



TEEN DRIVING LAWS

→ A GUIDE TO KEEPING YOUR TEEN SAFE 'BEHIND THE WHEEL'

Secondary laws

[§ 46.2-334.01](#). Licenses issued to persons less than 18 years old subject to certain restrictions

Any learner's permit or driver's license issued to any person less than 18 years old shall be subject to the following:

- 1st Offense Moving Violation: Driver's School
- 2nd Offense Moving Violation: License suspended for 90 days (Restricted license can be obtained.)
- 3rd Offense Moving Violation: License suspended for 1 year or until driver reaches 18 years of age (whichever is longer.)

During the first year of license, only one passenger under 21 years old is allowed. During second year of license or until 18, three passengers under 21 years old allowed. For the purposes of this subsection, "members of the driver's family or household" means:

- I. The driver's spouse, children, stepchildren, brothers, sisters, half-brothers, half-sisters, first cousins, and any individual who has a child in common with the driver, whether or not they reside in the same home with the driver;
- II. The driver's brothers-in-law and sisters-in-law who reside in the same home with the driver; and
- III. Any individual who cohabits with the driver, and any children of such individual residing in the same home with the driver.

The holder of a provisional driver's license shall not operate a motor vehicle on the highways of the Commonwealth between the hours of midnight and 4 a.m. except when driving:

- I. To or from a place of business where he is employed;
- II. To or from an activity that is supervised by an adult and is sponsored by a school or by a civic, religious, or public organization;
- III. Accompanied by a parent, a person acting in loco parentis, or by a spouse who is 18 years old or older, provided that such person accompanying the driver is actually occupying a seat beside the driver and is lawfully permitted to operate a motor vehicle at the time; or

- IV. In cases of emergency, including response by volunteer firefighters and volunteer emergency medical services personnel to emergency calls

HENRICO CURFEW FOR MINORS

Henrico Police wants to enlist your help to protect our youths and to preserve the quality of life for all citizens. Please keep the following in mind:

- Henrico County Code: [Chapter 13. Article V. Sec. 13-147](#): Duty of parent or guardian
 - Curfew or curfew hours refers to the hours of 11 p.m. through 6 a.m.
 - Minor refers to any person 16 years of age and under who has not been emancipated by court order entered pursuant to Code of Virginia, [§16.1-333](#).

Exceptions to Curfew

It shall be unlawful for a parent of any minor to permit, allow or encourage such minor to remain in any public place in the county during curfew, unless accompanied by the parent of such minor. This section shall not apply to minors who are engaged in the following activities:

1. Attending, or going to or returning from without detour or stop, an activity supervised by adults and sponsored by a school, civic, religious or other public organization or agency, or by another similar organization or entity;
2. Going to or returning from an employment activity without detour or stop;
3. Moving about in the event of an emergency; or
4. Exercising First Amendment or other rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly.

Driving Under the Influence – Zero Tolerance Law

[§18.2-266.1](#) Blood Alcohol Concentration (BAC between .02% to .07%) now classified as a Class 1 misdemeanor and carries a 1-year mandatory license suspension and a mandatory minimum fine of \$500 or performance of a mandatory minimum of 50 hours of community service.

CELL PHONE USE WHILE DRIVING

Except in a driver emergency or when the vehicle is lawfully parked or stopped, the holder of a provisional driver's license shall not operate a motor vehicle on the highways of the Commonwealth while using any cellular telephone or any other wireless telecommunications device, regardless of whether such device is or is not hand-held.

As of July 1, 2013, in Virginia, texting while driving is illegal, and no other offense is required for officers to stop and charge the texting driver.

(Information updated March 2026)