

68369

333 West Colfax
Denver, Colorado 80204
(303) 825-1776

LEGISLATIVE TECHNICAL ASSISTANCE IN JUVENILE JUSTICE

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TRAFFIC PROCEDURES FOR JUVENILES

This report compares the policies and practices of the 50 states in allowing juveniles to operate motor vehicles. There are two areas of primary concern: first, the court of jurisdiction and penalties assessed when a juveniles with a valid drivers license commits a traffic offense; and second, the requirements and restrictions on a juvenile's ability to get a learners permit followed by a drivers license. In the first area emphasis has been placed on the similarities to and differences from judicial treatment accorded adults.

General Overview of Juveniles' Acquisition of Adult Rights and Responsibilities

Minors are deprived of many of the rights and privileges and not held accountable for many of the responsibilities of adults. Driving a car, entering a binding contract, living independently of a legal guardian, getting married without parental consent, leaving school and being employed without parental consent are rights and responsibilities usually associated with adulthood. Minors acquire these rights and responsibilities gradually. In New York, for example, an individual can leave home at 16, be convicted of a crime as an adult at 16, get an unrestricted license at 17, purchase beer at 18 and yet still be entitled to financial support from his/her parents until age 21. Despite the trend within states to create a general age of majority for acquisition of adult rights and responsibilities, there still exists some differentiation as to when an individual becomes an adult depending upon the particular right or responsibility involved.

One of the earliest adult activities available to minors is driving a motor vehicle. Every state allows individuals to drive prior to the general age of majority which is usually 18. In all but three states, Connecticut, New York, and North Carolina, an individual can obtain a drivers license prior to reaching the age of criminal responsibility, defined as the age at which an individual alleged to have committed a crime would be brought into adult criminal court to stand trial rather than be processed in the juvenile justice system.

The implication for the other 47 states, barring legislation exempting

juveniles who commit infractions from the jurisdiction of the juvenile court, is that juveniles enjoy the adult privilege of driving without having to assume the responsibilities of driving and suffer the penalties for violations as do adult drivers. The situation is not as one-sided as suggested above. Every state has some restrictions on learners permits and drivers licenses. Most states have developed alternate systems which impose some adult responsibility on juvenile traffic offenders while still considering them juveniles for most other aspects of the law.

Other Sources

The National Committee on Uniform Traffic Laws and Ordinances has issued two reports which concern drivers licenses. The article, "State Laws and Probationary Licensing and Licensing of Minors," 8 Traffic Laws Commentary No. 3 (May 1979), provides the most complete description of licensing practices for new drivers across the 50 states. A general compilation of motor vehicle laws can be found in Drivers Licensing Laws Annotated, National Committee on Uniform Traffic Laws and Ordinances (1973, Supp. 1978). Information on the court having jurisdiction over juvenile traffic offenses is outlined in the Uniform Juvenile Court Act §44. Processing Juvenile Traffic Cases in Ventura County, published by the National Center for State Courts in April 1975, summarizes the rationales for hearing juvenile traffic cases in juvenile or adult court.

Methodology

Various sources contributed to the information contained in this report. Telephone contacts with legislative committee staff assigned to juvenile justice issues were a prime source. Commissioners, legal counsels or other knowledgeable individuals working for each state's motor vehicle authority or similar agency were also contacted. In some states, staff to the courts believed to have jurisdiction over traffic offenses provided information. Relevant statutes were also researched to clarify information received.

The decision to utilize a chart as the primary vehicle for presentation of information allows for comparisons across the states. It also permits an adequate description of each state's general approach to juveniles' use of motor vehicles. The degree of variation among the states is so great that devising a chart to include every aspect of any state's policy on juveniles driving motor vehicles would be difficult. We have therefore limited ourselves to general characteristics of a state's policy governing juveniles learning to drive, obtaining a license, and having to answer for traffic infractions.

To understand the chart fully, some of the terms are defined as follows: "General juvenile jurisdiction" refers to the age below which an individual is still considered a juvenile and would be sent to juvenile rather than criminal court. "Juvenile court" refers to the court having juvenile jurisdiction within the state, not necessarily to a separate juvenile court. For example, in Colorado, the district court which handles adult criminal cases is also the court of juvenile jurisdiction, except in Denver County where a separate juvenile court does exist. While the same district court judge might preside over juvenile and adult cases, the procedures utilized would be very different depending upon whether the case is considered a juvenile or criminal matter.

Court Having Jurisdiction Over Juvenile Traffic Infractions

Extensive debate has taken place on which court should have jurisdiction over juvenile traffic cases. A frequent argument for placing these cases in the same court which handles adult traffic matters is that if an individual is mature enough to be given the responsibility to drive, he or she ought to be required to bear the consequences for misuse of that responsibility. Those in favor of juvenile court jurisdiction over juvenile traffic cases argue that judges in juvenile court are more knowledgeable about juveniles and have more options at their disposal than do adult traffic court judges. The Uniform Juvenile Court Act §44 recommends that all but parking ticket cases be handled by the juvenile court, although not as a delinquency matter.

The debate over which court has jurisdiction over these matters occurs most frequently in those states where the juvenile court has jurisdiction. Arizona and Missouri have considered transferring these cases to adult court. Virginia transferred juvenile traffic cases to the adult court in the mid-1970's and has just recently enacted legislation to return jurisdiction to the juvenile court. The issue of whether the adult court treats juvenile traffic offenders severely enough has arisen in Florida, although definitive legislative action has not yet taken place.

Thirty-four states give the court which handles adult traffic infractions jurisdiction over the majority of juvenile traffic cases. In 10 states, jurisdiction remains with the juvenile court. In addition, California has established a separate juvenile traffic court. In five other states (Georgia, Louisiana, Massachusetts, Michigan, South Dakota), the law has either a mixed system or one which is unclear.

In the 34 states giving an adult court authority over juvenile traffic cases, the juvenile court usually retains jurisdiction over those traffic-related infractions which are considered crimes in the penal code. The most common traffic-related crimes are driving while intoxicated (DWI), reckless driving, leaving the scene of an accident, and negligent homicide. In these states, juveniles are subject to the same dispositions as adults, including fines but prohibiting imprisonment. Offenses resulting in suspension or revocation of a drivers license are more numerous for a juvenile than for an adult.

There is less consistency in practices in the 10 states where the juvenile court retains jurisdiction over juvenile traffic offenders. In some states the case is treated as a delinquency matter with normal dispositions available in sentencing. Because fines are frequently excluded from alternatives available to the juvenile court in delinquency cases, juveniles in these states are not subject to the most common sentence meted out to adult traffic offenders. In other states, however, the statutes permit the juvenile court to process juvenile traffic offenders separately from delinquency matters and utilize all adult sentences, including fines, but excluding imprisonment.

California's legislature has established a separate juvenile traffic court. Each county has designated this court to be part of either the probation department or the Superior Court, which is the court with juvenile jurisdiction. The traffic hearing officers who preside in this court are either current or past probation officers. The court is authorized to hear both violations and misdemeanors. Options available to the court include reprimand, suspension/revocation of license for 30 days, payment of a \$50 fine for each offense plus \$15 to the driver training assessment fund, driver training school, supervision for 6 months by probation department, filing a

delinquency petition in juvenile court, and requiring 25 hours of community service during a 30 day period in a public park or recreational facility. Community service must be approved by the juvenile court judge. All other orders can be appealed to the juvenile court.

Georgia's statutes clearly state that traffic infractions committed by 15-year-olds are within juvenile court jurisdiction while 17-year-olds are handled in adult court. The law is silent on which court has jurisdiction over 16-year-olds. In practice, these cases usually go to the adult court.

Louisiana has a mixed system. The adult court in most counties hears juvenile traffic violations. In the more populous counties, a juvenile traffic referee has been designated to hear these cases.

Statutes pertaining to court jurisdiction over juvenile traffic offenders in Michigan, Massachusetts, and South Dakota appear to be ambiguous and/or conflicting. In Michigan, the juvenile court seems to hear a majority of these cases. In South Dakota either the magistrate or the circuit court judge sitting as the juvenile judge hears juvenile traffic infractions. Ambiguity results from the law's failure to define a particular infraction as a traffic offense or an act of delinquency.

Traffic-related crimes are subject to the same waiver procedures as other crimes. The reader is advised to consult state statutes to determine which, if any, traffic-related crimes are subject to waiver.

Learners Permits

Every state allows minors to obtain a learners or instruction permit. The purpose of this permit is to allow a minor to practice driving, subject to certain conditions. In most states the individual must pass a written examination to demonstrate familiarity with the rules of the road in order to obtain this a permit.

The age at which a learners permit can be obtained varies from state to state. Montana allows 13-year-olds to drive in a restricted area with an instructor. This is the earliest age in the nation at which a minor can legally drive. Twenty-eight states issue permits during the individual's fifteenth year. Enrollment in a driver education course often enables an individual to be given early consideration for a permit.

Use of the permit requires that a driver licensed in that state sit next to the learner in the car at all times. There is wide variation, however, as to the particular qualifications of the licensed driver. In 20 states any person, even a 16-year-old, with a valid drivers license can legally take an individual with a learner's permit practice driving. In Alabama a 15-year-old with a learners permit can operate a car with a 16-year-old friend who has a valid drivers license. In eight states a minor can drive only with a parent or, as in New York, with an individual who is in loco parentis (in the place of the parent) to the minor. A separate and/or additional requirement of the licensed driver accompanying a learner in twelve states is that the licensed driver have a specified number of years driving experience. In all but four of these 12 states, the requirement is one year.

Drivers Licenses

At what age an individual can obtain a drivers license depends on various

circumstances. Sixteen is the age at which forty-one states allow minors to obtain drivers licenses. In 18 states minors can receive their drivers licenses earlier if they have completed a driver education program.

Eleven states permit a minor to obtain a hardship license at an earlier age than is normally allowed. These licenses are usually valid only for specified purposes. In Oregon a hardship license can be obtained at 14, two years earlier than normal, but only to drive to school. Hardship licenses can also be issued to enable minors to drive to work, church, or the grocery store, or to assist their family during times of economic need or ill health of a family member. Other states which issue hardship licenses are Alaska, Kansas, Michigan, Nebraska, Ohio, South Dakota, Tennessee and Texas.

Several states also have provisions for issuing a restricted license. The basic difference between a hardship and a restricted license is that the former is usually issued to assist a minor during a particular need. The latter limits the time or location in which the minor may operate a motor vehicle. The eight states providing restricted licenses are Idaho, Illinois, Louisiana, Maryland, Massachusetts, New York, Pennsylvania, and South Carolina. In Idaho, a license issued to a 14-year-old is valid only during daylight hours. Similarly, the 16-year-old who gets a restricted license in Illinois cannot drive after curfew. New York prohibits 16-year-olds from driving between 9 p.m. and 5 a.m. unless accompanied by an adult or a person who is in loco parentis. Restricted licenses are not valid in New York City and Nassau County. Other states prohibit minors with restricted licenses from driving during specific nighttime hours either totally or unless accompanied by an adult or parent. In Pennsylvania a minor with a restricted license is prohibited from driving between midnight and 6 a.m. unless accompanied by a parent. This license is known as a 'cinderella license.'

As minors are still under the care and supervision of their parents, parents are often required to sign a consent form permitting their child to drive. Parental consent usually implies a legal obligation of joint financial liability for the minor's driving activities. In the twelve states requiring such consent, there is the corollary ability on the parent's part to notify the Department of Motor Vehicles of withdrawal of such consent without giving a reason. This action invalidates the child's license and frees the parent from liability if the minor operates a motor vehicle without a license.

DEFINITIONS OF TERMS USED IN CHART

w/	with
w/o	without
lic. dr.	a driver licensed in that particular state
dr. ed.	driver education course in school or one approved by the state
instr.	driving instructor in a school driver education course or an approved driving school
exp.	experience
Gen. Juv. Jur.	General Juvenile Jurisdiction. This refers to the age below which an individual is still considered a juvenile if he or she commits a criminal act.
Juvenile Court	court of juvenile jurisdiction, not necessarily a separate juvenile court

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State	Gen. Juv. Jur.	Age and other restrictions related to a learners permit	Age and other restrictions related to a drivers license	Court with jurisdiction over juvenile traffic offenses and sanctions	Exceptions
ALABAMA	18	15 - w/parent or instr. 16 - w/lic.dr. any age	16	Adult Court - Municipal Court Same options, except for imprisonment	Traffic-related offenses in the penal code handled by juvenile court as a delinquency matter
ALASKA	18	14 - w/lic.dr. over 19 w/1 year experience parental consent	14 - Hardship license 16 - Parental consent	Adult Court - District Court Same options, except for imprisonment	Traffic-related offenses in the penal code handled by juvenile court as a delinquency matter
ARIZONA	18	15 - w/dr.ed. w/instr. 15yr.7mo. - w/lic.dr. an a e	16	Juvenile Court	
ARKANSAS	18	14 - w/lic.dr. over 18	16	Adult Court - Municipal Court for minor offenses - Serious offenses heard in circuit court	
CALIFORNIA	18	15 - enrolled in a dr.ed. can get permit but only valid when behind-the-wheel training starts	16 - w/dr.ed. completed	Special Juvenile Traffic Courts Options - reprimand, fines, 6mos. probation, driving school, community service of 25hrs. in a 30 day period (must be approved by juvenile court judge), file delinquency petition	Traffic-related felonies handled by juvenile court as a delinquency matter
COLORADO	18	15yr.9mo. - parental consent w/lic.dr. over 21	16 - minor's license 18 - provisional license 21 - adult license issued	Adult Court - Municipal or County Court Same options, except for imprisonment - Juveniles subject to stricter sentences - easier suspension based on differential point system	Traffic-related offenses in the penal code handled by juvenile court as a delinquency matter
CONNECTICUT	16	16 - w/lic.dr. over 18 w/2years experience	16	Adult Court - 16yr. olds are considered adults for all legal infractions and crimes - Penalties for drivers under 18 are stricter - automatic revocation if convicted of DWI, speeding reckless driving, racing, leaving the scene of an accident, or causing an accident resulting in death	NONE

State	Gen. Juv. Jur.	Age and other restrictions related to a learners permit	Age and other restrictions related to a drivers license	Court with jurisdiction over juvenile traffic offenses and sanctions	Exceptions
DELAWARE	18	15 - enrolled in State run dr.ed. w/dr.instr. 15yr10mo - w/completion of dr.ed. can drive w/parent	16 - w/dr.ed. parental consent	Adult Court. Same Options, except for imprisonment	Traffic-related felonies go directly to juvenile court. Failure to pay fines levied in adult court are sent to juvenile court. Driving with a suspended license, DWI, reckless driving, failure to obey a police officer, failure to report an accident, and other offenses specified in 10§927 are handled in juvenile court.
FLORIDA	18	15 - w/lic.dr. any age for day driving, 21 for night	16	Adult Court - County Court Same options, except for imprisonment	Traffic-related felonies and fleeing a police officer's order, leaving the scene of an accident, DWI, and driving with a suspended or revoked license are handled in juvenile court. Receiving 2 violations within a 6mo period <u>can</u> result in the case being transferred to juvenile court.
GEORGIA	17	15 - w/lic.dr. any age	16 - probationary lic. until 17	Law is unclear - 15yr olds go to juvenile court, 17yr olds go to adult court, 16yr old case ambiguous - in practice usually go to adult court	More serious traffic offenses and traffic-related felonies are handled in juvenile court as a delinquency matter.
HAWAII	18	15 - w/lic.dr. any age parental consent	15 - special lic. available w/parental consent 17 - regular lic.	Juvenile Court - Options the same except lic. can be revoked or suspended for one conviction	Any traffic-related case can be waived to adult court, but is still considered non-criminal in nature.
IDAHO	18	14 - w/dr.ed. w/lic.dr. any age	14 - day lic. w/dr.ed. completed (exemption for night if needed for work) 16 - regular day/night lic.	Adult Court - Magistrates Court, branch of District Court. Same options but stricter sentences - juvenile can have lic. revoked or suspended for <u>any</u> conviction.	Traffic-related felonies handled in juvenile court as a delinquency matter. Fourth violation of DWI, reckless driving, and/or driving with a revoked lic. can be transferred to juvenile court.

State	Gen. Juv. Jur.	Age and other restrictions related to a learners permit	Age and other restrictions related to a drivers license	Court with jurisdiction over juvenile traffic offenses and sanctions	Exceptions
ILLINOIS	17	15 - w/parent or dr. instr.	16 - w/dr.ed. can not drive after curfew 18 - w/o dr.ed.	Adult Court - Same options except for imprisonment	Traffic-related offenses in penal code handled by juvenile court as a delinquency matter.
INDIANA	18	15 - w/dr.instr. - w/completion of dr.ed. w/lic.dr. over 18 16 - w/lic. dr. over 18	16yr.lmo. - w/dr.ed. completed 16yr.6mo. - w/o dr.ed. Must have permit for at least 60 days Both lic. w/parental consent	Adult Court - Either Municipal Court or traffic part of County Court. Same options, but stricter sentences. Administrative hearing to decide if lic. suspended when adult has 10pts., when juvenile has 8pts.	When imprisonment is contemplated case will be transferred to juvenile court and handled as a delinquency matter.
IOWA	18	14-16 - w/parent or lic.dr. over 25 who has approval of parents	16 - w/completed dr.ed. 18 - w/o dr.ed. 16-18 - out of school youth can get lic. w/o dr.ed.	Adult Court. Same options, except for imprisonment. For minors 1 moving violation mandatory revocation of lic.	Traffic-related offenses in penal code handled by juvenile court as a delinquency matter.
KANSAS	18	14 - w/lic.dr. over 18 w/1 yr. exp. parental consent w/dr.ed. 16 - w/lic.dr. any age	14 - w/parental consent for school or work 16 - regular lic.	Adult Court - District Court Same options, except for imprisonment	Traffic-related offenses in penal code handled by juvenile court as a delinquency matter.
KENTUCKY	18	16 - w/lic.dr. any age	16	Adult Court - District Court Same options, except for imprisonment	Traffic-related felonies go directly to juvenile court
LOUISIANA	17	14 - w/dr.ed. w/instr. 15 - w/lic.dr. any age, no one else allowed in car	15 - w/parental consent restricted lic. Under 17 not permitted to drive 11p.m. to 5a.m.	Adult Court - Traffic Court Same options, except for imprisonment	In populous counties, juvenile traffic referee hears all juvenile traffic cases. Traffic-related offenses in penal code handled by juvenile court as a delinquency matter.
MAINE	18	15 - w/lic.dr. over 18 w/lyr. exp.	15 - w/dr.ed. 17 - w/o dr.ed.	Adult Court - District Court Same options, except for imprisonment. Stricter sentences - one traffic violation results in loss of lic.	Traffic-related felonies usually go to juvenile court

State	Gen. Juv. Jur.	Age and other restrictions related to a learners permit	Age and other restrictions related to a drivers license	Court with jurisdiction over juvenile traffic offenses and sanctions	Exceptions
MARYLAND	18	15yr.9mo. - w/lic.dr. over 21	16 - restricted lic. Until 18 must have lic.dr. over 21 in car from 1a.m. to 6a.m.	Adult Court - Traffic part of District Court. Same options, except for imprisonment. Subject to stricter sentences - one conviction subjects juvenile driver to driver training program and, if not completed, to possible suspension of lic.	Traffic-related offenses in penal code handled by juvenile court as a delinquency matter. Adult and juvenile court have concurrent jurisdiction over a juvenile with 2 violations arising from one incident.
MASSACHUSETTS	17	16 - w/lic.dr. over 18 prohibited from driving between 12 midnight and 5a.m.	16yr.6mo. - restricted lic. Until 18 must have parent in car from 1a.m. to 5a.m.	No uniform rules - case could go to adult or juvenile court. Same options as available to adult court.	
MICHIGAN	18	15 - w/parent or lic.dr. over 18	14 - restricted lic. for economic need or ill health in family 16 - w/dr.ed. 16 - w/o dr.ed. restricted lic. available	Conflicted state statutes make court of jurisdiction unclear. In practice juvenile court handles many of the cases. Juveniles subject to stricter sentences - court may restrict juveniles' driving privileges.	
MINNESOTA	18	15 - w/lic.dr. any age	16	Juvenile Court - Same options as available in adult court <u>plus</u> suspension of license.	
MISSISSIPPI	18	14yr.6mo. - w/dr.ed. 15 - w/o dr.ed. w/lic.dr. any age-Must have permit 30 days prior to taking road test for drivers lic.	15	Adult Court - Magistrates or Justice of the Peace. Same options, except for imprisonment	Traffic-related offenses in the penal code handled by juvenile court as a delinquency matter.

State	Gen. Juv. Jur.	Age and other restrictions related to a learners permit	Age and other restrictions related to a drivers license	Court with jurisdiction over juvenile traffic offenses and sanctions	Exceptions
MISSOURI	17	15 - w/dr.ed. w/lic.dr. any age 16 - w/o dr.ed. w/lic.dr. any age	16	Juvenile Court - normal juvenile dispositions. Recent legislation requires court to notify DMV of convictions to enable DMV to take whatever administrative action available.	
MONTANA	18	13 - w/instr. <u>only</u> within specified area 14yr.6mo. - w/dr.ed. w/instr. or parent 16yr.6mo. - w/lic.dr. any age	15 - w/dr.ed. 16 - w/o dr.ed. parental consent required for anyone under 18	Adult Court - Justice of the peace, municipal or magistrate's court. Same options, except for imprisonment. Juveniles subject to stricter sentences - lic. can be revoked or suspended for unlawful driving of car.	Traffic-related felonies are handled by juvenile court as a delinquency matter.
NEBRASKA	18	15 - w/lic.dr. over 19	14 - restricted lic. for school if juv. lives outside city limits and 1 mile from school 16 - regular lic.	Adult Court. Same options, except for imprisonment	Traffic-related offenses in penal code handled by juvenile court as a delinquency matter. Court may suspend lic.
NEVADA	18	15yr.6mo. - w/lic.dr. over 21	21	Juvenile Court. Formal juvenile dispositions <u>plus</u> fines (must be less than in adult court) and loss of lic.	In counties having a population over 200,000 the justice's and municipal courts have jurisdiction over all traffic infractions <u>except</u> DWI and other traffic-related felonies.
NEW HAMPSHIRE	18	15 - w/dr.ed. w/instr. 16 - w/lic.dr. over 21	16 - w/dr.ed.	Adult Court - Municipal Court. Same options, except for imprisonment. Juveniles subject to stricter sentences - loss of lic. for 3mo. if alcohol is found in car.	Conviction of traffic offense in adult court can be used as basis for a delinquency finding in juvenile court.
NEW JERSEY	18	16 - w/dr.ed. 16yr.6mo. - w/o dr.ed. All learners w/lic.dr. over 18 w/3yrs. exp. <u>and only</u> during daylight	17 - probationary lic. for 3yr.	Adult Court - Traffic Court in each municipality. Same options, except for imprisonment. All dr. get notice with 1 moving infraction - with 2 infractions must go to probationary driver program.	Traffic-related offenses in penal code handled by juvenile court as a delinquency matter.

State	Gen. Juv. Jur.	Age and other restrictions related to a learners permit	Age and other restrictions related to a drivers license	Court with jurisdiction over juvenile traffic offenses and sanctions	Exceptions
NEW MEXICO	18	15 - w/lic.dr. any age w/lyr. experience	15 - w/dr.ed. completed 16 - w/o dr.ed.	Adult Court - District, magistrates or municipal court. Same options, except for imprisonment.	Traffic-related offenses in penal code handled by juvenile court as a delinquency matter.
NEW YORK	16	16 - w/parental consent w/lic.dr. over 18, and from 8p.m. to 5a.m. dr. must be a parent or in'loco parentis'. (Exception - In NYC and Nassau Co. w/dr.ed. w/parent at all times)	16 - w/parental consent (not applicable to NYC or Nassau Co.) 17 - w/dr.ed. 18 - regular lic.	Adult Court - 16yr. olds are considered adults for all legal infractions and crimes. Drivers under 18 subject to stricter sentences - judge can suspend or revoke lic. for one conviction of a traffic offense. Automatic 60 day suspension for one conviction of speeding, reckless driving, following too closely, DWI, racing, or any 2 convictions for moving violations during 6 mo.	None
NORTH CAROLINA	16	15 - w/parental consent w/lic.dr. any age	16 - w/parental consent and w/dr.ed.	Adult Court - 16yr. olds are considered adults for all legal infractions and crimes. Drivers under 18 subject to stricter sentences - automatic suspension for 30 days for 2 moving violations within 12 mo.	None
NORTH DAKOTA	18	14 - to be used only w/dr.ed. 15 - w/lic.dr. over 18	14 - hardship lic. w/affidavit from parents stating the need	Adult Court - Same options, except for imprisonment	Traffic-related offenses in penal code handled by juvenile court as a delinquency matter.
OHIO	18	No statutorily stated minimum age - w/lic.dr. any age	16 - regular lic. 14 - hardship lic. w/affidavit from parents stating need 16 - probationary lic. w/parental consent	Juvenile Court. Options include fines up to \$50 and revocation of lic.	Traffic-related offenses in penal code can be waived to adult court - more likely to happen with repeaters.

State	Gen. Juv. Jur.	Age and other restrictions related to a learners permit	Age and other restrictions related to a drivers license	Court with jurisdiction over juvenile traffic offenses and sanctions	Exceptions
OKLAHOMA	18	15 - w/lic.dr. over 21 w/lyr. exp. w/parental consent Student while in dr.ed. course does not need permit w/instr.	16 - provisional lic.	Adult Court - Traffic part of municipal court. Same options, except for imprisonment	Traffic-related offenses in penal code (DWI, reckless driving and negligent homicide) handled in juvenile court as a delinquency matter. Repeat juvenile traffic offenders can be transferred from adult to juvenile court for processing as a delinquent.
OREGON	18	15 - w/lic.dr. over 18	14 - hardship lic. for getting to/from work and school 16 - regular license	Juvenile Court - either as juvenile traffic offender or as juvenile delinquent. In both cases court can recommend suspension of lic., order juvenile to attend driving school, in addition to any adult sanction available for traffic violations.	
PENNSYLVANIA	18	16 - w/parent	16 - junior lic. w/parental consent or spousal consent if over 18. Until 18 must have spouse over 18, parent, or person 'in loco parentis' in car between 12 midnight to 5a.m. Restriction can be waived for work, involvement in volunteer fire dept. or other charitable organization.	Adult Court - Court of Common Pleas. Same options, except for imprisonment. Juveniles subject to stricter treatment - DMV can revoke lic. for 1 conviction.	Traffic-related offenses in penal code handled by juvenile court as a delinquency matter. Court, upon finding of delinquency for traffic or <u>non-traffic</u> offense, can order DMV to suspend juvenile's lic.
RHODE ISLAND	18	16 - w/lic.dr. over 18 w/lyr. experience	16 - w/dr.ed. probationary lic.	Adult Court - Adjudication Court. Same options, except for imprisonment.	Traffic-related felonies handled in juvenile court as a delinquency matter.
SOUTH CAROLINA	17	15 - w/completion of written exam w/lic.dr. over 21 w/lyr.exp. w/parental consent Student w/instr. in dr.ed. course does not need permit	15 - restricted lic. w/parental consent. Can not drive between 6p.m. and 6a.m. unless w/parent 16 - regular lic. w/parental consent	Adult Court - Magistrates Court. Same options, except for imprisonment.	Traffic-related offenses in penal code handled by juvenile court as a delinquency matter.

State	Gen. Juv. Jur.	Age and other restrictions related to a learners permit	Age and other restrictions related to a drivers license	Court with jurisdiction over juvenile traffic offenses and sanctions	Exceptions
SOUTH DAKOTA	18	14 - limited to daylight hrs. and w/lic.dr. any age	14 - hardship lic. for work, school and farm vehicles on state highways 16 - regular lic.	Law is unclear. Case usually handled in circuit court as juvenile matter	
TENNESSEE	18	15 - w/parent	14 - hardship lic. to get to/from school, church and grocery store 16 - regular lic.	Juvenile Court. Options are normal juvenile dispositions plus suspend lic. for indefinite period, limit juvenile's driving privileges, and fine of not more than \$50.	DWI and other traffic-related felonies handled by juvenile court as a delinquency matter.
TEXAS	18	15 - after dr.ed. w/lic. dr. over 21 w/lyr. exp. 16 - w/lic.dr. any age	15 - hardship lic. 16 - w/dr.ed. w/parental consent probationary lic. till 21	Adult Court - Justice of the Peace. Same options, except for imprisonment and no fines over \$100 allowed.	Case can be waived to adult traffic court.
UTAH	18	15 - w/lic.dr. over 18	16	Juvenile Court - Normal juvenile dispositions.	
VERMONT	18	15 - w/parental consent w/lic.dr. over 18	16 - junior operator's lic. w/dr.ed. w/parental consent	Adult Court - County or District Court.	Reckless driving and negligent homicide handled in juvenile court as a delinquency matter. Options are normal juvenile dispositions plus fines.
VIRGINIA	18	15yr.8mo. - w/lic.dr. any age	16 - w/dr.ed. w/parental consent	Juvenile Court. Options are regular juvenile delinquency dispositions, including fines.	
WASHINGTON	18	15 - w/dr.ed. w/instr. or lic. dr. w/5yr. exp. 15 - w/lic.dr. w/5yr.exp.	Under 16 - agricultural driving permit - w/affidavit from parents Valid only in own locality 16 - w/dr.ed. w/parental consent or hardship lic. w/o dr.ed.	Adult Court. Same options, except for imprisonment.	Traffic-related offenses in penal code handled by juvenile court as a delinquency matter.

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WEST VIRGINIA	18	16 - w/lic.dr. over 18	16 - probationary lic.	Adult Court - Magistrates, Justice of the Peace or Municipal Court. Same options, except for imprisonment.	Traffic-related felonies (DWI, leaving the scene of accident) handled by juvenile court as delinquency matter.
WISCONSIN	18	15yr.6mo. - w/dr.ed. w/lic.dr. w/2yr.exp. only during daylight. During night-time driver must be 25	16 - probationary lic. w/sponsorship, not necessarily parental consent	Adult Court - Same options, except for imprisonment. Juveniles subject to stricter sentences - lic. can be suspended easier than an adult lic.	Concurrent jurisdiction between adult and juvenile court when death or injury occurs during an accident. Case would initially be in juvenile court.
WYOMING	18	15 - w/lic.dr. over 18 w/lyr. exp. 16 - w/o dr.ed.	16 - except in hardship cases	Adult Court - Municipal Court or Justice of the Peace. Same options, except for imprisonment.	Traffic-related offenses in penal code handled by juvenile court as a delinquency matter.

END