

U.S. Department Of Labor Employment and Training Administration Office of Apprenticeship Training, Employer and Labor Services (OATELS) Washington, D.C. 20210	<u>Distribution:</u>  A-541 Headquarters Staff A-546 All Field Staff A-547 SAC; Lab. Com;  (VIA GROUPWISE)	<u>Subject:</u> Change In Child Labor Law Teen Drive for Employment Act  <u>Code:</u> 608.2
Symbols: DNIP: JMCD		Action: Immediate

**PURPOSE:** To distribute to field staff the attached U.S. Department of Labor News Release which may affect apprenticeship programs that register 16 and 17 year olds as apprentices.

**BACKGROUND:** The Office of Public Affairs, U. S. Department of Labor, distributed the attached News Release, No. 98-464, on behalf of the Employment Standards Administration, Wage and Hour Division. The release addresses a change in child labor laws which may impact registered apprenticeship program sponsors.

The new Teen Drive for Employment Act went into effect October 31, 1998. It prohibits 16 year olds from driving on public roads while working, and increases the allowable on-the-job driving time for 17 years olds, but with specific restrictions. The Act amends the child labor provisions of the Fair Labor Standards Act (FLSA).

The attached information should be provided to State Apprenticeship Agencies as well as program sponsors. For further information contact your local Wage and Hour Division for a copy of the Teen Drive for Employment Act to get more detailed information.

**ATTACHMENT**

**U.S. Department of Labor  
Office of Public Affairs  
Washington, D.C.**

**EMPLOYMENT STANDARDS ADMINISTRATION WAGE AND HOUR DIVISION**

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USDL: 98-464  
FOR RELEASE: Immediate  
Wednesday, November, 18, 1998

**CHANGE IN CHILD LABOR LAW RESTRICTS 16-YEAR-OLDS FROM DRIVING ON PUBLIC ROADS WHILE ON THE JOB BUT MORE DRIVING ALLOWED FOR 17-YEAR-OLDS**

A new law went into effect Oct. 31 prohibiting 16-year olds from driving on public roads while working and increasing the allowable on-the-job driving time for 17 year-olds, but with specific restrictions. The changes were made in an amendment to federal child labor laws passed by Congress this year.

Previously, 16 and 17-year-olds could do occasional on-the-job driving for such things as running errands or making deliveries. Now, 16-year-olds may not drive on public roads as part of their job and 17-year-olds may drive as much as one-third of their work day or 20 percent of their workweek.

Seventeen-year-olds may as part of their job drive cars and light trucks but only during daylight hours. The teen worker must hold a state license valid for the type of driving being performed, have successfully completed state approved driver education and have no record of any moving violation at the time of hire.

In addition, the driving performed by the 17-year-old employee may not involve:

- towing vehicles;
- route deliveries or route sales; the transportation for hire of property, goods, or passengers; urgent, time-sensitive deliveries;
- transporting more than three passengers, including employees of the employer;
- driving beyond a 30 mile radius from youth's place of employment; more than two trips away from the primary place of employment in any single day for the purpose of delivering the employer's goods to a customer;
- more than two trips away from the primary place of employment in any single day for the purpose of transporting passengers, other than employees of the employer.

Driving must also be only occasional and incidental to the 17-year-old's employment. This means no more than one-third of the youth's work time in any workday and no more than 20 percent of the youth's work time in any workweek may be spent driving.

The Department of Labor is developing guidelines and information to help employers comply with the law. The new rules apply whether the 17-year-old is driving a personal or employer-owned vehicle. Employers may wish to obtain documentation of the employee's age, clean driving record and driver's license to avoid violations.

The Teen Drive for Employment Act became law Oct. 31. The act amends the child labor provisions of the Fair Labor Standards Act (FLSA).

Many states have laws setting standards for child labor and teen drivers. When both federal and state laws apply, the law setting the more stringent standard must be observed.

Information about child labor laws may be found on the Internet at [www.dol.gov](http://www.dol.gov) or by calling the local office of the Wage and Hour Division of the U.S. Department of Labor listed in the blue pages.

U.S. Labor Department news releases are accessible on the Internet at: <http://www.dol.gov>. The information in this news release will be made available to sensory impaired individuals upon request. TDD Message Referral Phone: 1-800-326-2577, Voice phone: (202) 219-7316.