

**As Introduced**

**136th General Assembly  
Regular Session  
2025-2026**

**S. B. No. 419**

**Senator Gavarone**

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To amend sections 4507.05 and 4507.071 of the 1  
Revised Code to lower the age at which a 2  
juvenile may obtain a temporary instruction 3  
permit from 15½ to 15 and to expand the time a 4  
juvenile must hold a temporary instruction 5  
permit before eligibility for a probationary 6  
license from six months to one year. 7

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 4507.05 and 4507.071 of the 8  
Revised Code be amended to read as follows: 9

**Sec. 4507.05.** (A) The registrar of motor vehicles, or a 10  
deputy registrar, upon receiving an application for a temporary 11  
instruction permit and a temporary instruction permit 12  
identification card for a driver's license from any person who 13  
is at least fifteen years ~~six months~~ of age, may issue such a 14  
permit and identification card entitling the applicant to drive 15  
a motor vehicle, other than a commercial motor vehicle, upon the 16  
highways under the following conditions: 17

(1) If the permit is issued to a person who is at least 18  
fifteen years ~~six months~~ of age, but less than sixteen years of 19  
age: 20

(a) The permit and identification card are in the holder's 21  
immediate possession; 22

(b) The holder is accompanied by an eligible adult who 23  
actually occupies the seat beside the permit holder and does not 24  
have a prohibited concentration of alcohol in the whole blood, 25  
blood serum or plasma, breath, or urine as provided in division 26  
(A) of section 4511.19 of the Revised Code; 27

(c) The total number of occupants of the vehicle does not 28  
exceed the total number of occupant restraining devices 29  
originally installed in the motor vehicle by its manufacturer, 30  
and each occupant of the vehicle is wearing all of the available 31  
elements of a properly adjusted occupant restraining device. 32

(2) If the permit is issued to a person who is at least 33  
sixteen years of age: 34

(a) The permit and identification card are in the holder's 35  
immediate possession; 36

(b) The holder is accompanied by a licensed operator who 37  
is at least twenty-one years of age, is actually occupying a 38  
seat beside the driver, and does not have a prohibited 39  
concentration of alcohol in the whole blood, blood serum or 40  
plasma, breath, or urine as provided in division (A) of section 41  
4511.19 of the Revised Code; 42

(c) The total number of occupants of the vehicle does not 43  
exceed the total number of occupant restraining devices 44  
originally installed in the motor vehicle by its manufacturer, 45  
and each occupant of the vehicle is wearing all of the available 46  
elements of a properly adjusted occupant restraining device. 47

(B) The registrar or a deputy registrar, upon receiving 48  
from any person an application for a temporary instruction 49

permit and temporary instruction permit identification card to 50  
operate a motorcycle, motor-driven cycle or motor scooter, or 51  
motorized bicycle, may issue such a permit and identification 52  
card entitling the applicant, while having the permit and 53  
identification card in the applicant's immediate possession, to 54  
drive a motorcycle or motor-driven cycle or motor scooter, under 55  
the restrictions prescribed in section 4511.53 of the Revised 56  
Code, or to drive a motorized bicycle under restrictions 57  
determined by the registrar. A temporary instruction permit and 58  
temporary instruction permit identification card to operate a 59  
motorized bicycle may be issued to a person fourteen or fifteen 60  
years old. 61

(C) Any permit and identification card issued under this 62  
section shall be issued in the same manner as a driver's 63  
license, upon a form to be furnished by the registrar. A 64  
temporary instruction permit to drive a motor vehicle other than 65  
a commercial motor vehicle shall be valid for a period of one 66  
year and six months. 67

(D) Any person having in the person's possession a valid 68  
and current driver's license or motorcycle operator's license or 69  
endorsement issued to the person by another jurisdiction 70  
recognized by this state is exempt from obtaining a temporary 71  
instruction permit for a driver's license and from submitting to 72  
the examination for a temporary instruction permit and the 73  
regular examination for obtaining a driver's license or 74  
motorcycle operator's endorsement in this state if the person 75  
does all of the following: 76

(1) Submits to and passes vision screening as provided in 77  
section 4507.12 of the Revised Code; 78

(2) Surrenders to the registrar or deputy registrar the 79

person's driver's license issued by the other jurisdiction; and 80

(3) Complies with all other applicable requirements for 81  
issuance by this state of a driver's license, driver's license 82  
with a motorcycle operator's endorsement, or restricted license 83  
to operate a motorcycle. 84

If the person does not comply with all the requirements of 85  
this division, the person shall submit to the regular 86  
examination for obtaining a driver's license or motorcycle 87  
operator's endorsement in this state in order to obtain such a 88  
license or endorsement. 89

(E) The registrar may adopt rules governing the use of 90  
temporary instruction permits and temporary instruction permit 91  
identification cards. 92

(F) (1) No holder of a permit issued under division (A) of 93  
this section shall operate a motor vehicle upon a highway or any 94  
public or private property used by the public for purposes of 95  
vehicular travel or parking in violation of the conditions 96  
established under division (A) of this section. 97

(2) Except as otherwise provided in division (F) (2) of 98  
this section, no holder of a permit that is issued under 99  
division (A) of this section ~~and that is issued on or after July~~ 100  
~~1, 1998, and who has not attained the age of under eighteen~~ 101  
~~years,~~ of age shall operate a motor vehicle upon a highway or 102  
any public or private property used by the public for purposes 103  
of vehicular travel or parking between the hours of midnight and 104  
six a.m. 105

The holder of a permit issued under division (A) of this 106  
section ~~on or after July 1, 1998, who has not attained the age~~ 107  
~~of under eighteen years,~~ of age may operate a motor vehicle upon 108

a highway or any public or private property used by the public 109  
for purposes of vehicular travel or parking between the hours of 110  
midnight and six a.m. if, at the time of such operation, the 111  
holder is accompanied by the holder's parent, guardian, or 112  
custodian, and the parent, guardian, or custodian holds a 113  
current valid driver's or commercial driver's license issued by 114  
this state, is actually occupying a seat beside the permit 115  
holder, and does not have a prohibited concentration of alcohol 116  
in the whole blood, blood serum or plasma, breath, or urine as 117  
provided in division (A) of section 4511.19 of the Revised Code. 118

(G) (1) Notwithstanding any other provision of law to the 119  
contrary, no law enforcement officer shall cause the operator of 120  
a motor vehicle being operated on any street or highway to stop 121  
the motor vehicle for the sole purpose of determining whether 122  
each occupant of the motor vehicle is wearing all of the 123  
available elements of a properly adjusted occupant restraining 124  
device as required by division (A) of this section, or for the 125  
sole purpose of issuing a ticket, citation, or summons if the 126  
requirement in that division has been or is being violated, or 127  
for causing the arrest of or commencing a prosecution of a 128  
person for a violation of that requirement. 129

(2) Notwithstanding any other provision of law to the 130  
contrary, no law enforcement officer shall cause the operator of 131  
a motor vehicle being operated on any street or highway to stop 132  
the motor vehicle for the sole purpose of determining whether a 133  
violation of division (F) (2) of this section has been or is 134  
being committed or for the sole purpose of issuing a ticket, 135  
citation, or summons for such a violation or for causing the 136  
arrest of or commencing a prosecution of a person for such 137  
violation. 138

(H) As used in this section:	139
(1) "Eligible adult" means any of the following:	140
(a) An instructor of a driver training course approved by the department of public safety;	141 142
(b) Any of the following persons who holds a current valid driver's or commercial driver's license issued by this state:	143 144
(i) A parent, guardian, or custodian of the permit holder;	145
(ii) A person twenty-one years of age or older who acts in loco parentis of the permit holder.	146 147
(2) "Occupant restraining device" has the same meaning as in section 4513.263 of the Revised Code.	148 149
(I) Whoever violates division (F) (1) or (2) of this section is guilty of a minor misdemeanor.	150 151
<b>Sec. 4507.071.</b> (A) The registrar of motor vehicles or any deputy registrar shall not issue a driver's license to any person under eighteen years of age, except that the registrar or a deputy registrar may issue a probationary license to a person who is at least sixteen years of age and has held a temporary instruction permit for a period of at least <del>six months</del> <u>one year</u> .	152 153 154 155 156 157
(B) (1) (a) No holder of a probationary driver's license who has held the license for less than twelve months shall operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking between the hours of midnight and six a.m. unless the holder is accompanied by the holder's parent or guardian.	158 159 160 161 162 163
(b) No holder of a probationary driver's license who has held the license for twelve months or longer shall operate a	164 165

motor vehicle upon a highway or any public or private property 166  
used by the public for purposes of vehicular travel or parking 167  
between the hours of one a.m. and five a.m. unless the holder is 168  
accompanied by the holder's parent or guardian. 169

(2) (a) Subject to division (D) (1) of this section, 170  
division (B) (1) (a) of this section does not apply to the holder 171  
of a probationary driver's license who is doing ~~either~~ any of 172  
the following: 173

(i) Traveling to or from work between the hours of 174  
midnight and six a.m., provided that the holder has in the 175  
holder's immediate possession written documentation from the 176  
holder's employer; 177

(ii) Traveling to or from an official function sponsored 178  
by the school the holder attends between the hours of midnight 179  
and six a.m., provided that the holder has in the holder's 180  
immediate possession written documentation from an appropriate 181  
official of the school; 182

(iii) Traveling to or from an official religious event 183  
between the hours of midnight and six a.m., provided that the 184  
holder has in the holder's immediate possession written 185  
documentation from an appropriate official affiliated with the 186  
event. 187

(b) Division (B) (1) (b) of this section does not apply to 188  
the holder of a probationary driver's license who is doing- 189  
~~either~~ any of the following: 190

(i) Traveling to or from work between the hours of one 191  
a.m. and five a.m., provided that the holder has in the holder's 192  
immediate possession written documentation from the holder's 193  
employer; 194

(ii) Traveling to or from an official function sponsored 195  
by the school the holder attends between the hours of one a.m. 196  
and five a.m., provided that the holder has in the holder's 197  
immediate possession written documentation from an appropriate 198  
official of the school; 199

(iii) Traveling to or from an official religious event 200  
between the hours of one a.m. and five a.m., provided that the 201  
holder has in the holder's immediate possession written 202  
documentation from an appropriate official affiliated with the 203  
event. 204

(3) An employer, school official, or official affiliated 205  
with a religious event is not liable in damages in a civil 206  
action for any injury, death, or loss to person or property that 207  
allegedly arises from, or is related to, the fact that the 208  
employer, school official, or official affiliated with a 209  
religious event provided the holder of a probationary driver's 210  
license with the written documentation described in division (B) 211  
(2) of this section. 212

The registrar of motor vehicles shall make available at no 213  
cost a form to serve as the written documentation described in 214  
division (B) (2) of this section, and employers, school 215  
officials, officials affiliated with religious events, and 216  
holders of probationary driver's licenses may utilize that form 217  
or may choose to utilize any other written documentation to meet 218  
the requirements of that division. 219

(4) No holder of a probationary driver's license who has 220  
held the license for less than twelve months shall operate a 221  
motor vehicle upon a highway or any public or private property 222  
used by the public for purposes of vehicular travel or parking 223  
with more than one person who is not a family member occupying 224

the vehicle unless the probationary license holder is 225  
accompanied by the probationary license holder's parent, 226  
guardian, or custodian. 227

(C) It is an affirmative defense to a violation of 228  
division (B) (1) (a) or (b) of this section if, at the time of the 229  
violation, an emergency existed that required the holder of the 230  
probationary driver's license to operate a motor vehicle in 231  
violation of division (B) (1) (a) or (b) of this section or the 232  
holder was an emancipated minor. 233

(D) (1) If a person is issued a probationary driver's 234  
license prior to attaining the age of seventeen years and the 235  
person pleads guilty to, is convicted of, or is adjudicated in 236  
juvenile court of having committed a moving violation during the 237  
six-month period commencing on the date on which the person is 238  
issued the probationary driver's license, the court with 239  
jurisdiction over the violation may order that the holder must 240  
be accompanied by the holder's parent or guardian whenever the 241  
holder is operating a motor vehicle upon a highway or any public 242  
or private property used by the public for purposes of vehicular 243  
travel or parking for a period not to exceed six months or the 244  
date the holder attains the age of seventeen years, whichever 245  
occurs first. 246

(2) Any person who is subject to the operating 247  
restrictions established under division (D) (1) of this section 248  
as a result of a first moving violation may petition the court 249  
for driving privileges without being accompanied by the holder's 250  
parent or guardian during the period of time determined by the 251  
court under that division. In granting the driving privileges, 252  
the court shall specify the purposes of the privileges and shall 253  
issue the person appropriate forms setting forth the privileges 254

granted. If a person is convicted of, pleads guilty to, or is 255  
adjudicated in juvenile court of having committed a second or 256  
subsequent moving violation, the court with jurisdiction over 257  
the violation may terminate any driving privileges previously 258  
granted under this division. 259

(3) No person shall violate any operating restriction 260  
imposed under division (D) (1) or (2) of this section. 261

(E) No holder of a probationary license shall operate a 262  
motor vehicle upon a highway or any public or private property 263  
used by the public for purposes of vehicular travel or parking 264  
unless the total number of occupants of the vehicle does not 265  
exceed the total number of occupant restraining devices 266  
originally installed in the motor vehicle by its manufacturer, 267  
and each occupant of the vehicle is wearing all of the available 268  
elements of a properly adjusted occupant restraining device. 269

(F) A restricted license may be issued to a person who is 270  
fourteen or fifteen years of age upon proof of hardship 271  
satisfactory to the registrar of motor vehicles. 272

(G) Notwithstanding any other provision of law to the 273  
contrary, no law enforcement officer shall cause the operator of 274  
a motor vehicle being operated on any street or highway to stop 275  
the motor vehicle for the sole purpose of determining whether 276  
each occupant of the motor vehicle is wearing all of the 277  
available elements of a properly adjusted occupant restraining 278  
device as required by division (E) of this section, or for the 279  
sole purpose of issuing a ticket, citation, or summons if the 280  
requirement in that division has been or is being violated, or 281  
for causing the arrest of or commencing a prosecution of a 282  
person for a violation of that requirement. 283

(H) Notwithstanding any other provision of law to the contrary, no law enforcement officer shall cause the operator of a motor vehicle being operated on any street or highway to stop the motor vehicle for the sole purpose of determining whether a violation of division (B) (1) (a) or (b) of this section has been or is being committed or for the sole purpose of issuing a ticket, citation, or summons for such a violation or for causing the arrest of or commencing a prosecution of a person for such violation.	284 285 286 287 288 289 290 291 292
(I) As used in this section:	293
(1) "Occupant restraining device" has the same meaning as in section 4513.263 of the Revised Code.	294 295
(2) "Family member" of a probationary license holder includes any of the following:	296 297
(a) A spouse;	298
(b) A child or stepchild;	299
(c) A parent, stepparent, grandparent, or parent-in-law;	300
(d) An aunt or uncle;	301
(e) A sibling, whether of the whole or half blood or by adoption, a brother-in-law, or a sister-in-law;	302 303
(f) A son or daughter of the probationary license holder's stepparent if the stepparent has not adopted the probationary license holder;	304 305 306
(g) An eligible adult, as defined in section 4507.05 of the Revised Code.	307 308
(3) "Moving violation" means any violation of any statute or ordinance that regulates the operation of vehicles,	309 310

streetcars, or trackless trolleys on the highways or streets. 311  
"Moving violation" does not include a violation of section 312  
4513.263 of the Revised Code or a substantially equivalent 313  
municipal ordinance, or a violation of any statute or ordinance 314  
regulating pedestrians or the parking of vehicles, vehicle size 315  
or load limitations, vehicle fitness requirements, or vehicle 316  
registration. 317

(J) Whoever violates division (B) (1) or (4), (D) (3), or 318  
(E) of this section is guilty of a minor misdemeanor. 319

**Section 2.** That existing sections 4507.05 and 4507.071 of 320  
the Revised Code are hereby repealed. 321