are assessed three demerit points.
- ▶ **If your teen is under the age of 18 and has ten or more unapproved absences from school** on consecutive school days, a court may suspend their driving privilege for any period of time, or until they reach the age of 18.
- ▶ **A second or subsequent conviction for a violation** of the passenger, curfew or cell phone/wireless communication device restrictions may result in a court suspension of your teen's driver's license for up to six months.
- ▶ **If your teen receives a conviction for a demerit point**, safety belt and/or child restraint violation committed while under the age of 20, DMV will require them to attend a driver-improvement clinic.
 - ▶ If your teen receives a second conviction for an offense committed while under age 18, DMV will suspend their driving privilege for 90 days. If your teen has no other means of transportation, they may petition the juvenile and domestic relations court in their jurisdiction for restricted driving privileges to drive between home, work, and/or an institution of higher learning.
 - ▶ After the third demerit point conviction for an offense committed while under age 18, DMV will revoke your teen's driving privilege for one year or until they reach age 18, whichever is longer. No restricted driving privileges will be granted during this time.

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 their driving privilege for one year from the date of conviction, and a minimum mandatory fine of \$500, or the requirement that they complete at least 50 hours of community service.

Learner's Permit

If your teen wants to go driving with their learner's permit, there must be a licensed driver at least 21 years of age seated next to them 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 they are your teen's brother, sister, half-brother, half-sister, stepbrother, stepsister, or first cousin.

Of course, the person accompanying your teen 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 teen successfully passes the test, the school will issue them a completion certificate. The certificate, combined with your teen's learner's permit, acts as a valid driver's license for 180 days.

Court Licensing Ceremony

If your teen is **under age 18** when they meet the requirement for DMV to issue a driver's license, DMV will mail their driver's license to the juvenile and domestic relations court in their jurisdiction. Within the 180 day period, you and your teen will receive a notice from the 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 their driver's license.

If your teen is **age 18 or older** on the date of the ceremony, you are not required to attend the ceremony with them.

If your teen is **age 18 or older** when they meet the requirements for DMV to issue their driver's license, DMV will mail the license directly to your teen. Your teen will not be required to attend a juvenile licensing ceremony.

If your teen held a valid driver's license issued by another state and exchanged it for a Virginia driver's license, they will not be required to attend a juvenile licensing ceremony.

Stay Involved

Take an active role in the first years of your teen's driving. After your teen is licensed, don't opt out – continue to monitor their driving behavior. Your involvement may save a life.

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 they will face on the road.



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

Virginia Department of Motor Vehicles

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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 they will face on the road.

As your teen's parent or guardian, you know when they have 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 teen'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 them in the in-car phase of driver education.
- ▶ Until your teen turns age 18, you have the right to cancel their driver's license for any reason you deem appropriate. If you choose to cancel your teen's driver's license, complete the "Cancellation of a Minor's Driver's License" form (DL 18). The form is available on the DMV website at www.dmvNOW.com or contact DMV at (804) 497-7100. But remember, you and your teen will not be able to reapply for a driver's license for at least six months.



Your Responsibilities

Before your teen can get a driver's license, you must certify that they have 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 teen will bring home a publication from their driver education class or from DMV when the learner's permit is issued. 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 teen during the guided practice sessions
- ▶ a detailed explanation 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/instruction/driver_education/parent_teen_driving_guide.pdf.

Licensing Requirements and Restrictions

Learner's Permit

Age of applicant – Your teen must be at least 15 years, six months of age before they 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 they are 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 21. (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 their learner's permit for at least nine months before they can apply for a driver's license.

Passenger limits

If your teen is under age 18, they may carry only one passenger under age 21, unless accompanied by a licensed parent, or other adult acting in place of a parent, in the front passenger seat; however, after they have held a license for one year, your teen may carry up to three passengers under age 21 in the following situations:

- ▶ travel to and from a school-sponsored activity
- ▶ there is a licensed driver 21 or older in the front passenger seat or
- ▶ there is an emergency.

(Passenger restrictions do not apply to members of the driver's family or household.)

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

- ▶ in cases of an emergency, including when responding to an emergency call as a volunteer firefighter or rescue squad member
- ▶ when traveling to and from a place of business where they are employed
- ▶ when traveling to or from an activity that is supervised by an adult and is sponsored by a school or civic, religious, or public organization
- ▶ when accompanied by a parent or other adult acting in place of a parent or by a spouse who is at least 18 years old, in the front passenger seat.

Cell phones – Virginia law prohibits drivers from holding cell phones or any other wireless communication devices while driving except in a driver emergency or when the vehicle is lawfully parked or stopped.

The passenger limits and curfew restrictions under this section are lifted on the driver's license holder's eighteenth birthday.

Driver Education Requirements

If your teen is under age 18, they must complete a state-approved driver education program. The program must present 36 classroom periods. The student can complete the classroom portion of the course at a driver training school, a public or private school, or through a DMV-approved online course provider. It must also include 14 in-car instruction periods, seven periods of driving, and seven periods of observation. The student can complete the in-car instruction periods 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, they 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 in-car instruction requirements is online at <http://www.dmv.state.va.us/drivers/#homeschoolers.asp>.