



PROVISIONAL LICENSING LAW

The State of New Mexico adopted the "Provisional Licensing" program January 1, 2000. Provisional Licensing laws restrict driving privileges based on age and experience. As drivers mature, restrictions are removed. Individuals 15 through 17 years of age must adhere to a multiple stage method to receive a driver's license known as a Provisional Driver's Licensing system.

Provisional Licensing implements a system that allows an individual to begin application for a learner's permit or driver's license at age 15.

The Provisional Licensing program will be separated into three requirements to receive a driver's license.

LEVELS OF PROVISIONAL LICENSING:

Stage 1 - Learner's Permit

The student must hold a learner's permit for a minimum of six months.

Beginning at age fifteen, an individual may only receive a learner's permit if the individual is enrolled in and attending or has completed the McGinnis School of Driving™ Driver Education Program. The learner's permit allows the individual to drive with a licensed driver at least twenty-one years of age who has been licensed for at least three years in any state. The learner's permit will be issued for a period of four years.

Students under age 18 MUST hold the permit for a minimum of 6 months and complete the course requirements within one year of attending class. During this period, the individual must have completed a driver education course, i.e. "McGinnis," with 30 hours of classroom instruction and 7 hours of driving time.

A parent or guardian will certify that they have driven with the new driver for a minimum of 50 hours: a minimum of 40 hours of daytime driving, a minimum of 10 hours of night time driving and remain traffic violation and citation free. Any citation or violation recorded on the permit will extend the time the permit must be held by 30 days for each citation/violation.

The total of 50 hours may be done with an approved Driver Education Instructor, a person over the age of 21 who has been licensed for at least 3 years, or a combination of both. A driving log must be kept by the student. The parent or guardian will certify the driving log as true and correct upon application for Stage 2.(Provisional License)

Stage 2 - Provisional License

Beginning at age fifteen and six months, an individual may receive a provisional license if the individual has completed a driver education course "McGinnis". The individual must have also completed a practice driving component, verified by a parent or guardian, that consists of a minimum of 50 hours of actual driving. Ten hours of which must be night driving. The individual must have not have any citations or violations recorded against their Learner's Permit. The individual must have held a learner's permit for a minimum of six months. If the individual meets these requirements and is issued a provisional license, the individual must adhere to the following restrictions:

- May not be accompanied by more than one passenger under the age of twenty-one who is not a member of the licensee's immediate family.
- May not operate a motor vehicle on the public roadways between the hours of 12:00 a.m. (midnight) and 5:00 a.m.
- The provisional license will be issued for a minimum of one year. The individual must remain violation free. Any citation or violation recorded against the Provisional Driver's License will add 30 days per violation to the length of time the individual must hold the Provisional Driver's License. The individual may then apply for a fully unrestricted driver's license.

Stage 3 - Driver's License

Beginning at age 16 and 6 months, an individual may receive an unrestricted driver's license if the individual has had a provisional license for the twelve-month period immediately preceding the date of application for the driver's license. The individual also must not have any citations or violations prior to application. Also, the individual cannot have been cited for a traffic citation or DWI that is pending at the time of application.