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By JESSICA CRAWFORD • Daily Leader

With statistics showing teenage drivers make up less than 10 percent of drivers on the road in Kansas, yet they are involved in 20 percent of the accidents on those same roads – Kansas legislatures felt it time to require teenage drivers to have a bit more instruction time behind the wheel prior to receiving a restriction-free license.

“Six or 7 percent of all the drivers in Kansas are in that 14, 15, 16, 17 age group,” James McClellan, Public Service Administrator I of the Kansas Department of Motor Vehicles, said. “They are making a little more than 20 percent of all the accidents.”

There has been some confusion as to who will be affected by the new law and who will not. According to McClellan, anyone in the system prior to Jan. 1, 2010, will still go by the current laws. Anyone new to the system after Jan. 1, 2010, will be subject to the new laws that will then be in effect.

Not much has changed with the requirements for obtaining an instruction permit. Applicants must still be at least 14 years old, parents must approve the application process and there must be a licensed adult in the front seat at all times, however they must be over the age of 21 after Jan. 1, 2010.

The changes to the instruction permit requirements are the banning of wireless communication devices while driving unless to report illegal activity or to summons medical or emergency help. In fact, this requirement will be for all teenage drivers affected by the new law.

The other change is that the driver must have an instruction permit for one year before they are eligible for a restricted license. Under the current law, the instruction permit must only be active

for six months.

Restricted licenses will still be available for 15 year old drivers, they are still only legally allowed to drive to and from work or school by themselves. They can drive anywhere with a licensed adult.

At the age of 16, the driver can move on to a lesser restricted license if an affidavit stating the driver has 40 hours of daytime driving experience and 10 hours of night time driving is submitted and signed by a parent or legal guardian.

The lesser restricted license for 16 year-old drivers is one of the newly added requirements that will take place on Jan. 1. Parent approval and driver education are not required, they must have had an instruction permit for at least one year, a 50-hour affidavit must be on file, as will the restricted license, they can drive from 5 a.m.

to 9 p.m., go to and from school and work or authorized school activities and they will be able to drive anytime or anywhere with a licensed adult.

However, with the lesser restricted license, no more than one passenger who is less than 18 and who is not a member of the licensee's immediate family can be in the vehicle at any given time and the lesser restricted license must be active for six months before the 16 year-old can obtain a restriction-free license at 17.

In order for a teen driver to receive an unrestricted license, he or she must be 17 years of age and have the 50-hour experience affidavit signed by a parent or guardian and on file with the Kansas DMV.

"In January, they will make kids wait a little longer," McClellan said. "They will have to wait until their 17th birthday."

Again, all teen drivers affected are not to use wireless communication devices or they will receive a citation if observed by a police officer.

If a 14 year-old receives an instruction permit prior to Jan. 1, 2010, the teenager will be in the system, thus they will be grandfathered in by the old law and can get their unrestricted license at 16.

“Basically, if you are in the system up until January of next year,”

McClellan said. “You are still under the old stuff after January.

“But if you start new after January,” he added. “You have to go by the new laws.”

To put it very simply, McClellan said there is one question that will be asked to those seeking a driver's license after Jan. 1, 2010. The answer given will determine which law the teenager must follow.

Did the teen driver obtain an instruction permit, farm permit or restricted license prior to Jan. 1, 2010?

If the answer is yes, than all of the requirements and restrictions that were in effect prior to Jan. 1, 2010 are what apply to that teen.

If the answer is no, then all of the new requirements and restrictions that take effect Jan. 1, 2010, are what apply to that teen.

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