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June 30, 2007

Fairport grad's family disputes license claim

They say Bailey successfully took driver's ed; DMV not notified, it says.

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Bailey Goodman's family said she successfully completed a driver's education class last summer. But state Department of Motor Vehicles officials maintain they never were notified so restrictions were not lifted from her license.

Bailey, 17, was driving the SUV that veered into the path of an oncoming tractor-trailer in Bloomfield on Tuesday night, killing her and four of her passengers, all 2007 graduates of Fairport High School.

Ontario County sheriff's deputies continue to investigate the cause of the accident but say driver error may be to blame.

DMV records show Bailey was driving with a "junior" license, which limits conditions of her driving, including not after 9 p.m. or with more than two nonrelatives younger than 21.

That restriction can be lifted after someone is 17 and completes a New York state-approved driver's education program, which includes 24 hours of driver training and 24 hours of theory instruction. A document known as a "blue card" (form MV-285) is then issued.

DMV spokesman Ken Brown said Bailey passed a road test in East Rochester on July 20 and was issued a junior license on July 22.

Bailey's family said she completed her driver's education class sometime last summer.

"With respect to recent news stories, the family is cooperating fully with the investigation of the Ontario County Sheriff's Office and we have informed them that Bailey had successfully completed a driver's education course at Fairport High School that qualified her for an unrestricted license," said Bailey's uncle, Bill Goodman of Ithaca, in a prepared statement.

In a later conversation, however, he said he did not know whether Bailey had taken her road test before or after taking driver's ed.

Brown said there is no record that Bailey gave blue card documentation to her examiner during her road test on July 20; she may have completed the driver's ed course after her test. He said examiners would have recorded that information electronically had it been submitted then.

Drivers who take their road tests after getting their blue card will hand that paperwork to the DMV examiner. If the student passes, a license will be issued. If the student is 17 and had the blue card paperwork, the license would not be restricted.

If drivers complete the education course after taking their road test, it would be their responsibility to submit the blue card to a DMV office before being given a Class D license, Brown said.

If a junior driver is found driving without a guardian after 9 p.m., unless coming from school, work or a medical appointment, the driver can be ticketed, even if she possesses the documentation that says she completed driver's ed.

"A lot of drivers think it's OK to drive with their blue card, thinking it's all right," said Sgt. Vincent Corona, a State Police traffic supervisor.

Corona said it would be up to a judge to decide whether such a charge would be dismissed.

The restrictions are meant to keep young drivers and others safe. Drivers who are 16 or 17 years old have a higher rate of car crashes than drivers who are 18 and older in New York, according to the state Department of Motor Vehicles.

In 2000, 7.2 percent of drivers younger than 18 were involved in a crash, compared with only 3.1 percent of older drivers.

"The only way to get those lifted is when you have your blue card," said Deepak Marwaha, owner of ABC School of Driving. "If you don't go to a driver education program through a school, you can't get it."

Marwaha said he answers misconceptions about junior drivers every day.

"A lot of people think driving with a learner's permit, you can drive like a normal person. They think under the age of 18, they can be driving any hour of the day," he said. "A lot of parents don't know, either. The laws change."

Bill Goodman said his family did not want to discuss the crash publicly until after the funerals next week. "Bailey's entire family extends their deepest sympathy and condolences to the families of Hannah, Meredith, Sara and Katie," he said.

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Lifting restrictions

- If you have a junior license and you complete a driver education course, you can change your junior license to a Class D senior license when you are 17 years old.
- You must have a driver education certificate (blue card, or MV-285) issued from a DMV-approved driver education program. If you don't have the blue card, the DMV automatically changes your driver's license to Class D on your 18th birthday. Before your 18th birthday, you can give the MV-285 certificate to the DMV examiner after your road test. The DMV will update your driver record and will automatically issue a Class D photo driver's license on your 17th birthday. You will receive the new license in the mail.
- If you did not give your MV-285 certificate to the DMV examiner, you must go to a DMV office. Bring your junior license and the MV-285 certificate to a DMV office on or after your 17th birthday. Complete form MV-44 and pay the fee of \$10. You receive a temporary Class D driver's license, without a photo, at the office. The DMV mails your Class D photo driver's license in about three weeks.
- If you have an MV-285 certificate and a junior driver's license, you do not have Class D driving privileges. You must change your driver's license from junior to Class D to get senior driving privileges.

Source: N.Y.S. Department of Motor Vehicles

[Back](#)

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