

§1256. Special restricted license

A person who is 15 years of age and who has successfully completed a driver education course and passed an examination for operation of a motor vehicle as provided in section 1301 may be issued a special restricted license based on educational, employment or medical need. [PL 2021, c. 216, §36 (AMD).]

1. Educational need. A person seeking to qualify for a special restricted license based on educational need must file an application. If the applicant qualifies under paragraph A, has held a permit for a period of 6 months and has completed a minimum of 70 hours of driving, including 10 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age, a special restricted license must be issued to the applicant.

A. An application must include:

- (1) A signed notarized statement from the applicant and the applicant's parent or guardian that:
 - (a) No readily available alternative means of transportation exists; and
 - (b) Use of a motor vehicle is necessary for transportation to and from a public secondary school, a private secondary school approved for attendance purposes by the Commissioner of Education or a career and technical education center or region that the applicant is attending;
- (2) A verification of school attendance; and
- (3) A statement by the principal of the school of the lack of a readily available alternative means of transportation. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF); PL 2003, c. 545, §5 (REV).]

B. A special restricted license issued pursuant to this subsection only authorizes the holder to operate a motor vehicle between the holder's residence and school unless accompanied by a licensed driver who meets the requirements of section 1304, subsection 1, paragraph E, subparagraphs (1) to (4). [PL 2013, c. 606, §2 (AMD).]
[PL 2021, c. 216, §36 (AMD).]

2. Employment need. A person seeking to qualify for a special restricted license based on employment need must file an application. If the applicant qualifies under paragraph A, has held a permit for a period of 6 months and has completed a minimum of 70 hours of driving, including 10 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age, a special restricted license must be issued to the applicant.

A. An application must include:

- (1) A signed, notarized statement from the applicant and the applicant's parent or guardian that:
 - (a) No readily available alternative means of transportation exists; and
 - (b) Use of a motor vehicle is necessary for transportation to, from or in connection with employment of the applicant; and
- (2) A verification of employment by the employer. [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. A special restricted license issued pursuant to this subsection only authorizes the holder to operate a motor vehicle between the holder's residence, school and place of employment and other places necessary in direct connection with that employment unless accompanied by a licensed driver who meets the requirements of section 1304, subsection 1, paragraph E, subparagraphs (1) to (4). [PL 2013, c. 606, §3 (AMD).]

[PL 2021, c. 216, §36 (AMD).]

2-A. Medical need. A person seeking to qualify for a special restricted license based on medical need must file an application. The Secretary of State may grant a person who is 15 years of age a special restricted license under circumstances of medical necessity that are experienced by the person or a member of the person's immediate family if the Secretary of State determines the circumstances to be exigent and not inconsistent with the interest of highway safety and if that person has held a permit for a period of 6 months and completed a minimum of 70 hours of driving, including 10 hours of night driving, while accompanied by a parent, guardian or licensed driver at least 20 years of age. The Secretary of State may reduce the required minimum hours of driving under this subsection if the secretary determines a reduction is not inconsistent with the interest of highway safety.

A. An application must include:

- (1) A signed, notarized statement from a physician attesting to the existence of circumstances of medical necessity; and
- (2) A signed, notarized statement from the applicant or the applicant's parent or guardian that:
 - (a) No readily available alternative means of transportation exists; and
 - (b) Use of a motor vehicle is necessary for transportation in connection with circumstances of medical necessity that are experienced by the person or a member of the person's immediate family. [PL 2013, c. 606, §4 (NEW).]

B. A special restricted license issued pursuant to this subsection only authorizes the holder to operate a motor vehicle between the holder's residence and school and locations necessitated by the circumstances of medical necessity unless accompanied by a licensed driver who meets the requirements of section 1304, subsection 1, paragraph E, subparagraphs (1) to (4). [PL 2013, c. 606, §4 (NEW).]

[PL 2021, c. 216, §36 (AMD).]

3. Suspension of provisional license. A special restricted license is a provisional license. Notwithstanding chapter 23, subchapter 3, article 2 and in addition to section 1302, subsection 2, the Secretary of State shall suspend a special restricted license when:

A. The holder is convicted of or adjudicated to have committed a violation of the license restriction or of a motor vehicle moving violation when holding a special restricted license. A person whose license is suspended pursuant to this paragraph is not entitled to another special restricted license; or [PL 1993, c. 683, Pt. A, §2 (NEW); PL 1993, c. 683, Pt. B, §5 (AFF).]

B. The Secretary of State receives written notice from the holder, parent, guardian, physician, principal or employer that the holder no longer qualifies for a special restricted license. [PL 2013, c. 606, §5 (AMD).]

[PL 2021, c. 216, §36 (AMD).]

4. Hearing.

[PL 2011, c. 654, §1 (RP).]

SECTION HISTORY

PL 1993, c. 683, §A2 (NEW). PL 1993, c. 683, §B5 (AFF). PL 1997, c. 737, §1 (AMD). PL 2001, c. 671, §§21,22 (AMD). PL 2003, c. 545, §5 (REV). PL 2011, c. 654, §1 (AMD). PL 2013, c. 606, §§1-5 (AMD). PL 2015, c. 473, §§12, 13 (AMD). PL 2021, c. 216, §36 (AMD).

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