

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 46.2-324.1 of the Code of Virginia, relating to driver's licenses; requirements for initial licensure; persons age 18 to 21.

[S 396]

Approved

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-324.1 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-324.1. Requirements for initial licensure of certain applicants.

A. No driver's license shall be issued to any applicant *who is at least 21 years old* unless he either (i) provides written evidence of having satisfactorily completed a course of driver instruction at a driver training school licensed under Chapter 17 (§ 46.2-1700 et seq.) or a comparable course approved by the Department or the Department of Education or (ii) has held a learner's permit issued by the Department for at least 60 days prior to his first behind-the-wheel examination by the Department when applying for a noncommercial driver's license. *For any applicant who is at least 18 years old and less than 21 years old, no driver's license shall be issued to any such applicant unless he (a) provides written evidence of having satisfactorily completed a course of driver instruction at a driver training school licensed under Chapter 17 (§ 46.2-1700 et seq.) or a comparable course approved by the Department or the Department of Education and (b) has held a learner's permit issued by the Department for at least 90 days.*

The provisions of this section shall only apply to persons ~~who are at least 18 years old and~~ who either (a) (1) have never held a driver's license issued by Virginia or any other state or territory of the United States or foreign country or ~~(b)~~ (2) have never been licensed or held the license endorsement or classification required to operate the type of vehicle which they now propose to operate. Completion of a course of driver instruction approved by the Department or the Department of Education at a driver training school may include the final behind-the-wheel examination for a driver's license; however, a driver training school shall not administer the behind-the-wheel examination to any applicant who is under medical control pursuant to § 46.2-322. Applicants completing a course of driver instruction approved by the Department or the Department of Education at a driver training school retain the option of having the behind-the-wheel examination administered by the Department.

B. No commercial driver's license shall be issued to any applicant unless he (i) is 18 years old or older, (ii) has complied with the requirements of subsection A of § 46.2-341.9, (iii) has completed both the theory and the behind-the-wheel portions of the training course within one year from the date instruction was first commenced, and (iv) has completed both the range and the public road portions of the behind-the-wheel curriculum with the same training provider. Applicants for a commercial driver's license who have never before held a commercial driver's license shall apply for a commercial learner's permit and hold the commercial learner's permit for a minimum of 14 days prior to taking the behind-the-wheel examination for the commercial driver's license.

Holders of a commercial driver's license who have never held the license endorsement or classification required to operate the type of commercial motor vehicle which they now propose to operate must (a) complete an entry-level driver training course applicable to the license, classification, or endorsement for the type of commercial motor vehicle they propose to operate and (b) apply for a commercial learner's permit if the upgrade requires a skills test and hold the permit for a minimum of 14 days prior to taking the behind-the-wheel examination for the commercial driver's license.

C. Nothing in this section shall be construed to prohibit the Department from requiring any person to complete the skills examination as prescribed in § 46.2-325 and the written or automated examinations as prescribed in § 46.2-335.

D. Applicants for a commercial driver's license who have never before held a commercial driver's license who are members of the active duty military, military reserves, National Guard, active duty United States Coast Guard, or Coast Guard Auxiliary and provide written evidence of having satisfactorily completed a military commercial driver training program shall hold the commercial learner's permit for a minimum of 14 days prior to taking the behind-the-wheel examination for the commercial driver's license, provided that the program complies with the requirements provided in Article 2 (§ 46.2-1708 et seq.) of Chapter 17, unless such entity is otherwise exempted from such requirements under federal law or regulation.

E. A learner's permit other than a motorcycle learner's permit, accompanied by documentation verifying that the driver is at least 18 years old and less than 21 years old and has successfully completed an approved driver's education course, shall constitute a temporary driver's license for the purpose of driving unaccompanied by a licensed driver 18 years old or older if all other requirements of this chapter have been

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57 *met. Such temporary driver's license shall only be valid until the driver has received a permanent license*
58 *issued pursuant to this section.*
59 **2. That the provisions of this act shall become effective on January 1, 2027.**