

9-24-11-3.3. Probationary license issued after June 30, 2009 [as enacted by P.L.145-2009].

(a) This section applies to a probationary operator's license issued after June 30, 2009.

(b) A license issued to or held by an individual less than eighteen (18) years of age is a probationary license.

(c) An individual holds a probationary license subject to the following conditions:

(1) Except as provided in subsection (e), the individual may not operate a motor vehicle from 10 p.m. until 5 a.m. of the following morning during the first one hundred eighty (180) days after issuance of the probationary license.

(2) Except as provided in subsection (e), after one hundred eighty (180) days after issuance of the probationary license, and until the individual becomes eighteen (18) years of age, an individual may not operate a motor vehicle:

(A) between 1 a.m. and 5 a.m. on a Saturday or Sunday;

(B) after 11 p.m. on Sunday, Monday, Tuesday, Wednesday, or Thursday; or

(C) before 5 a.m. on Monday, Tuesday, Wednesday, Thursday, or Friday.

(3) Except as provided in subsection (f), during the one hundred eighty (180) days after the issuance of the probationary license, the individual may not operate a motor vehicle in which there are passengers unless another individual:

(A) who:

(i) is at least twenty-five (25) years of age; and

(ii) holds a valid operator's, chauffeur's, public passenger chauffeur's, or commercial driver's license issued under this article; or

(B) who is a certified driver education instructor;

is present in the front seat of the motor vehicle.

(4) The individual may operate a motor vehicle only if the individual and each occupant of the motor vehicle have:

(A) a safety belt; or

(B) if the occupant is a child who must be properly fastened and restrained in a child restraint system according to the manufacturer's instructions under IC 9-19-11, a child

restraint system;

properly fastened about the occupant's body at all times when the motor vehicle is in motion.

(d) An individual who holds a probationary license to which this section applies may not operate a motor vehicle while using a telecommunications device unless the telecommunications device is being used to make a 911 emergency call.

(e) An individual may operate a motor vehicle during the period referred to in subsection (c)(1) or (c)(2) if the individual operates the motor vehicle while:

(1) participating in, going to, or returning from:

(A) lawful employment;

(B) a school sanctioned activity; or

(C) a religious event; or

(2) accompanied by a licensed driver at least twenty-five (25) years of age.

(f) An individual subject to this section may operate a motor vehicle and transport:

(1) a child of the individual;

(2) a sibling of the individual;

(3) a child and a sibling of the individual; or

(4) the parent, guardian, or stepparent of the individual;

without another accompanying individual present in the motor vehicle.