THE JUVENILE LICENSING PROCESS IN VIRGINIA

OBTAINING A VIRGINIA LEARNER’S PERMIT AFTER JULY 1, 2014

If the applicant is at least 15 years and six months old and under the age of 18, he/she may obtain a learner’s permit at a DMV customer service center after fulfilling the following requirements.

- Complete the Virginia Driver’s License Application Form (DL1P). A parent/guardian over the age of 18 must sign the DL1P form to grant DMV permission to issue the student less than 18-years of age a learner’s permit and a driver’s license. Minors providing evidence of solemnization of marriage or a certified copy of a court order of emancipation are not required to provide certification of compliance with compulsory school attendance laws, good academic standing, or have any other written parent or guardian authorization to obtain a learner’s permit or a driver’s license. In the event the student is not married or under legal custody of a parent/guardian, the DL1P form must be signed by a Juvenile and Domestic Relations Court judge. Host parents are NOT eligible to sign for exchange students.

- Furnish proof of a social security number. DMV will assign each customer a number that will be displayed on the learner’s permit and driver's license.

- Provide an original identification document certifying name and date of birth. A list of acceptable documents is available at: www.dmvnow.com. Applicants under 19 years of age are required to have only one document from the primary document list to certify proof of identity.

- Furnish proof of residency. A list of acceptable documents is available at www.dmvnow.com. Parents or legal guardians of applicants under 19 years of age may certify Virginia residency.

- Furnish proof of legal presence in the USA by using one of the acceptable documents listed on the DMV Web site.

- **Pass a multiple-choice sign and knowledge test.** The student must answer all sign questions correctly before being able to proceed to the second part of the test. To pass the second part of the test, the student must answer at least 80 percent of the general knowledge questions correctly. Students who fail either section of the DMV knowledge test will not be eligible for re-testing for at least 15 days, and are required to retake both tests.

- Any applicant who fails the DMV driver knowledge or sign test for a learner’s permit three times shall not be permitted to take the examination a fourth time until he/she successfully completes the classroom component of driver education subsequent to the third failure.

- Pass the vision test. If the student needs to wear glasses or contact lenses to pass the test, the driver’s license will show this restriction. Virginia’s vision standards are 20/40 or better vision in one or both eyes, and 100 degrees, or better, horizontal vision in one or both eyes. Individuals are restricted to driving during daylight hours if they have 20/70 or better vision in one or both eyes, and 70 degrees or better horizontal vision. If only one eye is affected, 40 degrees or better temporal and 30 degrees or better horizontal vision are required. This type of license permits driving one-half hour after sunrise to one-half hour before sunset. Students who wear bioptic telescopic lenses should contact DMV to find out about vision requirements.

- The exam may be taken only once per business day. An audio version of the exam is available. **The exam is available in several languages.**
• Organ donor information is collected by DMV on the learner’s permit/driver’s license application form. Students should be encouraged to share their donor preference with their families.

• Males under 26 years of age must register with the Selective Service. If under the age of 18, the parent or legal guardian must sign the application authorizing the Selective Services to register the student when he turns 18 years of age. For more information go to www.sss.gov.

• Students with a mental or physical condition that may impair their ability to safely operate a motor vehicle, even temporarily, must provide DMV with a medical statement from a doctor. Some of these conditions include loss of consciousness, vision changes, impairment of judgment or loss of motor function. DMV will evaluate the medical information to determine if a driver's license may be issued or restricted. Medical forms are available on DMV’s Web site.

• If a student is under 18 when the learner’s permit is issued, the learner’s permit will remain valid until the applicant is issued a provisional driver’s license by DMV or turns 20 years old.

• If a student has a visa, the learner's permit will expire when the student’s visa expires. If there is no expiration date on the visa, the learner's permit and the driver’s license will be valid for one year.

• The cost is $3 for the learner’s permit and $4 for each additional year for the driver’s license. If the student is under 18 years of age, the learner’s permit or driver’s license will expire on the student’s 20th birthday. After age 20, the driver license is valid for 8 years and expires on the student’s birthday. For security reasons, the learner’s permit is mailed to the applicant and should receive within 15-30 days. A temporary learner’s permit (receipt) will be issued at the DMV customer service center.

• Falsifying information on a driver's license, a learner's permit or a photo identification card application is a criminal offense. DMV will not issue, for a period of one year, a driver's license or learner's permit when their records clearly show that the person has made a willful material false statement on any application for a driver's license.

• A learner’s permit (and temporary learner’s permit receipt) allows the student to operate a motor vehicle when accompanied by a driver 21 years of age or older who is lawfully permitted to operate a motor vehicle, or by a parent, legal guardian, brother, sister, half brother, half sister, stepbrother, or stepsister 18 years of age or older who is lawfully permitted to operate a motor vehicle. The accompanying person shall be alert, able to assist the driver and occupying the seat next to the driver.

• Learner's permit holders may not operate a motor vehicle between midnight and four a.m., or with more than one passenger less than 21 years old, except when participating in a driver education program approved by the Department of Education or the Department of Motor Vehicles. This passenger limitation, however, shall not apply to the driver's family or household siblings as defined in subsection B of § 46.2-334.01.

• If any learner's permit or driver's license issued to any person less than 20-years of age shows that he has been convicted of: (i) an offense for which demerit points have been assessed or are assessable under Article 19 (§ 46.2-489 et seq.) of this chapter; or (ii) a safety belt or child restraint violation, such person shall attend a driver improvement clinic. A computer-based driver improvement course will not satisfy this requirement. No safe driving points will be awarded for attending the clinic. Such person's parent, guardian, legal custodian, or other person standing in loco parentis may attend the clinic and receive a reduction in demerit points and/or an award of safe driving points pursuant to § 46.2-498.
ID CARD
For students ages 15 or older, the ID is valid for five years and costs $10. You may hold a learner’s permit/driver’s license or an ID card, but not both.

OBTAINING A VIRGINIA DRIVER’S LICENSE AS OF JULY 1, 2014

Students must be at least sixteen years and three months old to apply for a provisional driver’s license.

Applicants under the age of 18 must:

- Hold a valid learner’s permit (from Virginia, another state, U.S. territory, or Canadian province) for a period of at least nine months and successfully complete a state-approved classroom and behind-the-wheel driver education program. U.S. territories that have been granted a test waiver include: American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands.

- Successfully complete a state-approved driver education program. Classroom completion certificates must be issued to students who successfully complete the classroom phase at one school and enroll in the in-car phase at a different school. To prevent forgeries, the certificate of completion is the only acceptable classroom completion document. During the summer, please make provisions for students to receive their DEC cards.

- Students who transfer to Virginia from another state or U.S. territory must have documentation of at least 30 hours of classroom instruction from a state-approved program to be eligible for in-car instruction. This 30-hour documentation along with the DMV copy of the student’s 180-day license must be mailed to the DMV image retrieval center in Richmond.

- No driver's license shall be issued to a student who is less than 18-years old unless, while holding a learner's permit, the student has driven a motor vehicle for at least 45 hours, at least 15 of which were after sunset, as certified by his parent or legal guardian.

- The parent, guardian, legal custodian, or other person standing in loco parentis must provide written authorization for a minor less than 18-years old to receive a 180-day provisional license on the parent permission form. The PPF-13 also documents the required parental certification of understanding the Commonwealth’s interest in good academic standing and regular school attendance, and that the minor is mentally, physically and otherwise able to operate a motor vehicle. The parent permission form must be kept with the student’s records and not mailed to DMV. As prescribed by the Code, parents will sign the following statement and provide their DMV-issued driver’s license or ID number.

  It is illegal for anyone to give false information in connection with obtaining a driver’s license. This certification is considered part of the driver’s license application, and anyone who certifies to a false statement may be prosecuted. I certify that the statements made and the information submitted by me regarding this certification are true and correct.

- After receipt of the PPF-13, the public or private school providing the behind-the-wheel instruction can issue a 180-day temporary license (TDL-180). One-hundred and eighty-day provisional licenses should never be given to a minor. Parents should make their insurance company aware that there is a newly licensed driver in the family.

- The parent/guardian must sign the completed TDL-180 and furnish their Virginia driver’s license number or DMV-issued identification number.
Schools should mail DMV’s copy of the 180-day temporary license (TDL-180) to the Image Retrieval Center in Richmond:

DL SUPPORT SERVICES, DMV
P. O. BOX 27412, ROOM 311,
RICHMOND, VA  23269-0001.

Students and parents should make sure all information on the TDL-180 is accurate before signing it. If the 180-day temporary license is missing any information or signatures, if the student is not 16 years and three months old, or if the student has not held a learner’s permit for nine months, the 180-day temporary license is NOT VALID and the student CANNOT drive until the problem is remedied. Please note, if stopped, this student will be cited for driving without a license. When the mistake is discovered, DMV will send an advisory letter to the student/parent explaining why the student is not properly licensed

- DMV will send the student's provisional driver’s license to the Juvenile and Domestic Relations Court that serves the student's zip code. It is very important that DMV has the student’s correct home address for the learner’s permit. Address changes can be done online, by visiting any DMV branch, by fax (804) 367-6379, or by calling toll free 1-866-368-5463. Change of address for a driver's license and registration card is free. A new driver’s license showing the change costs $20.

- If during the 180-day period the student does not receive notification from the court to attend a licensing ceremony, or if the student loses or damages the 180-day temporary license, send the student to any DMV Customer Service Center to receive another 180-day temporary driver’s license. DMV will charge $20 for a duplicate copy of the 180-day temporary license. According to state law, teachers may NOT issue more than ONE 180-day license to a student.

- If the student received his/her driver's license at age 16 or 17, it will expire on his/her 20th birthday. If the licensee receives one or more traffic convictions, he/she must retake the two-part knowledge test. Thereafter, the license is valid for eight years and expires on the date of birth.

- The 180-day temporary license (TDL-180) is valid when accompanied by a valid Virginia learner’s permit. All restrictions, (i.e., vision, hand controls) will appear on the learner’s permit and permanent license. They will NOT be noted on the 180-day temporary license.

PROVISIONAL DRIVING RESTRICTIONS FOR YOUNG DRIVERS

- A provisional driver's license shall not authorize its holder to operate a motor vehicle with more than one nonfamily passenger less than 21 years old until the holder has held a provisional license for one year, and no more than three nonfamily passengers less than 21 years old until the licensee turns 18. Drivers younger than 18 shall not operate a vehicle on the highways of the Commonwealth between the hours of midnight and 4 a.m. except when driving: (i) to or from work; (ii) to or from a school-sponsored activity; (iii) when accompanied by a parent or person in loco parentis, or by a spouse who is 18 years old or older; (iv) to or from an activity that is supervised by an adult and is sponsored by a school or by a civic, religious, or public organization; (v) in cases of emergency; or (vi) when responding to fire or some other emergency as a volunteer firefighter or rescue worker.

- Except in a driver emergency or when the vehicle is lawfully parked or stopped, the holder of a provisional driver's license less than 18 years old, shall not operate a motor vehicle on the highways of the Commonwealth while using any cellular telephone or any other wireless telecommunications device, regardless of whether such device is or is not hand-held.

- Anyone learner's/driver license holder under 20-years of age who is convicted of an offense for which demerit points are assessed, or for violating the safety seat requirement for children under the age of eight, or the primary safety belt mandate for front- or back-seat passengers younger than 18 years of age, MUST attend (not take online) a driver improvement clinic.
• If a person who is younger than 18-years of age is **convicted a second time** for an offense for which demerit points are assessed, or for violating the child-restraint legislation, the DMV Commissioner **shall suspend the young driver’s license for 90 days**.

• If any such person is **convicted a third time** for an offense for which demerit points have been assessed, or for violating the child-safety restraint legislation, the Commissioner shall **revoke the driver’s privilege to operate a motor vehicle for one year—or until the student reaches the age of 18—whichever is longer**. These suspensions shall be consecutive to, and not concurrent with, any other period of license suspension, revocation, or denial.

• DMV can deny or suspend driving privileges for persons under age 18 if a court finds that the juvenile is delinquent, in need of supervision, involved in an alcohol or drug-related offense, or needs court-assigned services or programs such as counseling.

• Driver’s licenses may be suspended for minors who have 10 or more consecutive unexcused absences from school. Upon receipt of notification from the school, the court will issue a “show cause” order to the student giving him/her an opportunity to explain the absences. The **court may suspend the minor’s driver’s license for any period of time up until age 18**.

• Driving without a license is a class 2 misdemeanor, [https://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+18.2-11](https://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+18.2-11).

**EIGHTEEN-TO-26-YEAR-OLD STUDENTS**

• Eighteen-year-old students must successfully complete both the classroom and in-car phases of the driver education program and **hold a learner’s permit for a minimum of 9 months** to be eligible for a driver’s license.

• Schools must mail the 180-day temporary license (TDL) issued to 18-year olds to DMV. DMV will process/mail the laminated license to the Juvenile and Domestic Court. Each court determines if the student must attend a ceremony, or if they will mail the permanent license to the student.

• **Nineteen-year and older students** who have not previously held driver's licenses must show they have passed a state-approved driver education program or have held a learner’s permit for at least 60 days before being eligible to take a DMV-administered road skills test. The provisions of this section shall only apply to persons who are at least 19-years old and who either: (i) have never held a driver's license issued by Virginia or any other state or territory of the United States or foreign country with which DMV has established reciprocal driver's licensing privileges or, (ii) have never been licensed or held the license endorsement or classification required to operate the type of vehicle which they now propose to operate. An adult applicant may not take the DMV-administered road skills test more than three times in any three-month period.

• **Persons age 19 or over** have the option of taking the behind-the-wheel examination at a driver training school as long as they complete the 36 periods of classroom instruction, seven periods of in-car observation, and seven periods of behind-the-wheel training. Individuals seeking a medical review may have their behind-the-wheel examination administered by DMV - if that person fails the behind-the-wheel test three times at DMV, he/she must return to DMV to take the test after completing the requirements at a driver training school. **Applicants age 19 or older may also provide proof of successful completion of a driver education program approved by the State Department of Education in order to meet the requirements for licensure**.

• License renewal applicants less than 21-years old convicted of one or more moving violations must retake the DMV-administered knowledge test.
• Every male under the age of 26 who applies for or renews a learner's permit, driver's license, commercial driver's license or photo identification card must certify that he is registered with the Military Selective Service. DMV will share this information with the Selective Service. For males under age 18, the Selective Service will register them with Selective Service when they turn age 18. This law applies to U.S. citizens and immigrants.

TRANSFER STUDENTS

• Out-of-state students will be required to surrender their out-of-state learner's permits, and take and pass the Virginia's knowledge and sign tests. They also must meet the identity, legal presence, residency, and social security, and driver education requirements. The time that the student held the out-of-state learner's permit will be counted toward the Virginia minimum holding period for a learner's permit.

• Students who transfer to Virginia from another state or U.S. territory must have documentation of at least 30 hours of classroom instruction from a state-approved program to be eligible for in-car instruction. If a transfer student successfully completes a state-approved classroom and in-car driver education program from another state, the student must present the certificate of completion, specifying the number of instructional hours, to DMV. Out-of-state students must have at least 30 hours of classroom and six hours of in-car instruction.

• Students holding a current out-of-state license, who are less than 19-years of age and do not have proof that they completed a driver education course will be issued a six-month temporary license by DMV. This six-month temporary licensing period provides them time to obtain documentation of course completion, or to complete a Virginia driver education course. The other provision of this law allows minors aged 16 and 3 months through 18 years to obtain a Virginia driver's license without meeting Virginia’s minimum driver education requirement if they have held a valid license from another U.S. state, territory, Canadian province or Canadian territory for at least one year and have proof of some government approved driver education but not the required 30 periods of classroom instruction and 14 periods of in-car instruction. The applicant must provide proof that he/she has held the valid driver’s license for the 12 months immediately prior to applying for a Virginia license and has not been found guilty of or otherwise responsible for an offense involving the operation of a motor vehicle. The applicant must successfully pass a behind-the-wheel and driver knowledge examinations administered by DMV.

• If the student holds a valid driver's license issued by a U.S. state, territory, jurisdiction, Canadian province, or Germany, it must be surrendered when the student applies for a Virginia driver's license. The student may be required to take the two-part knowledge test or the road skills test, but will be required to pass a vision screening. Remind the student to photocopy the out-of-state driver's license for future insurance or licensing needs. Provided the expiration date is within six months, out-of-state license holders may be issued a Virginia driver's license without having to take the knowledge or skills test even if their license has expired.

• If the student's license has been suspended or revoked by another state, a Virginia license may not be issued until the student's driving record in that state is cleared, or until the student has served five years of the suspension or revocation, whichever occurs first. The holder of a valid driver's license from another state qualifies for a temporary license under Subdivision 3 of § 46.2-334, and will not be subject to the nine-month learner’s permit holding period.
FOREIGN EXCHANGE AND BOARDING SCHOOL STUDENTS

- In many countries driver education costs students thousands of dollars, and foreign exchange students often want to receive this instruction while attending school in Virginia. Successful completion of a driver education program does not mean that these foreign exchange students can drive with a Virginia driver’s license in their country of origin. The licensing age, motor vehicle laws, and the country’s testing requirements are usually very different. Successful completion of a Virginia driver education program may satisfy some of their educational requirements.

- If you have foreign exchange or boarding school students who are returning home, and have not met the nine-month holding period or have not received notification from the Juvenile and Domestic Relations Court, you have the following options:
  
  o Include a letter to the DMV Image Retrieval Center with the student’s 180-day temporary license explaining the student’s situation, and request that the student be scheduled for an earlier licensing ceremony;
  
  o Ask the parent/legal guardian to submit a written explanation about the student’s situation to the Juvenile and Domestic Relations Court and request that the judge waive attendance at the juvenile licensing ceremony; or
  
  o Provide a detailed course description of the driver education program on school letterhead for the student to use to document course content and hours of instruction.

CHILDREN OF ACTIVE-DUTY MEMBERS OF THE ARMED FORCES

If a student is a dependent child of an active-duty member of the Armed Forces stationed in Virginia, and is 16 years and three months or older, he/she may drive with a valid driver's license issued by his/her home state or country.

NON-RESIDENTS

Nonresidents temporarily living in Virginia may drive with their home state driver’s license and license plates for no more than six months.

HEARING IMPAIRED STUDENTS

If a student is hearing impaired, arrangements can be made for an interpreter to assist during the DMV transaction. The Department of the Deaf and Hard of Hearing (DDHH) provides interpreters. Either the customer or a DMV employee can contact the DDHH to set up an appointment for the interpreter to meet with the customer at DMV. The phone number at DDHH is (804) 225-2570. Special license plates and photo IDs for the hearing impaired are available from any DMV office. Drivers who are hearing impaired may request a “hearing impaired” indicator is placed on the driver’s license. The plates and photo IDs help law enforcement officers recognize drivers who are hearing impaired.

COURT SANCTIONS

If a court finds that a child at least 13 years of age has failed to comply with school attendance and meeting requirements as provided in §22.1-258, the court shall order the denial of the child's driving privileges for a period of not less than 30 days. If such failure to comply involves a child under the age of 16 years and three months, the child's ability to apply for a driver's license shall be delayed for a period of not less than 30 days following the date he reaches the age of 16 and three months. § 16.1-278.9

DRIVING OUT OF STATE

Young drivers holding valid Virginia driver's licenses must check to make sure they can legally operate a vehicle in another state. In some states, the age requirement is different.
MOTORCYCLE PERMITS
A motorcycle learner's permit allows you to learn to operate a motorcycle.

- You must pass the motorcycle knowledge exam.
- If you do not currently hold a valid learner's permit or driver's license, you must also pass the two-part driver's license knowledge exam.
- If you are under age 19, you must hold a Virginia motorcycle learner's permit for at least nine months.
- You must wear an approved safety helmet.
- You must wear eye and face protection.
- You must be supervised by a person at least 21 years of age who is licensed to operate a motorcycle, who is alert and able to assist you and is supervising from a separate accompanying motor vehicle.
- You cannot carry passengers with a motorcycle learner's permit.
- You cannot operate the motorcycle on limited access highways.

When the motorcycle learner's permit expires, a licensee who has submitted an application, paid the application fee, and successfully completed the examinations, may be issued another twelve-month motorcycle learner's permit. The Department of Motor Vehicles will deposit three dollars of each motorcycle registration and all motorcycle license endorsement fees into the Motorcycle Rider Safety Training Program Fund.

MOTORCYCLE LICENSE

If you are under 19, to add a Class "M", "M2", or "M3" designation to your current driver's license, you must pass the required vision screening, motorcycle knowledge exam, motorcycle road skills test, and hold a motorcycle learner's permit for 9 months.

Instead of a Class M endorsement, students may pass the tests and meet the learner's permit holding period and obtain a driver's license that allows them to operate only a motorcycle. The motorcycle-only driver's license costs $3.40 per year and is valid for 5 years.

LICENSING FEES

- Driver’s License: $4 per year (an eight-year driver's license will cost $32.)
- Motorcycle Class M: $2 per year
- Combined learner's/driver's license: $3 plus $4 per year until renewal
- Duplicate license: $20
- Retesting fee (persons 18 years of age or older) $2 (if retaken within 15 days)

For additional information on fees, log onto: http://www.dmvnow.com/webdoc/pdf/dmv201.pdf

A copy of an individual’s driver or vehicle record is available online, at a DMV branch office, or by writing to DMV. The charge for the record is $8. If the record needs to be certified, an additional $5 fee is required. A 5-year history of the driving record is sent to an insurance company; a 7-year history is sent for employment purposes; and, if a reason is not specified, DMV will provide an 11-year driving history.

Individuals can report hazardous or impaired drivers to DMV. In accordance with Code Section § 46.2-322 and DMV's Medical Review Policy, DMV requires that persons who are reporting impaired drivers
- provide their name, address, and telephone number, so that a DMV representative may follow up if additional information is needed; and
- send a detailed written description of the hazardous or impaired driving to DMV Medical Review Services, Post Office Box 27412, Richmond, Virginia 23269-0001, or fax to (804) 367-1604.

Additional licensing and traffic safety information is available at: www.dmvnow.com.
JUVENILE LICENSING CEREMONY

Juvenile and Domestic Relations Court judges rarely have an opportunity to interact with teenagers in a positive setting. Usually, a teenager appears before the judge because he or she is accused of violating the law. The Juvenile Driver Licensing Ceremony required by Code of Virginia § 46.2-336 gives judges an opportunity to have a positive interaction with teenage drivers. While it is incumbent upon the judge during the ceremony to impress upon teenagers and their parents the responsibility that comes with a license to drive, this can be done in a manner that is serious, yet recognizes the excitement of this important milestone in our culture.

- Virginia Juvenile and Domestic Relations Court judges are nearly unanimous in their support of the Juvenile Driver Licensing Ceremony. Each judge brings his or her unique style to the licensing ceremony. The ceremonies vary, depending on the needs of the jurisdiction.

- The majority of courts average 100 or fewer people attending each licensing ceremony. The ceremonies are held as frequently as once a week to as infrequently as once every two months, depending on the needs of the locality. The majority of ceremonies are held in the courtroom. Half of the ceremonies take less than 30 minutes; the other half, 30 minutes to an hour.

- Some jurisdictions are unable to hold the ceremony in the courtroom due to the number of students who attend. The judges in these jurisdictions suggest that all typical courtroom procedures and decorum be followed.

- Due to heavy court dockets, parent schedules, and school schedules, there is no time of day that is convenient and agreeable to all parties involved in the ceremonies. Some ceremonies are conducted in the morning, others are held after school, and some are held in the evenings.

- Teens and their parents are required to dress in a manner that is appropriate to appearing in court. Observations of ceremonies across the Commonwealth indicate that attire varies from ceremony to ceremony. Some judges have deputies tell people to leave if they are inappropriately dressed. Some judges do not enforce the dress code indicated in the notice sent to the students prior to the ceremony.

- Most judges require the attendees to follow the normal rules of their courtroom, such as appropriate attire and not chewing gum. This adds to the seriousness of the responsibility the teen is being given.

- The juvenile court will send a letter with the information about the licensing ceremony to the student’s address listed for the learner’s permit. If the student cannot attend the ceremony, he/she must contact the court. The court will keep the student’s license for up to 6 months and then return it to DMV.