New Laws Affect Teens' Driving Status

New laws that recently were enacted by the West Virginia Legislature will affect how teens prepare, acquire, and maintain their driving status prior to the age of 18. Pendleton County Board of Education Policy S.6.19 - *School Attendance and Satisfactory Academic Progress as Conditions of Licensing for Privilege of Operation of Motor Vehicle* and *West Virginia Code 17B-2-3 and 172-5* further explain the provisions in detail.

Through this article, I hope to give a "thumbnail" explanation to the provisions and how the changes may affect those currently driving as well as those who hope to gain this privilege in the future.

Simply put, students must attend school on a regular basis, display a high level of personal behavior, and maintain adequate academic progress.

Let's talk about the steps mentioned above. Our school system shall deny or revoke a Driver's Eligibility Certificate for any student at least 15 but less than 18 who:

- Misses more than 10 consecutive or 15 total days unexcused absences during the school year or:
- Is suspended pursuant to WV Code 18A-5-1a and 18A-5-16 which includes the following behaviors when committed on the premises of an educational facility, at school sponsored functions, or a school bus -
  - √ Assault and/or battery on school employees;
  - √ Possessing deadly weapons;
  - √ Sale of a narcotic drug
  - √ Committing an act or engaging in conduct that would be considered a felony under WV Code if committed by an adult; and
  - √ Unlawfully possessing a controlled substance governed by the uniform controlled substances act as described in WV Code 60A-1-1 et seq.

- Satisfactory academic progress means attaining and maintaining the grades sufficient to allow graduation and course work in an amount sufficient to allow graduation in five years or by age 19, whichever is greater. Furthermore:
  - √ A student must earn a minimum of five credits each year at allow graduation in five years based upon graduation requirements set forth WV Board of Education Policy 2510. and;
  - √ Three of the five credits earned annually must be from the core requirements identified in Policy 2510.

Additionally, new guidelines have also been enacted with the passage of Senate Bill 398 regarding teen drivers and how they can legally operate and drive vehicles. Graduated Driver's License (GDL) maintains the following:

- Level 2 (intermediate) drivers may only drive unsupervised between the hours of 5:00 am and 10:00 pm. A driver over the age of 21 would satisfy this requirement outside the hours mentioned;
- Level 2 (intermediate) drivers may not have any unrelated passengers under the age of 20 for the first six months after they pass the Road skills test and are limited to only one unrelated passenger under the age of 20 for the next sixth months;
- Use of cell phones, either by calling, texting, any use of the phone, is now a primary offense for Level 1 and 2 drivers. This means you may be stopped by law enforcement officials for using the cell device while operating a vehicle.

- You now must have 50 hours of certified driving experiences, of which 10 hours are night driving, before taking the Road Skills Test. Successful completion of this test moves a beginning driver from Level 1 to Level 2

Under the new law, our school system has an obligation to identify and report to the West Virginia Department of Motor Vehicles any students who do not meet the requirements set forth by the above WV Codes and county policy.

Please be aware of the above mentioned requirements and pay heed to the rules. Stay off the phone while driving, work hard to keep and maintain your academic progress toward graduation, and attend school faithfully. I also would like to add the two traffic convictions will take you out from behind the wheel until you reach the age of 18.

It is your choice - choose wisely and safely.

If you have any questions regarding this notice, please feel free to contact my office.

Thank you,

Douglas S. Lambert, Superintendent

Pendleton County Schools