



Southwestern Insurance Information Service

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# FACT SHEET

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## TEXAS GRADUATED DRIVER LICENSE PROGRAM

The Texas Graduated Driver License (GDL) Program was implemented as a result of Senate Bill 577. This law changed original licensing requirements for persons under age 18. GDL creates two phases of driving requirements for minors. The effective date of the law was January 1, 2002. Basic requirements for obtaining a license have not changed.

A person under age 18 must show proof of driver education, verification of current enrollment and attendance in school (or high school graduation or GED), proof of social security number, as well as proof of identification.  
**TRC 521.204, 521.222 and 545.424**

### Phase One

Applicants under age 18 must hold an instruction permit or hardship license for a minimum of six months prior to issuance of a provisional Class A, B, or C driver license. In addition, the minimum age of the person who must accompany any instruction permit holder during the operation of the vehicle is 21 years of age. Except for hardship licenses, a minor is not eligible to graduate to Phase Two (provisional license) for a Class A, B, or C driver license until they have completed this phase and met all other current licensing and age requirements.

Under the GDL program, there is no minimum time that a person must hold a restricted motorcycle or moped license before they can apply for a Class M license. Phase One does not apply to Class M or Hardship license holders.

The instruction permit must remain valid during the mandatory six-month period to meet this regulation. If an instruction permit is suspended/revoked during this period, upon the completion of the suspension period, the remaining six-month period must be completed to meet the GDL Phase One requirement.

*For Additional Information:*

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House Bill 1032 passed during the 78th Legislative Session, extended the expiration date of instruction permits. Effective January 26, 2004, the expiration date for instruction permits is computed to the second birth date from the date of application.

Once the applicant has held a valid instruction permit or hardship license for a minimum of six months, has reached the age of 16 for a Class C license (17 years of age for a Class A or B non-CDL), and has completed both the classroom and laboratory (driving) portions of driver education, they are eligible to "graduate" to Phase Two.

## **Phase Two**

Phase Two restricts the driving privileges of persons under 18 years of age during the six-month period following the issuance of an original Class A, B, or C driver license (Provisional License). These persons may not operate a motor vehicle with more than one passenger in the vehicle under the age of 21 who is not a family member. In addition, they may not operate a motor vehicle between midnight and 5:00 a.m. unless the operation of the vehicle is necessary for the operator to attend or participate in employment or a school-related activity or because of a medical emergency.

Under Phase Two, a person under 17 years of age who holds a restricted motorcycle license or moped license, during the six-month period following the issuance of an original motorcycle license or moped license, may not operate a motorcycle or moped between midnight and 5:00 a.m. unless the person is in sight of the person's parent or guardian or the operation of the vehicle is necessary for the operator to attend or participate in employment or a school-related activity or because of a medical emergency.

The license restriction will state, "TRC 545.424 applies until MM DD YY" and will indicate the date in which the second phase of the graduated driver license expires for the person who holds that license. Upon completion of the six-month period, the above time and/or passenger restrictions no longer apply. The licensee may wish to apply for a duplicate license at a driver license office to remove this restriction. A fee is required to obtain a duplicate license. If not, this restriction will be removed at the time the applicant renews the license on their next birthday, provided the Phase Two six-month time has lapsed.

## **Provisional Driver License**

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All original licenses, other than an instruction permit, issued to persons under 18 years of age will be marked "Provisional." The license will be vertical and will be dated to expire on the applicant's 18th birthday or next birthday occurring after the date of issuance. A fee is required to obtain this license. The renewal fee is required for each one year of renewal period. No renewal notice will be sent as it is the responsibility of the applicant to obtain a verification of enrollment and attendance from their school. If the instruction permit or driver license is not due for renewal, a fee is required for a duplicate instruction permit or duplicate license (i.e.: lost license, change of address, removal of GDL restrictions).

## **Transferring License from Out-of-State**

Applicants under the age of 18 applying for a first-time Texas driver license and presenting either a valid out-of-state instruction permit or driver license must present proof of completion of driver education and verification of current enrollment and attendance in school (or high school diploma or GED), proof of identity, proof of social security number, and proof of liability and Texas registration if they own a motor vehicle for which proof of financial responsibility is required.

If the person has not graduated from high school or obtained their GED, verification of attendance in a school out-of-state may be shown by presenting a letter from the school principal on school stationery or letterhead stating that the student attended school and met the minimum attendance for class credit (at least 80 days) in each class they were enrolled in the fall or spring semester immediately preceding the current semester and were currently enrolled until transfer to Texas. They must also be currently enrolled in school.

If an applicant is currently enrolled in school in Texas, the Texas school may certify to the current enrollment. The Texas school may also certify to the attendance, provided they have a record from the applicant's previous school that reflects that the person attended the minimum required days in the previous fall or spring semester.

Applicants 15 years of age presenting an out-of-state instruction permit will be issued a Texas instruction permit which must be held for six months from the date of issuance before becoming eligible for Phase Two.

Applicants at least 16 years of age and less than 18 years of age who present a valid out-of-state instruction permit or out-of-state driver license and proof of completion of a driver education course will be issued a Phase

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Two provisional GDL with passenger and time restrictions for the first six months of operation of a motor vehicle in Texas.

There are forty-six states and District of Columbia which have some form of graduated driver license system enacted.

**Source: Texas Department of Public Safety**

*Available on the web at: [www.siisinfo.org](http://www.siisinfo.org)*

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