Fast Facts 19

Provisional Licensing

STATE OF CALIFORNIA
DMV
Department of Motor Vehicles

Instruction Permit Requirements

To decrease motor vehicle collisions involving teens, a special "provisional" driver license (DL) and instruction permit are issued to minors. A minor is a person under 18 years old. To obtain a provisional instruction permit, you must:

- Be at least 15 1/2 years old.
- Complete the Driver License & ID Card application (eDL44/DL 44) form. Have your parents or guardians sign the application.
  - — If both parents or guardians have custody, both **must** sign.
  - — Parents and legal guardians can sign the eDL44 electronically.
- Present an acceptable identity document.
- Provide your SSN, if eligible. It will be verified with the Social Security Administration while you are in the office.
- Present your acceptable residency document(s) unless you have previously been issued a California identification (ID) card. For a list of acceptable identity documents, visit **dmv.ca.gov**.

NOTE: If you apply for a REAL ID Compliant instruction permit, you **must** present proof of your identity, SSN (if eligible), and 2 forms of acceptable California residency documents from the list of acceptable REAL ID document options visit **dmv.ca.gov** for additional information.

- Pay a nonrefundable application fee.
- Pass a vision exam.
- Have your photograph taken.
- Give a fingerprint.
- Pass a knowledge test.
  - — To pass the knowledge test, you may miss no more than 8 questions.
  - — If you fail the knowledge test, you must wait 7 days, not including the day the test was failed, before retaking the test.
- Provide a certificate of completion of driver education or enrollment in an integrated driver education/driver training program issued by the school providing the instruction. If your driver education/driver training courses were taken in a state other than California, DMV may accept a To Secondary Schools Other Than California Schools (DL 33) form completed by the out-of-state school. You may obtain a DL 33 at your local DMV field office, or by calling 1-800-777-0133.

EXCEPTION: If you are at **least** 17½ years old, you may obtain an instruction permit without completing driver education or driver training. However, to get a DL, you must provide proof that you have completed driver education **and** driver training **or** wait until you are 18 years old

Instruction Permit Restrictions

Your instruction permit is not valid until you begin driver training; your instructor will sign the permit to validate it. You may use your instruction permit to practice with a licensed:

- Parent or guardian.
- California driver 25 years old or older.
- Certified driving instructor.

NOTE: The person must have a valid DL in their possession and be positioned to allow them to take control of the vehicle, if needed.

An instruction permit does not allow you to drive alone at any time—**not** even to a DMV office to take the driving test.

DL Requirements

To obtain a DL, you must:

- Be at least 16 years old.
- Pay a nonrefundable application fee.

NOTE: The fee is good for 12 months (1 year). If all requirements are not met within the 12 months, the application is no longer valid and you must reapply.

- Have held your instruction permit (in California or another state) for at least 6 months.
- Provide proof of completion of driver education and driver training.

- Provide parent(s) or guardian(s) and instructor(s) signature(s) on your instruction permit to verify that you completed 50 hours of driving practice (10 hours must be night driving). Refer to the *Parent-Teen Training Guide* (DL 603), available at any DMV office or at **dmv.ca.gov**, for more information.
- Schedule a driving test online at **dmv.ca.gov** or by calling 1-800-777-0133 during normal business hours.
- Pass the driving test.
  - If you fail, you must wait 14 days (2 weeks), not including the day the test was failed, before taking the driving test again and pay a retest fee for each subsequent driving test.

NOTE: If you fail the drive test 3 times, you will be required to reapply and pay all applicable fees.

DL Restrictions

During the **first 12 months**, you cannot:

- Drive between 11 p.m. and 5 a.m.
- Transport passengers under 20 years old unless accompanied by a California licensed:
  - Parent or guardian.
  - California driver 25 years old or older.
  - Certified driving instructor.

NOTE: Local laws may further restrict or prohibit driving during specified hours.

It is against the law for drivers under 18 years old to use a cellphone or other wireless electronic communication device while driving, including a hands-free device, unless making a call for emergency services or on private property.

Exceptions to Restrictions

When reasonable transportation is **not** available and it is necessary for you to drive, the law grants the following exceptions for minors to drive between 11 p.m. and 5 a.m. **or** transport an immediate family member unaccompanied and unsupervised. The law requires that you **must** carry a signed note explaining why you must drive and when the necessity will end.

- **Medical necessity**
  - The note must be signed by your physician and include a diagnosis and probable date of recovery that will end your need to drive.
- **School or school-authorized activities**
  - The note must be signed by your school principal, dean, or designee, and include a reason for the school or school-authorized activity and probable date when the activity will end.
- **Employment necessity**
  - The note **must** be signed by your employer and indicate employment necessity and the need to operate a vehicle as part of your employment.
- **Immediate need of family member**
  - The note must be signed by your parent or guardian, and include the reason and probable date the necessity will end.
- **Emancipated minor**
  - No documentation is needed for this exemption. However, when you applied for your instruction permit, you must have declared yourself emancipated by completing a Transmittal Form (DL 11) and providing a California Insurance Proof Certificate (SR 22/SR 1P) in lieu of your parent or guardian signatures. Emancipated minors are not exempt from the integrated driver education and driver training program requirements.

Minors With an Out-of-State DL

The driving test for an out-of-state DL holder is normally waived. However, DMV may require a driving test for any type of DL application. A minor who surrenders an out-of-state DL to apply for an original California DL is subject to all restrictions/requirements per California law. Proof of driver education and driver training may be required.

Provisional DL Sanctions

You will be restricted for 30 days if you have a violation point count on your driver record of 2 or more points within 12 months.

You will receive a 6-month suspension **and** 1-year probation if you have a violation point count on your driver record of 3 or more points within 12 months.

NOTE: A provisional DL holder who receives additional violation points during their suspension/probationary period may receive a subsequent DL suspension. You must serve the full term of any probation, restriction, or suspension even if you turn 18 years old before the probation, restriction, or suspension ends.