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Traffic Safety and Public Health: State Legislative Action 2010

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Summary

Occupant Protection. At least 26 states considered bills to strengthen seat belt laws in 2010. These proposals included efforts to enact primary enforcement of existing seat belt laws and changing requirements for child restraint use.

Impaired Driving Issues. In 2010, lawmakers in 46 states introduced more than 300 bills related to impaired driving. They considered legislation related to stricter penalties for high blood alcohol concentration (BAC), ignition interlocks, breath tests and treatment.

Distracted Driving. Since 2000, legislatures in every state, the District of Columbia and Puerto Rico have considered legislation related to distracted driving and driver cell phone use. In 2010, legislators in 40 states considered 181 driver distraction bills.

Driver's Licensing. Each year, state legislatures debate hundreds of bills relating to various aspects of driver licensing, including REAL ID, unlicensed driving, older drivers and teen drivers. In 2010, 40 states debated more than 200 bills relating to drivers licensing.

Aggressive Driving. Laws in 10 states penalize aggressive drivers. Hand gestures, shouting, speeding, tailgating, driving on the shoulder, weaving in and out of traffic, or any combination of these activities may fall within the definition of aggressive driving.

Speed Limits. In 2010, 21 states considered bills regarding speed, including increased fines for speeding, setting speed limits, and punishing serious speeding offenders.

Automated Enforcement. Because law enforcement agencies struggle with limited resources, many municipal governments have turned to automated enforcement to control speed and reduce red light violations without diverting law enforcement resources from other areas. During 2010, legislators in 28 states debated nearly 100 bills regarding automated enforcement.

Motorcycle Safety. During the 2010 legislative session, 38 states considered more than 100 bills related to motorcycle helmets or driver training.

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School Bus Safety. In 2010, nearly 60 bills regarding school bus safety were considered in state legislatures across the country. Many dealt with requiring children to wear seat belts on school buses and licensing procedures for school bus drivers.

Pedestrian and Bicycle Safety. For many pedestrians and bicyclists, safety is a major concern. In 2010, 34 states considered more than 100 bills regarding pedestrian and bicycle safety. Many addressed educating motorists about responsibilities at crosswalks and on roadways. Other proposals considered ways to increase safety near schools.

Introduction

Issues examined in this report include occupant protection, distracted driving, driver licensing, impaired driving, aggressive driving, speed limits, motorcycle helmets, automated enforcement, school bus safety, and pedestrian and bicycle safety. Tables and charts detailing state traffic safety laws are included, as are contacts and links for further information (see Appendix A for National Highway Traffic Safety Administration [NHTSA] regional office contact information). All bills discussed in this report can be found in the NCSL - NHTSA Traffic Safety Legislative Tracking Database at www.ncsl.org/programs/transportation/trafsafdb.htm.

Occupant Protection

Motor vehicle crashes are the leading cause of death for Americans between the ages of 3 and 34. More than 30,000 people die in crashes each year, and in 2009, 53 percent of those killed were not wearing a seat belt. The annual economic cost of motor vehicle crashes is estimated at approximately \$230 billion.

Increasing seat belt use is one way to reduce this tragic and expensive toll. Statistics show that seat belts save approximately 13,000 lives each year and have prevented hundreds of thousands of injuries. Getting people to buckle up isn't always easy, however.

Statistics show seat belts save lives and prevent injuries.

Seat belt laws and enforcement can encourage drivers and passengers to buckle up. Every state except New Hampshire has an adult safety belt law. Many cover front-seat occupants only, although laws in 25 states and the District of Columbia cover all occupants, regardless of where they are sitting.

One way to increase seat belt use is to enact and enforce a primary belt law. Primary laws allow police officers to stop motorists solely for violating the seat belt law. Thirty-one states have primary enforcement seat belt laws. Eighteen states have secondary seat belt laws that require police to stop the vehicle for other reasons before they can cite the driver for failure to use a seat belt. States with primary laws average higher seat belt use than secondary law states (87 percent compared to 76 percent in 2010).

Fatality rates also are lower in primary enforcement states. In addition to saving lives, primary belt laws can save states a significant amount of money in reduced Medicaid expenses. A 2008 NHTSA study estimated that, by implementing a primary belt law, Nevada could expect to save \$1.6 million on its medical costs from injuries prevented in 2009 alone. The total savings to all payers will be about \$6.9 million.

During the 2010 state legislative sessions, at least 26 states considered bills to strengthen seat belt laws. Kansas, Minnesota, Rhode Island, Virginia and West Virginia debated legislation that would have allowed for primary enforcement of the seat belt law. Kansas passed its bill and now has primary seat belt enforcement. (See Appendix B for safety belt law information.)

One common concern about enacting a primary belt law is the fear that such a law would be unequally enforced in regard to minorities. A recent study by the University of Michigan, however, did not show a link between Michigan's primary law and an increase in harassment. In Georgia and Louisiana, researchers found that, although minority groups thought their chances of getting a seat belt ticket were higher than whites, the data revealed no differences in ticketing by race. The potential for harassment is an ongoing concern, but it is not limited to primary seat belt laws. Therefore, many state and local law enforcement leaders assure the public that seat belt use laws will be enforced fairly in all segments of the population.

Child Passenger Protection

Motor vehicle crashes are the leading cause of death for children between the ages of 3 and 14. The most effective way to keep children safe in cars is to ensure that they are properly restrained in appropriate child restraint systems in the back seat. While 322 children age 4 and younger were killed in passenger vehicle crashes in 2009, an estimated 309 children in the same age group were saved by child restraints.

All states and the District of Columbia have child restraint laws that require children of certain ages and sizes to ride in appropriate child safety restraint systems. The age and size requirements vary by state. Some laws cover children only up to a certain age (usually age 4), while others allow use of adult safety belts to restrain children. Child restraint laws are primarily enforced for all children except in Nebraska, Ohio and Pennsylvania.

NHTSA recommends that, once children outgrow their front-facing seats (usually around age 4 and 40 pounds), they should ride in booster seats in the back seat until the vehicle seat belts fit properly. The proper seat belt fit is when the lap belt lies across the upper thighs and the shoulder belt fits across the chest (usually at age 8 or when children are 4'9" tall.) In a 2006 survey of more than 10,000 motor vehicle occupants, NHTSA found that 41 percent of 4- to 7-year-olds were restrained in booster seats. Traffic safety groups recommend that children age 12 and younger ride in the back seat. Seventeen states have laws with specific backseat requirements.

In 2010, 26 states debated child passenger protection legislation.

In 2010, 26 states debated child passenger protection legislation. Alaska, Colorado, Illinois, Iowa, Louisiana, Minnesota, New York, Rhode Island and Virginia passed bills strengthening current child passenger laws. Most added new provisions to booster seat requirements, while others increased penalties for violating current law. (See appendices C and D for child passenger protection laws.)

Pickup Trucks

As the use of pickup trucks continues to rise, so does passenger use of cargo areas. Studies have shown that passengers seated in the back of pickup trucks are at an increased risk to

be thrown from the vehicle in the event of a crash, even at low speeds. According to a 2007 article in the *Journal of Neurosurgery: Pediatrics*, researchers identified 73 pediatric patients with injuries related to riding in the cargo areas of trucks; 53 of these were children (73 percent) who had sustained neurological injuries, including isolated head injuries, spinal injuries and peripheral nerve damage.

Laws in 30 states and the District of Columbia relate to the passengers riding in pickup truck cargo areas. Some state occupant protection laws exempt pickup trucks, meaning that it is not against the law for passengers to ride in the back of these vehicles. Most state child passenger protection laws prevent young children from riding unrestrained and, therefore, would make it illegal for children to ride in the back of pickup trucks. During the 2010 state legislative sessions, Colorado and Georgia passed legislation that added pickup trucks to the vehicles covered by child occupant protection laws. (See Appendix E for pick-up truck restrictions.)

Impaired Driving

In 2009, 10,839 people were killed in alcohol-impaired traffic crashes. Although this is down slightly from 2008, the percentage of alcohol-impaired traffic deaths compared to all traffic fatalities actually went up in 2009. Impaired driving continues to be a serious traffic safety and public health issue for states (see Table 1). According to AAA, alcohol is a factor in about 40 percent of traffic fatalities each year, and nearly 1.5 million people are arrested annually for driving under the influence of alcohol or drugs.

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Table 1. 2009 Alcohol-Impaired Traffic Fatalities

State/Jurisdiction	Total Traffic Fatalities	Alcohol-Impaired Driving Fatalities (BAC $\geq .08$)	Percentage Alcohol-Impaired
Alabama	848	280	33%
Alaska	64	20	31
Arizona	807	219	27
Arkansas	585	168	29
California	3,081	950	31
Colorado	465	158	34
Connecticut	223	99	44
Delaware	116	45	38
Florida	2,558	770	30
Georgia	1,284	331	26
Hawaii	109	52	48
Idaho	226	58	26
Illinois	911	319	35
Indiana	693	210	30
Iowa	372	96	26
Kansas	386	154	40
Kentucky	791	194	25
Louisiana	821	295	36

Table 1. 2009 Alcohol-Impaired Traffic Fatalities (continued)

State/Jurisdiction	Total Traffic Fatalities	Alcohol-Impaired Driving Fatalities (BAC $\geq .08$)	Percentage Alcohol-Impaired
Maine	159	47	29
Maryland	547	162	30
Massachusetts	334	108	32
Michigan	871	246	28
Minnesota	421	108	26
Mississippi	700	234	33
Missouri	878	300	34
Montana	221	81	36
Nebraska	223	66	30
Nevada	243	68	28
New Hampshire	110	30	27
New Jersey	583	1149	25
New Mexico	361	114	25
New York	1,156	321	28
North Carolina	1,314	363	28
North Dakota	140	54	38
Ohio	1,021	324	32
Oklahoma	738	235	32
Oregon	377	115	30
Pennsylvania	1,256	406	32
Rhode Island	83	34	40
South Carolina	894	377	42
South Dakota	131	53	40
Tennessee	989	303	31
Texas	3,071	1,235	40
Utah	244	40	16
Vermont	74	23	32
Virginia	757	243	32
Washington	492	206	42
West Virginia	356	115	32
Wisconsin	561	213	38
Wyoming	134	47	35
District of Columbia	29	10	35
Puerto Rico	365	109	30
United States	33,808	11,773	32

Source: NHTSA, 2010.

In 2010, lawmakers in 46 states introduced more than 300 bills related to impaired driving. The ultimate goal of these laws is to reduce the incidence of impaired driving and keep the roads as safe as possible. Lawmakers considered legislation ranging from stricter penalties for high blood alcohol concentration (BAC) to ignition interlocks, breath tests and treatment. Twenty-eight states enacted laws related to impaired driving during the 2010 legislative session.

In 2010, 28 states enacted laws related to impaired driving.

At least five states introduced bills to increase penalties for drivers with a high BAC.

High BAC

In 2008, 57 percent of the drivers involved in fatal crashes who had been drinking had a BAC of .15 or greater. To address this problem, 43 states and the District of Columbia have enacted high BAC laws with enhanced sanctions for offenders with higher BACs. The sanctions, which vary from state to state, include longer license suspension, longer terms of imprisonment, additional fines, installation of ignition interlocks, vehicle sanctions or treatment for abuse. The BAC levels at which these sanctions are applied vary as well, ranging from .15 to .20 (see Table 2). NHTSA recommends that the enhanced penalties for first-time high-BAC offenders should be comparable to those for repeat offenders.

Table 2. Jurisdictions with Increased Penalties for High Blood Alcohol Content

State/Jurisdiction	BAC	State/Jurisdiction	BAC
Alabama	No increased penalties	Nebraska	.18
Alaska	.15	Nevada	.18
Arizona	.15	New Hampshire	.16
Arkansas	.15	New Jersey	No increased penalties
California	.16 and .20	New Mexico	.16
Colorado	.17	New York	.18
Connecticut	.16	North Carolina	.16
Delaware	.15	North Dakota	.18
Florida	.2	Ohio	.17
Georgia	.15	Oklahoma	.15
Hawaii*	No increased penalties	Oregon	.15
Idaho	.20	Pennsylvania	.16
Illinois	.16	Rhode Island	.15
Indiana	.15	South Carolina	.16, .20
Iowa	.15	South Dakota	.17
Kansas	.15	Tennessee	.20
Kentucky	.18	Texas	.15
Louisiana	.15, .20	Utah	.16
Maine	.15	Vermont	No increased penalties
Maryland	No increased penalties	Virginia	.15, .20
Massachusetts	.20	Washington	.15
Michigan	.17	West Virginia	No increased penalties
Minnesota	.20	Wisconsin	.17
Mississippi	No increased penalties	Wyoming	.15
Missouri	.15, .20	District of Columbia	.20, .25
Montana	.18		

*High BAC provisions repealed in 2010.

For more information, see <http://www.ncsl.org/default.aspx?tabid=13557>.

Sources: NHTSA 2008, NCSL 2010.

At least five states introduced bills to increase penalties for impaired drivers with a high BAC. Missouri passed a law in 2010 requiring DUI courts to sentence anyone whose blood alcohol level ranges between .15 and .20 to two days in jail. If the person's BAC is higher than .20, imprisonment of five days is required. Alabama, Mississippi, New Jersey and Vermont currently do not have enhanced penalties for high BAC offenders; although high BAC legislation was introduced in all, none passed. The Hawaii Legislature passed SB 2897, which removed increased penalties for drivers with a high BAC; it becomes effective Jan. 1, 2011.

Ignition Interlock

Ignition interlock devices are installed in motor vehicles to prevent the car from being started if alcohol is detected on the driver's breath. Most devices require frequent retesting while the car is running to ensure that the driver is not drinking once the car is started. Many courts include use of ignition interlock devices when sentencing DUI offenders. During sentencing, an offender whose driver's license has been suspended or revoked can be granted limited driving privileges if an ignition interlock device is installed. In 2005, New Mexico became the first to require ignition interlock devices for all convicted drunk drivers, including first-time offenders.

As of September 2010, Alaska, Arizona, Arkansas, Illinois, Louisiana, Nebraska, New York, Utah and Washington also require ignition interlock devices for all convicted drunk driving offenders. Hawaii's law becomes effective in 2011. Colorado's ignition interlock law is not mandatory for first offenders, but it provides strong incentives to install the devices. Oregon law requires installation of interlocks after an offender's driver's license is reinstated. California currently has a pilot program in four counties, including in Los Angeles that requires all convicted drunk drivers to install ignition interlock devices. Nearly 30 states considered some sort of ignition interlock legislation in 2010.

- Vermont became the 48th state to have an ignition interlock law. Senate bill 103 defines an ignition interlock restricted license (RDL) and allows offenders to obtain one after 30 days of a 90-day license suspension if they install an ignition interlock device.
- Nebraska passed a law that allows convicted drunk drivers with a suspended license to drive a motor vehicle with an ignition interlock device after 45 days and for no less than the original year suspension.
- Tennessee passed a law creating the Interlock Assistance Fund for indigent offenders. All ignition interlock users will be assessed a \$40 fee dedicated to the interlock fund.
- Louisiana passed a law requiring the Department of Motor Vehicles to designate a special restriction code on the license of a driver who is required to drive with an ignition interlock device.

Repeat Offenders

One-third of all driving while intoxicated (DWI) or driving under the influence (DUI) arrests each year involve repeat offenders. The Transportation Equity Act for the 21st Century (TEA-21) contained provisions requiring increased penalties for those who repeatedly drive drunk. To comply with the repeat offender provisions of TEA-21, states had to enact laws that include the following penalties for drivers convicted of a second or subsequent drunk driving offense:

- A driver's license suspension for not less than one year;
- Impoundment or immobilization of each of the individual's motor vehicles or installation of an ignition interlock system on each of the motor vehicles;
- Assessment of the individual's degree of abuse of alcohol and treatment as appropriate; and

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- Thirty days of community service or not less than five days in jail for a second offense and not less than 60 days' community service or not less than 10 days' imprisonment for third and subsequent offenses.

According to NHTSA, as of November 2010, 39 states and the District of Columbia comply with federal repeat offender requirements.

A California law passed in 2010 authorizes the court to order a 10-year driver's license revocation if the person has been convicted of impaired driving three or more times. The law allows those with a 10-year suspension to apply for reinstatement after five years. Kansas increased the fine from \$1,500 to \$2,500 for a third impaired driving offense. Mississippi considered but did not pass a measure that would have prohibited plea bargaining for all repeat impaired driving offenders.

Distracted Driving

Most experts agree that distracted driving is a significant traffic safety problem. In 2009, 5,474 people were killed on U.S. roadways and an estimated 448,000 were injured in motor vehicle crashes that were reported to have involved distracted driving. Distraction-related fatalities represented 16 percent of overall traffic fatalities in 2009. According to a 2010 Insurance Institute for Highway Safety survey, 40 percent of drivers reported talking on phones at least a few times each week, and 13 percent reported text messaging.

In 2009, Virginia Tech Transportation Institute research showed that drivers who text messaged while driving had over 20 times the risk of crash or near crash than a driver who was not using a phone. The study also revealed that drivers who text messaged while driving took their eyes off the road for 4.6 seconds over a 6-second interval. This equates to a driver traveling the length of a football field at 55 mph without looking at the road. The study concluded that talking on a cell phone slightly increased the risk of a crash or near crash but not to the same degree as texting while driving.

A study published in the September 2010 *American Journal of Public Health* reports texting while driving likely caused more than 16,000 road fatalities between 2002 and 2007. University of North Texas researchers used statistical modeling to determine that the percentage of all traffic deaths caused by distracted driving rose from 11 percent in 1999 to 16 percent in 2008. The researchers noted that only one-third of Americans had a cellular phone in 1999 but by 2008, the number jumped to 91 percent.

State Legislation

The prevalence of cellular phones, new research and publicized crashes have started many debates over the role cell phones play in driver distraction. Since 2000, legislatures in every state, the District of Columbia and Puerto Rico have considered legislation related to distracted driving or, more specifically, driver cell phone use. In 2010, legislators in 40 states considered 181 driver distraction bills.

No state completely bans all phones for all drivers. Instead, state legislation usually addresses a range of issues, including particular wireless technologies and specific types of drivers. California, Connecticut, Delaware, Maryland, New York, New Jersey, Oregon,

Of overall traffic fatalities in 2009, 16 percent were distraction-related.

Washington and the District of Columbia prohibit driver use of hand-held phones. Utah considers speaking on a cell phone without a hands-free device to be an offense only if a driver also is committing some other moving violation (other than speeding). Delaware's 2010 law states that violators will be fined \$50 upon first conviction. Oregon's law prohibits drivers younger than age 18 from using any kind of cellular device. Drivers over age 18 can use a mobile communications device only with a hands-free accessory.

Georgia and Massachusetts enacted laws in 2010 that prohibit drivers younger than age 18 from using cellular phones while driving. The use of all cell phones by teen drivers is prohibited in 28 states and the District of Columbia.

The most common driver distraction measure debated by legislatures this year was texting while driving. As of November 2010, laws in 30 states—Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Illinois, Iowa, Louisiana, Kansas, Kentucky, Maryland, Massachusetts, Minnesota, Michigan, Nebraska, New Jersey, New Hampshire, New York, North Carolina, Oregon, Rhode Island, Tennessee, Utah, Vermont, Virginia, and Washington, Wisconsin, Wyoming and the District of Columbia specifically ban text messaging while driving for all drivers. Eleven states passed this legislation in 2010. Oklahoma, which does not have a texting ban for all drivers, passed a law in 2010 that prohibits public transit drivers from texting. Washington made its texting ban a primary offense in 2010.

Text messaging while driving is specifically banned in 30 states for all drivers.

Penalties for violating texting bans vary among the states. In Georgia, texting while driving is a misdemeanor carrying a \$150 fine; in California, the traffic infraction carries a \$20 fine. Violators in Nebraska will have points assessed against their license and pay a \$200 fine.

Federal Action

U.S. Department of Transportation (DOT) Secretary Ray LaHood held the second annual Distracted Driving Summit in September 2010. Leading transportation officials, safety advocates, law enforcement personnel, industry representatives, researchers and victims affected by distraction-related crashes convened to address challenges and identify opportunities for national anti-distracted driving efforts. At the summit, Secretary LaHood announced a U.S. DOT proposed rule that would prohibit texting on the job by commercial bus and truck drivers. Train operators also are restricted from using cell phones and other electronic devices while in the conductor's seat. NHTSA also provided model legislation for state texting while driving bans; this language can be found at <http://www.distraction.gov/state-laws/>.

Congress also is considering legislation related to texting while driving. On July 29, 2009, New York Senator Chuck Schumer introduced the "Avoiding Life-Endangering and Reckless Testing by Drivers Act" (ALERT Drivers Act). The bill would require that states enact a law to prohibit text messaging while driving by a certain date, or be penalized by having 25 percent of the state's highway funds withheld. West Virginia Senator Jay Rockefeller also introduced a distracted driving bill in 2009, the "Distracted Driving Prevention Act". This bill would provide incentive grants to states that: ban texting while driving for all drivers, require drivers to use hands-free devices, and prohibit any drivers under age 18 to use any cell phone while driving. As of September 2010, both bills remain in committee.

Driver Licensing

The states, the District of Columbia and the U.S. territories license more than 245 million drivers who represent roughly 88 percent of those eligible to drive. States have administered their driver's licensing systems since 1903, when Massachusetts and Missouri enacted the first state driver's licensing laws. Since 1959, all states have required an examination to test driving skills and traffic safety knowledge before a license is issued. Testing drivers and issuing licenses, however, no longer is the sole concern of state licensing agencies. Because the driver's license now serves a role beyond traffic safety—where both government and private entities rely on it for personal identification—state legislatures and driver's license agencies are concerned about the safety and security of using the license as an identifier. Each year, state legislatures debate hundreds of bills related to various aspects of driver's licensing, including REAL ID, unlicensed driving, older drivers and teen drivers. In 2010, 40 states debated more than 200 bills relating to driver's licensing.

REAL ID

In January 2008, the Department of Homeland Security (DHS) issued the long-awaited final regulations on implementation of the REAL ID Act of 2005, a mere four months before the May 11, 2008, statutory implementation date. Under the act, unless states adopt federal standards for driver's licenses and identification cards, the federal government will not accept the licenses or identification cards for federal purposes such as boarding commercial aircraft, entering a federal building or nuclear power plant, or other purposes as determined by the secretary of Homeland Security.

States were required to certify compliance to DHS by May 11, 2008, or request an extension until Dec. 31, 2009. All 56 U.S. jurisdictions received an initial extension. To merit a second extension through May 11, 2011, states must demonstrate material compliance with REAL ID by meeting many or all of 18 benchmarks. By Dec. 1, 2014, they must begin issuing REAL IDs to applicants born after Dec. 1, 1964. The re-issuance process for all driver's license and identification card holders is to be completed by Dec. 1, 2017. During any extension, the state's non-REAL ID-compliant driver's license and identification card will be recognized for federal purposes. States that choose not to comply or seek the second extension need not take action.

Legislators in Kentucky, Louisiana, New Hampshire, Oklahoma, Utah and Virginia debated legislation related to REAL ID in 2010. Kentucky, Louisiana, New Hampshire, Oklahoma and Utah considered bills that would have prohibited the state from complying with REAL ID provisions. The Utah bill passed. Legislators in Virginia proposed a bill that would have required compliance, but it did not pass. State legislative REAL ID activity was markedly lower in 2010, given the extension granted through May 2011.

Unlicensed drivers are involved in 20 percent of fatal motor vehicle crashes.

Unlicensed Drivers

Twenty percent of fatal motor vehicle crashes involve unlicensed drivers who either are driving with a suspended or revoked license or have never been licensed. Many drivers who lose their license due to a traffic-related offense such as a DUI or to a non-traffic-related offense—such as failure to appear, poor school attendance or child support enforcement—continue to drive. AAA estimates that 66 percent of those who have lost their license

continue to drive. This is a significant problem because many drivers lost their license due to a serious traffic-related offense and are considered dangerous drivers or are repeat offenders who have no respect for the related penalties and fines.

This issue is difficult to track, since unlicensed drivers usually are identified only after a traffic stop or a serious accident. Crash rates involving unlicensed drivers vary from state to state. According to AAA, the rates range from 6.1 percent in Maine to a high of 23.4 percent in New Mexico. In 2010, Illinois, Nebraska, New Jersey, New York and South Carolina considered legislation related to unlicensed driving. Illinois legislators passed a law that allows for hardship licenses in certain circumstances. New Jersey debated legislation to strengthen penalties for unlicensed driving, and New York considered a proposal that would have criminalized vehicular assault when the driver was unlicensed; neither bill passed.

Teen Drivers

Motor vehicle crashes, a leading cause of death for teen drivers, killed more than 2,700 young drivers in 2008. During the same period, more than 220,000 teens were injured. Crash rates are high for teens because they are more likely to engage in risky behavior such as speeding, driving under the influence (25 percent of drivers between the ages of 15 and 20 who were killed in crashes had a blood alcohol content of .08 or higher), running red lights and not wearing safety belts, all of which contribute to high fatality and injury rates.

Motor vehicle crashes are a leading cause of death for teen drivers.

To mitigate this public health issue, every state has enacted some form of law to make it more difficult for teens to obtain driver's licenses. Commonly referred to as graduated driver's licensing (GDL), the laws provide a gradual process for teen drivers to gain experience in a safe, educational environment. According to a study completed by the Johns Hopkins Bloomberg School of Public Health, states with strong GDL laws have reduced fatalities of 16-year-old drivers by 11 percent. Fatalities have been significantly reduced in states that have a three-tiered driver's licensing system, including passenger restrictions and nighttime restrictions and longer mandatory minimum permit holding periods. States with the most comprehensive GDL laws witnessed an almost 20 percent reduction in fatalities. The study reports that comprehensive state laws include five of seven of the following components:

- A minimum age of 15 years and six months for obtaining a learner's permit;
- A waiting period after obtaining a learner's permit of at least three months before applying for an intermediate license;
- A minimum of 30 hours of supervised driving;
- Minimum age of at least 16 for obtaining an intermediate state license;
- Minimum age of at least 17 for full licensing;
- A nighttime driving restriction; and
- A restriction on carrying passengers.

Many states have strengthened existing GDL laws by adding passenger restrictions, nighttime restrictions and mandatory minimum holding periods for learner's permits. Traffic safety advocacy groups recommend that no teen passengers travel with teen drivers and that nighttime restrictions begin at 9:00 p.m. Most states limit the number of teen passengers to one or two and start nighttime restrictions around 11:00 p.m. or midnight.

During the 2010 legislative sessions, 34 states debated 125 bills related to teen driving provisions. Most would have strengthened existing teen driving laws by adding passenger or nighttime driving restrictions and lengthening the learner's permit phase. (See Appendix F for teen licensing restrictions.)

Older Drivers

In 2008, 5,569 people over age 65 died in motor vehicle crashes, and 183,000 older drivers were injured. Of the fatal collisions that involve people age 70 and older, 40 percent occur at intersections with other vehicles, compared with 23 percent of the crashes that involves 35- to 54-year-olds. Older drivers have low rates of police-reported crash involvement per capita, but per-mile-traveled crash rates continue to increase for drivers age 75 and older. Older drivers tend to travel fewer annual miles than other age groups and usually drive in familiar locales such as cities and urban areas where more crashes occur.

Per-mile-traveled crash rates continue to increase for drivers age 75 and older.

Many safety groups acknowledge that improved road design could help older drivers remain safe on the road. These improvements—which include better signage and lighting and left- turn lanes and signals—can help reduce crashes for all drivers, but especially for those drivers over age 65.

In 2010, 13 states debated legislation about insuring and licensing senior drivers. Connecticut and Tennessee passed legislation providing for reduced insurance rates if senior drivers enroll in and complete a driver training program. The Hawaii Legislature debated but did not pass a proposal that would have required drivers older than age 85 to pass a road test in order to renew their license. Massachusetts considered similar legislation.

In 2006, 30 million licensed drivers were age 65 and older—an 18 percent increase from 1996. With more older drivers, “Driver Rehabilitation Specialists” can help adapt vehicles to their medical needs. Older drivers can install steering adaptations, such as zero effort or foot steering or electronic aids such as keyless ignition or adaptive extension levers. (Appendix G contains state licensing procedures for older drivers.)

Aggressive Driving

A 2009 AAA Traffic Safety Culture Index survey found nearly eight of every 10 people surveyed rated aggressive drivers as a serious traffic safety problem. Aggressive driving includes running stop signs or red lights, speeding, illegal driving on the shoulder, preventing others from passing, or any combination of these activities. Another study by AAA showed that, from 2003 to 2007, 56 percent of fatal crashes were associated with speeding, failure to yield the right-of-way, recklessness and carelessness.

Several states have laws to penalize aggressive drivers. The laws typically create an aggressive driving offense and outline fines and penalties. As of November 2010, Arizona, Delaware, Florida, Georgia, Indiana, Maryland, Nevada, North Carolina, Rhode Island and Virginia have such laws. (Appendix H contains more information about state aggressive driving laws.) In 2010, California and Utah amended their reckless driving laws to make them similar to those enacted in other states. In 2010, Connecticut added aggressive driving to the motor vehicle commission's driver retraining program. The retraining program, at a judge's discretion, may be required for drivers who have committed three or more moving

violations. A 2010 Illinois law allows the court, at its discretion, to assess an additional fine on anyone who was in a crash and convicted of reckless driving or excessive speeding. The money collected would go directly to the agency responsible for the emergency services rendered in the crash.

Speed Limits

In 2008, speeding was a contributing factor in 31 percent of all fatal crashes, and 11,674 lives were lost in speeding-related crashes. On average, these crashes cost society about \$40 billion annually.

NHTSA data show speeding is the most common contributing factor involved in nearly one in three deadly crashes. According to a study completed by the IIHS, crash severity is directly related to speed. If speed increases by 50 percent, the energy released in a crash more than doubles. This increased force can cause severe injuries and fatalities because passenger seat belts, air bags and child safety seats can be less effective at high rates of speed.

In the early 1970s, Congress withheld federal funding from states that did not enact a maximum 55 mile per hour (mph) speed limit. The federal government has since given states more power to set maximum speed limits. In 1995, Congress repealed the maximum speed limit; since then, 31 states have raised speed limits to 70 mph or higher on certain roads.

In 2010, 21 states considered bills regarding speed, and a handful enacted major changes to their speed laws. Florida amended the Luis Rivera Ortega Street Racing Act, providing for harsher penalties and fines for subsequent convictions of street racing. Under the new penalties, anyone who commits a third violation for street racing, or who promotes street racing will lose his or her license for four years. Mississippi enacted a law prohibiting the use of nitrous oxide, which is used to increase motor vehicle speed and performance. The fine for using a nitrous oxide canister in a vehicle ranges from \$250 to \$1,000. Illinois amended its speeding law to make driving 30 mph or more but less than 40 mph more than the speed limit a Class B misdemeanor, which can carry up to six months in jail and a \$1500 fine.

In 2010, Louisiana and Virginia passed measures to increase the speed limit on certain roads. Virginia raised the speed limit from 65 mph to 70 mph on rural and urban highways. Under the Louisiana law, the Department of Transportation can set speed limits higher than 55 mph if the department determines based on engineering and traffic investigations that such speed is reasonable and safe.

In 2009, Georgia passed HB 160, which provides increased fines for “super speeders”. Drivers caught driving over 75 mph on a two-lane road—or over 85 mph on any road—will pay an extra \$200 in addition to any other applicable fees. The Georgia Department of Driver Services reported that, from January to June 2010, 17,104 “super speeder” notices were issued. Tennessee introduced, but did not pass, a similar “super speeder” bill in 2010. (Appendix I contains more information about speed limit laws.)

In 2010, 21 states considered bills regarding speed; some enacted major changes.

Automated Enforcement

Deliberately running a red light is a common and serious violation. According to the IIHS, in 2008 approximately 762 people were killed and about 137,000 were injured in crashes that involved a driver running a red light. Because law enforcement agencies struggle with limited resources, many municipal governments have turned to automated enforcement to control speed and reduce red light violations without diverting law enforcement resources from other areas. Red light cameras and photo radar allow local law enforcement agencies to remotely enforce these traffic laws.

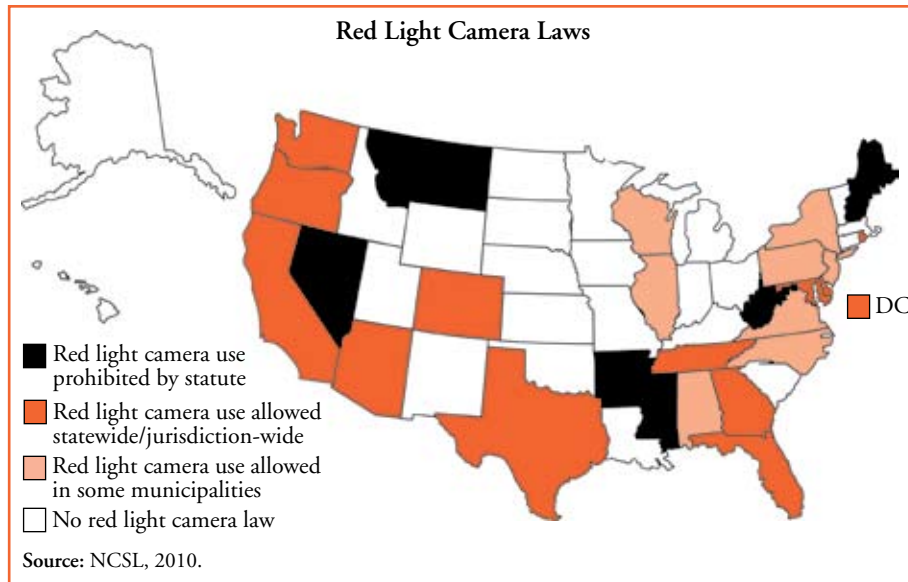
Red light cameras and photo radar allow remote enforcement of these traffic laws.

Both red light cameras and photo radar detect vehicles that violate traffic regulations. Red light cameras are linked to traffic signals and monitor each phase of green, yellow and red. When a motorist drives through the intersection after the signal has turned red, sensors trigger the cameras to take two photographs—one of the vehicle entering the intersection while the light is red, and one showing the vehicle traveling through the intersection on a red light.

Photo radar functions are similar. The photo radar system usually is located in a mobile unit, such as a van. The system is equipped with both a radar speed detector and a camera. Once a speeding vehicle is detected, the camera is triggered. The photos, stamped with the date and time, are used to identify the vehicle owner. Tickets then are generated and distributed.

Results of studies on the effectiveness of automated enforcement vary. An IIHS study in Oxnard, Calif., showed that red light violations dropped 42 percent after installation of cameras. The most recent data released from the city of Dallas, Texas, shows that intersection crashes caused by red light running fell by an average of 61 percent, and intersection crashes of all types fell by an average of 30 percent. The effectiveness of red light cameras in reducing red light running and crashes has been questioned in recent years by University of Southern Florida researchers. One study claimed red light cameras increased crashes by making motorists stop abruptly and not clear the intersection.

City and local governments in Alabama, Arizona, California, Colorado, Delaware, Florida, Georgia, Illinois, Iowa, Louisiana, Maryland, Massachusetts, Missouri, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Virginia, Washington and the District of Columbia use cameras. In most cases, state legislatures have passed enabling statutes that allow city and local governments to use the cameras. Although Iowa, Ohio and South Dakota do not have specific statutes, cameras are used in certain cities. (Appendix J contains more information about state automated enforcement laws.)



During 2010, legislators in 28 states debated nearly 100 bills regarding automated enforcement. As in years past, most bills delegated powers to municipalities or counties to use available technology to enforce red light and speed violations. Alabama’s law authorizes the cities of Tuscaloosa and Selma to use automated enforcement for red light running. Bills were introduced in Florida and Hawaii to establish photo red light programs. The Hawaii bill failed to pass out of committee, but Florida’s HB 325 was enacted. The law requires the Florida Department of Transportation to administer the program. Cities and counties must enact ordinances allowing use of red light cameras at certain intersections.

During 2010, 28 states considered nearly 100 bills regarding automated enforcement.

The Arizona Department of Public Safety began installing traffic cameras in September 2008, and the Legislature enacted changes to current law in 2010. One new provision requires all yellow traffic signal lights to last three seconds. The law also requires that speed cameras not be placed within 600 feet of a posted speed limit change. A new Delaware law increases from \$75 to \$110 the maximum fine for a red light camera violation. Illinois considered decreasing the fine for red light camera violations, but the bill did not pass.

Motorcycle Safety

In 2009, motorcyclist fatalities broke the continuous 11-year increase, with 850 fewer motorcyclist fatalities than in 2008. According to NHTSA, 90,000 motorcyclists were injured and 4,462 motorcyclists were killed in 2009. Motorcyclists accounted for 13 percent of all 2009 traffic fatalities, a 1 percent drop from 2008. Many organizations, safety groups, state legislatures and federal agencies are examining motorcycle safety in general—including safety equipment use and rider training and licensing requirements—to reduce the number of motorcycle-related fatalities. During the 2010 legislative session, 38 states considered more than 100 bills related to motorcycle safety.

Helmets

Research has shown that helmets can decrease the severity of head injuries and the likelihood of death. The National Occupant Protection Use Survey (NOPUS) reported a slow but steady increase in motorcycle helmet use in the last five years, from 48 percent of

riders in 2005 to 67 percent in 2009. NHTSA estimates that motorcycle helmets save the lives of more than 1,500 people annually. Laws in 20 states and the District of Columbia require all motorcyclists to wear helmets.

NHTSA estimates motorcycle helmets save more than 1,500 lives annually.

In 27 states, laws require only some motorcyclists—usually riders under age 21 or age 18—to wear helmets. Illinois, Iowa and New Hampshire do not have motorcycle helmet use laws. (Appendix K contains more information about state motorcycle helmet laws.) In 2010, Illinois and New Hampshire considered adopting a helmet law that would have applied to all riders, but neither bill passed. Massachusetts, Maryland, Michigan, Missouri, Mississippi, Nebraska, Washington and West Virginia—all of which have universal helmet laws, introduced legislation in 2010 to repeal them. None of the measures passed.

Utah requires motorcycle riders age 17 and younger to wear protective headgear. In 2010, Utah passed legislation that gives incentives to riders older than age 17 to wear a helmet. The law allows the court to waive \$8 from a moving violation fine charged to a motorcycle rider who was wearing a helmet.

A study conducted by the U.S. DOT looked at the effect of Louisiana's universal helmet law. In the past 50 years, Louisiana has enacted, amended and reenacted its motorcycle helmet law at least six times. Most recently, in 2004, Louisiana reinstated its requirement that all motorcycle riders wear protective helmets. Helmet use in motorcycle crashes was observed at 42.3 percent during between 1999 and 2003, the period before reinstatement of the helmet law. From 2004 to 2005, helmet use increased to 87 percent, and fatal crashes in Louisiana decreased in 2004 for the first time since 1999. A similar study in Florida showed an increase in motorcycle fatalities after the state repealed its universal helmet law in 2000.

Rider Training and Licensure

The federal government supports comprehensive state motorcycle safety programs. Rider education, training and operator licensing programs are important components of motorcycle safety. Table 3 contains information about state motorcycle education and licensing requirements.

Table 3. Motorcycle Education and Licensing Requirements			
State	Mandatory Rider Education	Minimum Age for a License	Tests Required
Alabama	No	14	Knowledge
Alaska	No	16	Knowledge, motorcycle written and skills
Arizona	No	16	Vision, knowledge and skills
Arkansas	No	16	Vision, knowledge and skills
California	Yes (riders under age 21)	16	Vision, knowledge and skills
Colorado	Yes (riders under age 18)	16	Vision and knowledge
Connecticut	Yes	16	Vision, knowledge and skills
Delaware	Yes (riders under age 18)	17	Knowledge and skills
Florida	Yes (riders under age 21)	16	Knowledge and skills
Georgia	No	16	Vision, knowledge and road signs
Hawaii	No information provided	15 and six months	Vision, knowledge and skills
Idaho	Yes (riders under age 21)	15	Vision, knowledge and skills
Illinois	No information provided	No information provided	No information provided
Indiana	No	15	Vision, knowledge and skills
Iowa	Yes (riders under age 18)	16	No information provided
Kansas	No	16	Vision, knowledge and skills
Kentucky	No	18	Vision, knowledge and skills
Louisiana	No information provided	No information provided	Knowledge
Maine	Yes (all riders)	16	Vision, knowledge and skills
Maryland	Yes (riders under age 18)	15 and nine months	Vision, knowledge, road signs and skills
Massachusetts	No information provided	16 and six months	Vision, skills and road signs
Michigan	Yes (riders under age 18)	16	Vision, knowledge and skills
Minnesota	Yes (riders under age 18)	16	Knowledge and skills
Mississippi	No information provided	No information provided	Knowledge and skills
Missouri	Yes (riders under age 16)	16	No information provided
Montana	No information provided	14	Knowledge and skills
Nebraska	No	15	Vision, knowledge and skills
Nevada	No	16	Vision, knowledge and skills
New Hampshire	Yes (riders age 16 to 18)	16	Vision, knowledge and skills
New Jersey	No	17	Vision, knowledge and skills
New Mexico	No information provided	15	No information provided

Laws in 20 states and the District of Columbia require all motorcyclists to wear helmets.

Table 3. Motorcycle Education and Licensing Requirements (continued)

State	Mandatory Rider Education	Minimum Age for a License	Tests Required
New York	No	16	Knowledge and skills
North Carolina	No information provided	18	Vision, Knowledge, skills
North Dakota	Yes (riders age 14 to 15)	14 and two months	Vision, knowledge and skills
Ohio	Yes (riders under age 18)	15 and six months	Vision, knowledge and skills
Oklahoma	No	14	Vision, knowledge and skills
Oregon	Yes (all riders)	16	No information provided
Pennsylvania	No	16	Vision, knowledge and skills
Rhode Island	Yes (all riders)	16	Vision, knowledge and skills
South Carolina	No information provided	15	Vision, knowledge and skills
South Dakota	No information provided	14	Vision, knowledge and skills
Tennessee	No	16	Vision, knowledge and skills
Texas	Yes (all riders)	15	Vision, knowledge and skills
Utah	No	16	Knowledge and skills
Vermont	No	16	Knowledge and skills
Virginia	No	16 and three months	Vision, knowledge and skills
Washington	No	16	Knowledge and skills
West Virginia	No	16	Vision, knowledge and skills
Wisconsin	Yes (riders under age 18)	16	Knowledge and skills
Wyoming	No	15	Vision, knowledge and skills

Source: Governor's Highway Safety Association, 2007 Motorcycle Survey. Updated by NCSL in 2010.

A 2010 California law requires all motorcycle riders seeking a motorcycle endorsement to first obtain an instruction permit. The law requires anyone age 21 and younger to successfully complete a motorcycle training program before obtaining the permit. A 2010 Connecticut law requires anyone seeking a motorcycle endorsement on his or her license to complete a motorcycle rider education course.

At least five states have age restrictions for motorcycle passengers.

Driving a Motorcycle with Children

In 2010, California, Iowa, Massachusetts and Washington introduced bills related to the age of motorcycle passengers. The pending Massachusetts bill would prohibit riding a motorcycle with a passenger younger than age 5 or a child who weighs less than 40 pounds. Washington currently restricts children under age 5 from riding as a motorcycle passenger. A bill that was introduced, but did not pass, would have prohibited children between the ages of 5 and 12 from riding on motorcycles if their feet did not reach the foot rests or they were not supported by a back rest. At least five states—Arkansas, Hawaii, Louisiana, Texas and Washington—currently have age restrictions for motorcycle passengers.

School Bus Safety

Each school day, 26 million children begin and end their day with a trip on a school bus. More than 450,000 school buses travel approximately 4.3 billion miles annually. According to NHTSA, an average of six school-age children per year die in school bus crashes as passengers.

To keep school bus transportation as safe as possible, NHTSA has established 35 safety standards that apply to all school buses. The standards help to ensure that all school buses are structurally and mechanically safe. NHTSA also coordinates the recall of any school buses that are deemed unsafe. State legislatures can strengthen current NHTSA standards through statute. During the 2010 state legislative sessions, nearly 60 bills were considered regarding school bus safety.

NHTSA has established 35 safety standards that apply to all school buses.

Safety Belts on School Buses

The issue of occupant protection on school buses still is debated. There is no question that seat belts play an important role in keeping occupants safe in passenger vehicles. Studies show, however, that the different school bus design and safety restraint system work well.

NHTSA requires “compartmentalization” in school buses to provide crash protection. This consists of a protective pocket closely spaced seats with energy-absorbing seat backs. The National Transportation Safety Board (NTSB) and the National Academy of Sciences have confirmed the effectiveness of compartmentalization in front and rear impact studies. After several investigations of school bus crashes in the late 1990s, however, the NTSB found compartmentalization does not provide adequate protection during side impacts. NTSB believes new seating systems should be developed that provide occupant protection in all types of crashes.

In 2008, NHTSA announced a rule change to FMVSS 222, which would require new school buses of 10,000 pounds or less to have lap/shoulder belts in lieu of the lap belts currently required. The rule also requires increasing the height of seat backs to from 20 inches to 24 inches and allows states or local jurisdictions to decide whether to install seat belts on larger school buses (over 10,000 pounds). (For more information about the rule, go to www.nhtsa.gov/staticfiles/DOT/NHTSA/Rulemaking/Rules/Associated%20Files/SchoolBusBeltsFinal.pdf.)

From 2007 to 2010, The University Transportation Center for Alabama (UTCA) conducted a three-year study to assess the safety effects of lap/shoulder seat belts on school buses. Four ceiling-mounted video cameras were installed on 12 new buses equipped with three-point belts to gather data on the percentage of students using the seat belts properly. Preliminary results for 2008-2009 showed that 63 percent of students wore belts properly, 8 percent wore belts inappropriately, and 29 percent did not wear them. Researchers noticed usage dropped as the route progressed and students changed seats and moved around. Detailed results will be available when the study is completed in 2011.

States can pass laws to require seat belt installation and use. California, Connecticut, Florida, Louisiana, New Jersey, New York and Texas laws require safety belts on school buses. Louisiana and Texas laws, however, are subject to appropriations funds. In 2010,

about a dozen states considered bills regarding occupant protection on school buses. A 2010 Connecticut law directs the Department of Motor Vehicles to provide funding to school districts to buy school buses with three-point lap/shoulder belts. From 2011 to 2017, Connecticut school districts will be able to apply to purchase school buses with seat belts. In 2018, the legislature will assess participation in and effectiveness of the program and make a recommendation about continuing it.

Licensing School Bus Drivers

Federal law establishes requirements for states that issue commercial driver's licenses (CDL). The Motor Carrier Safety Improvement Act of 1999 (MCSIA) established new requirements for testing and school bus endorsements. Standards for issuing CDLs to school bus drivers are included in the federal regulations. States can adopt stricter standards, and many have. Additional regulations usually include fingerprinting, background checks and specialized training requirements.

At least five states considered bills in 2010 related to licensing requirements for school bus drivers. Under a new law, bus drivers in Delaware must have an annual physical exam to qualify for licensure. The Alabama legislature enacted a law that prohibits registered sex offenders from holding a commercial driver's license with a school bus endorsement. Illinois passed a similar law that prohibits drivers convicted of driving under the influence or aggravated reckless driving from holding a school bus driver's license.

At least five states considered bills in 2010 related to school bus driver licensing.

Illegally Passing School Buses

Many states are aware of the safety problem caused by motorists who illegally pass stopped school buses and have attempted to solve it with strict laws and public education campaigns. In 2010, Connecticut, Maryland, Mississippi, New Jersey, New York, Rhode Island and West Virginia debated proposals related to illegally passing school buses. West Virginia increased penalties for illegally passing a school bus to a misdemeanor punishable by a \$150 to \$500 fine, possible jail time, and a 30-day license suspension.

Other Issues

Maryland, Nebraska and New Mexico considered bills to prohibit school bus drivers from using cell phones while driving. The Maryland bill passed in 2010. Arizona, Arkansas, California, Delaware, Illinois, Maryland, Massachusetts, Louisiana, New Jersey, North Carolina, Rhode Island and Tennessee laws prohibit school bus drivers from talking on cell phones.

States also considered bills relating to other school bus driver safety concerns. A Virginia law makes possessing or consuming an alcoholic beverage while operating a school bus a Class 1 misdemeanor, with a possibility of up to 12 months of jail time and a fine of up to \$2,500. A New Hampshire law provides for a two-year license revocation if a school bus driver tests positive for illegal controlled substances.

Pedestrian and Bicycle Safety

Many people walk, run and bicycle to maintain physical fitness and a healthy lifestyle, and their safety is a major concern. According to NHTSA, 4,378 pedestrians were killed and 69,000 were injured in motor vehicle crashes in 2008. Bicycle injuries and fatalities have decreased in recent years, in 2008 716 bicyclists were killed in traffic safety accidents, a 6 percent decrease from the 760 fatalities in 1998.

Pedestrian Safety

According to NHTSA, 4,378 pedestrians were killed and 69,000 were injured in motor vehicle crashes in 2008. Bicycle and pedestrian injuries and fatalities have decreased in recent years, some of which can be attributed to new state safety laws.

In 2010, 34 states considered more than 100 bills regarding pedestrian and bicycle safety. Many addressed educating motorists about responsibilities at crosswalks and on roadways. Other proposals considered ways to increase safety near schools.

Walking Safely

In 2010, more than 35 pedestrian safety bills were considered by state legislatures. A new Colorado law requires the Department of Transportation to work with the Department of Education to provide schools with educational curriculum related to safe use of public streets and pedestrian safety traffic laws.

According to NHTSA, pedestrians age 65 and older accounted for 18 percent of all pedestrian fatalities, higher than any other age group in 2008. New York introduced a bill authorizing the DOT to conduct a statewide survey to determine areas with a high incidence of senior citizen pedestrian accidents. The bill would require the DOT commissioner to report recommendations and findings to the Legislature in April, 2011. As of September 2010, the bill had been referred to the Senate Rules Committee. The Michigan Legislature considered a bill in 2010 that would require towns of a certain size to specifically consider the needs of senior citizen pedestrians before adopting a development plan. The bill still is pending.

With growing concern about gas prices and air pollution, hybrid and electric vehicles have become more popular. At low speeds and idling at intersections, hybrid engines are almost silent, which can present a hazard for pedestrians and bicyclists. The California Senate in 2009 recognized that crossing the street is especially dangerous for any pedestrian if cars can quickly approach in virtual silence. The Legislature passed a joint resolution urging U.S. Congress and the president to support research and develop minimum noise standards for new hybrid and electric motor vehicles in 2009. Kansas passed a similar resolution in 2010, urging research and identification of strategies to ensure vehicles emit sounds that can be heard by pedestrians.

To keep child pedestrians safe, many communities have turned to “Safe Routes to School” programs that encourage parents, teachers, students, community leaders, state and local governments, and law enforcement agencies to identify and establish safe pedestrian and bicycle routes to and from schools. The programs examine current traffic laws, speed limits, and law enforcement and education programs and make changes where necessary.

In 2010, bills addressed educating motorists about responsibilities at crosswalks and on roadways.

The ultimate goals of these programs are to increase physical activity such as walking and biking and to maintain safety. State legislatures are increasingly considering some elements of “Safe Routes to School” programs. The Hawaii Legislature introduced, but did not pass, a resolution in 2010 encouraging the Department of Education to help schools develop “Walk + Bike School Bus” programs statewide. A “Walk + Bike School Bus” is defined as “a group of students walking, bicycling, skateboarding, roller blading to and from school with one or more supervising adults, for the purpose of ensuring the safe passage of pupils to and from school.”

(For more information about state activity related to Safe Routes to School, see www.ncsl.org/programs/enviro/healthycommunity/saferoutestoschool.htm.) An interactive map of the federal funding allocated to states for Safe Routes to School Programs and the projects funded through the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU, Public Law 109-59) is available at www.saferoutesinfo.org/contacts/index.cfm.

*Certain
bicycle riders
must wear
helmets in 21
states and the
District of
Columbia.*

Bicycle Safety

Bike helmets, when worn properly, are 85 percent effective in preventing brain injuries, according to the Brain Injury Association of America. As of September 2010, 21 states and the District of Columbia had laws that require bicycle riders of certain ages to wear helmets. Most require children under age 15 to wear helmets or protective headgear while riding bikes. Colorado, Florida, Illinois, New Jersey and New York considered legislation in 2010 that would require certain riders to wear helmet. New Jersey and New York bills would require bicycle delivery people to wear helmets. Illinois, which has no helmet law, introduced a bill that would require riders age 18 and younger to wear bicycle helmets. Table 4 contains information about state bicycle helmet laws.

Another bicycle safety policy gaining attention in state legislatures is “three-foot passing laws.” As of September 2010, Arizona, Arkansas, Colorado, Florida, Illinois, Louisiana, Maine, Maryland, Minnesota, Mississippi, Oklahoma, Tennessee, Utah, West Virginia and Wisconsin have such laws.

Three-foot passing laws were introduced in 2010 in Alabama, Georgia, Idaho, Missouri, New Jersey, New York, Maryland, Michigan, South Dakota and Washington. Maryland and Mississippi were the only states to pass such laws.

Maryland’s law, enacted in May 2010, states that, “the driver of a vehicle shall (1) exercise due care to avoid colliding with any bicycle, EPAMD (Electric Personal Assistive Mobility Device), or motor scooter being ridden by a person; and (2) when overtaking a bicycle, an EPAMD, or a motor scooter, pass safely at a distance of not less than 3 feet...” The law provides exceptions if the bicyclist is not on the far right side of the road or if road conditions make it unsafe to pass at a distance of three feet.

The penalties for violating three-foot passing laws vary. Florida law states that a violation is a noncriminal traffic infraction that carries a \$60 fine and three points on the license. Louisiana’s law carries a maximum fine of \$250.

Table 4. Bicycle Helmet Laws

State/Jurisdiction	Bicyclists Covered by State Law	State/Jurisdiction	Bicyclists Covered by State Law
Alabama	Age 15 and younger	Nebraska	No law
Alaska	No law	Nevada	No law
Arizona	No law	New Hampshire	Age 15 and younger
Arkansas	No law	New Jersey	Age 16 and younger
California	Age 17 and younger	New Mexico	Age 17 and younger
Colorado	No law	New York	Ages 1 through 13 (riding with children younger than age 1 prohibited)
Connecticut	Age 15 and younger	North Carolina	Age 15 and younger
Delaware	Age 17 and younger	North Dakota	No law
Florida	Age 15 and younger	Ohio	No law
Georgia	Age 15 and younger	Oklahoma	No law
Hawaii	Age 15 and younger	Oregon	Age 15 and younger
Idaho	No law	Pennsylvania	Age 11 and younger
Illinois	No law	Rhode Island	Age 15 and younger
Indiana	No law	South Carolina	No law
Iowa	No law	South Dakota	No law
Kansas	No law	Tennessee	Age 15 and younger
Kentucky	No law	Texas	No law
Louisiana	Age 11 and younger	Utah	No law
Maine	Age 15 and younger	Vermont	No law
Maryland	Age 15 and younger	Virginia	No law
Massachusetts	Ages 1 through 16 (riding with children younger than age 1 prohibited)	Washington	No law
Michigan	No law	West Virginia	Age 14 and younger
Minnesota	No law	Wisconsin	No law
Mississippi	No law	Wyoming	No law
Missouri	No law	Washington D.C.	Age 15 and younger
Montana	No law		

Sources: Insurance Institute for Highway Safety, 2010; National Conference of State Legislatures, 2010.

North Carolina and Virginia laws require motorists to leave two feet of space while passing. New York and Rhode Island laws require motorists to keep a “safe distance” while passing bicyclists in 2010. A few states, such as Kansas and Texas, do not have three-foot passing requirements designated in statute, but passages in their official driving manuals inform motorists to give three-feet when passing.

Bicyclists and motorists must be vigilant when it comes to riding in the dark. According to a North Carolina study, about 21 percent of bicycle crashes in that state occurred at night. NHTSA suggests that bicyclists increase their visibility to drivers by wearing brightly colored clothing or retro-reflective tape on their equipment or clothing.

Louisiana and Vermont enacted laws in 2010 requiring all bicycles used at night to have a red light on the rear of the vehicle. Louisiana requires the red light be visible to motorists within 100 feet to 600 feet. Vermont requires the red light to be at least 20 square inches and visible within 300 feet.

Louisiana and Vermont now require all bicycles used at night to have a rear red light.

Low-Speed Vehicles

Twenty-five percent of all trips are less than one mile and statistics show about 75 percent of these trips are made by car, so to help save on fuel costs and reduce the effect on the environment, many people are using golf carts and low-speed vehicles or (LSVs). As LSVs and golf carts become more popular, some safety concerns have surfaced regarding these vehicles and other road users.

In 46 states, LSVs are allowed on streets; most are restricted to ones with posted speed limits of 25 mph or 35 mph.

Because of this increased use of LSVs for short trips, primarily within planned communities, a Federal Motor Vehicle Safety Standard (FMVSS) was issued in 1998. To be considered an LSV, the vehicle must have four wheels in contact with the ground; have a maximum attainable speed of 25 mph; and be equipped with headlamps, front and rear turn lamps, tail lamps, stop lamps, reflex reflectors, an exterior mirror mounted on the driver's side and either a mirror mounted on the passenger side or an interior mirror, a parking brake, a windshield that conforms to standards, a vehicle identification number and seat belts.

LSVs are exempt from most federal safety standards that apply to motor vehicles, and they need not meet any criteria for vehicle crashworthiness. State legislatures can add additional safety requirements through statute.

Forty-six states currently allow the use of LSVs on streets; however, most states restrict them to highways with posted speed limits of 25 mph or 35 mph (Alabama, Arkansas and Wyoming do not specify a top speed limit). Some states allow municipalities to decide whether LSVs are allowed on streets and roads. A 2010 Alaska law allows low-speed vehicles to be operated on a highway with a maximum speed limit of 45 mph if the highway is in a municipality that has passed an ordinance allowing such vehicles. The bill specifically excludes from the rule any highway that is connected by road to either Anchorage or Fairbanks. Connecticut, Mississippi, Montana and Pennsylvania do not have state laws related to low-speed vehicles.

In 2010, nearly 50 bills were introduced that would regulate or alter how LSVs are driven on state streets and roads. Alabama proposed issuing special restricted license plates for low-speed vehicles. The Georgia legislature passed a bill restricting operation of low-speed vehicles to daytime only, unless a local ordinance allowed nighttime use. The governor vetoed the bill. A 2010 Maryland law prohibits anyone from driving a vehicle with a maximum speed of more than 25 mph but less than 55 mph on a highway unless a "Limited Speed Vehicle" emblem, issued by a dealer, is attached to the vehicle.

Golf Carts

Golf carts are not considered LSVs unless they are modified to conform to FMSCA safety standards; however, 23 states allow their use on streets and roads with posted speed limits of 25 mph to 35 mph. Some states require the golf cart to be titled and registered and the driver to have a driver's license.

In 2010, bills were introduced in 11 states that would have allowed municipalities or state and local parks to allow golf carts on local streets and roads. California and Kentucky passed laws in 2010 authorizing local governments to permit people to use golf carts on street and highways as long as the city issues an identification sticker for the cart.

LSVs and golf carts operating on roadways, bike paths or sidewalks pose certain safety risks. It may be difficult for operators of larger vehicles to see such small vehicles on a roadway, especially at night. Golf carts operated on sidewalks and bike paths risk collisions with pedestrians and bicyclists.

Links for Further Information

AAA

<http://www.aaapublicaffairs.com/main.asp>

AAA Foundation for Traffic Safety

<http://www.aaafoundation.org>

American Institute for Public Safety

<http://www.aipsnews.com>

American Motorcyclist Association

<http://www.amadirectlink.com>

Cellular Telecommunications Industry Association

<http://www.wow-com.com>

Federal Highway Administration

<http://www.fwha.dot.gov>

Governors Highway Safety Association

<http://www.ghsa.org>

Insurance Institute for Highway Safety

<http://www.hwysafety.org>

Motorcycle Riders Foundation

<http://www.mrf.org>

Motorcycle Safety Foundation

<http://www.msf-usa.org>

NCSL/NHTSA Traffic Safety Legislative Tracking

<http://www.nhtsa.dot.gov/nctl/>

National Highway Traffic Safety Administration (NHTSA)

<http://www.nhtsa.dot.gov>

National Safety Council

<http://www.nsc.org>

National Safe Kids

<http://www.safekids.org>

National Transportation Safety Board

<http://www.nts.gov>

Traffic Injury Research Foundation

<http://www.trafficinjuryresearch.com>

U.S Department of Transportation

<http://www.dot.gov>

U.S. Government Accountability Office report on .08 BAC laws

<http://www.gao.gov>

Appendix A. National Highway Traffic Safety Administration (NHTSA) Regional Offices

New England Region

(Conn., Maine, Mass., N.H., R.I., Vt.)
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Volpe National Transportation Systems Center
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Mid-Atlantic Region

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Southeast Region

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Atlanta Federal Center
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Great Lakes Region

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19900 Governors Drive, Suite 201
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South Central Region

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Appendix B. State Safety Belt Use Laws				
State/ Jurisdiction	Primary Enforcement	Who Is Covered? In What Seats?	Maximum Fine First Offense?	Damages Reduced for Nonuse?
Alabama	Yes	Ages 15+ in front seat	\$25	No
Alaska	Yes	Ages 16+ in all seats	\$15	Yes
Arizona	No	Ages 5+ in front seat; ages 5 through 15 in all seats	\$10	Yes
Arkansas	Yes	Ages 15+ in front seat	\$25 ¹	No
California	Yes	Ages 16+ in all seats	\$20	Yes
Colorado	No	Ages 16+ in all seats	\$71	Yes ³
Connecticut	Yes	Ages 7+ in front seat	\$15	No
Delaware	Yes	Ages 16+ in all seats	\$25	No
Florida	Yes	Ages 6 to 18 in front seats; ages 18+ in front seat	\$30	Yes
Georgia	Yes	Ages 6 through 17 in all seats; ages 18+ in front seat	\$15 ³	No
Hawaii	Yes	Ages 4 through 17 in all seats; ages 18+ in front seat	\$45	No
Idaho	No	Ages 7+ in all seats	\$10	No
Illinois	Yes	Ages 16+ in front seat; ages 18 and under in all seats if driver is younger than age 18	\$25	No
Indiana	Yes	Ages 16+ in all seats	\$25	No
Iowa	Yes	Ages 18+ in front seat	\$25	Yes ³
Kansas	Yes (effective 6/10/10)	Ages 14+ in all seats	\$5, effective 7/1/11, \$10	No
Kentucky	Yes	Ages 6 and younger and more than 50 inches in all seats; ages 7+ in all seats	\$25	No
Louisiana	Yes	Ages 13+ in all seats	\$25	No
Maine	Yes	Ages 18+ in all seats	\$50	No
Maryland	Yes	Ages 16+ in front seat	\$25	No
Massachusetts	No	Ages 13+ in all seats	\$25 ⁴	No
Michigan	Yes	Ages 16+ in front seat	\$25	Yes ³
Minnesota	Yes	Ages 7 and younger and more than 57 inches in all seats; 8+ in all seats	\$25	No
Mississippi	Yes	Ages 7+ in front seat	\$25	No
Missouri	No (yes for children under age 16)	Ages 16+ in front seat	\$10	Yes ³
Montana	No	Ages 6+ in all seats	\$20	No
Nebraska	No	Ages 18+ in front seat	\$25	Yes ³
Nevada	No	Ages 6+ in all seats	\$25	No
New Hampshire	No law	No law	No law	No
New Jersey	Yes (secondary for rear seat occupants effective 1/20/11)	Ages 7 and younger and more than 80 lbs; ages 8+ in all seats	\$20	No
New Mexico	Yes	Ages 18+ in all seats	\$25 ²	No
New York	Yes	Ages 16+ in front seats	\$50 ⁵	Yes
North Carolina	Yes (secondary for rear seat occupants)	Ages 16+ in front seat	\$25	No
North Dakota	No	Ages 18+ in front seat	\$20	Yes
Ohio	No	Ages 4 through 14 in all seats; ages 15+ in front seat	\$30 driver/\$20 passenger	Yes

Appendix B. State Safety Belt Use Laws (continued)				
State/ Jurisdiction	Primary Enforcement	Who Is Covered? In What Seats?	Maximum Fine First Offense?	Damages Reduced for Nonuse?
Oklahoma	Yes	Ages 13+ in front seat	\$20	No
Oregon	Yes	Ages 16+ in all seats	\$90	Yes
Pennsylvania	No	Ages 8 through 17 in all seats; ages 18+ in front seat	\$10	No
Rhode Island	No (yes for children under age 18)	Ages 18+ in all seats	\$75	No
South Carolina	Yes ⁶	Ages 6+ in front seat; ages 6+ in rear seat with shoulder belt	\$25	No
South Dakota	No	Ages 18+ in front seat	\$20	No
Tennessee	Yes	Ages 16+ in front seat	\$50 ⁷	No
Texas	Yes	Ages 7 and younger and 57 inches or more; ages 8+ in all seats	\$200	No
Utah	No (yes for children under age 19)	Ages 16+ in all seats	\$45	No
Vermont	No	Ages 16+ in all seats	\$25	No
Virginia	No	Ages 16+ in front seat	\$25	No
Washington	Yes	Ages 16+ in all seats	\$124	No
West Virginia	No	Ages 8+ in front seats; ages 8 through 17 in all seats	\$25	Yes ³
Wisconsin	Yes	Ages 8+ in all seats	\$10	Yes ³
Wyoming	No	Ages 9+ in all seats	\$25 ⁸ driver/ \$10 passenger	No
District of Columbia	Yes	Ages 16+ in all seats	\$50 ²	No
Puerto Rico	Yes	Ages 4+ in back seat, or up to age 12 in front seat if there is no belt in the back seat; ages 13+ in all seats	\$50	No
U.S. Virgin Islands	No	Ages 5+ in all seats	\$100	No information

Notes

1. Arkansas rewards belt use by reducing the fine for the primary violation by \$10.
2. This jurisdiction assesses points for violations.
3. In Georgia, the maximum fine is \$25 if the child is between the ages of 6 and 18.
4. Drivers in Massachusetts can be fined \$25 for violating the belt law themselves and \$25 for each unrestrained passenger age 12 to 16.
5. New York assesses points only when the violation involves a child under age 16.
6. Police are prohibited in South Carolina from enforcing safety belt laws at checkpoints designed for that purpose. However, safety belt violation tickets can be issued at license and registration checkpoints to drivers cited for other offenses.
7. Drivers age 18 and older in Tennessee who choose not to contest the citation pay a \$10 fine by mail; the fine is \$20 for drivers who are ages 16 and 17.
8. Wyoming rewards belt use by reducing the fine for the primary violation by \$10.

Sources: Insurance Institute for Highway Safety, 2010 and AAA, 2010.

Appendix C. State Laws on Child Restraint Use			
State/ Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Alabama	Younger than age 1 or less than 20 lbs. must be in a rear-facing infant seat; ages 1 through 4 or 20-40 lbs. in a forward-facing child safety seat; age 5 but not yet age 6 in a booster seat	Ages 6 through 14; law states no preference for rear seat	\$25 ¹
Alaska	Children younger than age 1 or less than 20 pounds in a rear-facing infant seat; ages 1 through 4 and more than 20 pounds in a child restraint, ages 4 through 15 years who are either shorter than 57 inches or who weigh more than 20 but less than 65 pounds in a booster seat	Ages 4 through 7 who are at least 57 inches or 65+ pounds; ages 7 through 15 who are shorter than 57 inches or weigh less than 65 pounds	\$50 ¹
Arizona	Age 4 and younger	Not permissible	\$50
Arkansas	Age 5 and younger and less than 60 lbs.	Ages 6 through 14 or 60+ lbs.; law states no preference for rear seat	\$100
California	Younger than age 1 or less than 20 lbs. or in a rear-facing restraint system in rear seat only if front passenger air bag is active; ages 5 and younger or less than 60 lbs. in a rear seat ²	Ages 6 through 15 or 60+ lbs.	\$100 ¹
Colorado	Younger than age 1 and less than 20 lbs. in a rear-facing infant seat; ages 1 through 3 and 20-40 lbs. in a forward-facing child safety seat; ages 4 through 5 and less than 55 inches in a booster seat ³	Ages 8 through 15 and 60+ pounds; law states no preference for rear seat	\$81
Connecticut	Younger than age 1 or less than 20 lbs. in rear-facing restraint; ages 1 through 6 and less than 60 lbs. in a child restraint system (booster seats can be used only in a seating position that has a lap and shoulder belt)	Ages 7 through 15 and 60+ lbs.; law states no preference for rear seat ⁴	\$60 ⁴
Delaware	Ages 7 and younger and less than 66 lbs. ⁵	Ages 8 through 15 or 66+ lbs.; ⁵ Children 11 years and younger and 65 inches or less must be in rear seat if passenger airbag is active	\$25
Florida	Ages 3 and younger	Ages 4 through 5; law states no preference for rear seat	\$60 ¹
Georgia	Ages 5 and younger and 57 inches or less; must be in rear seat if available ⁶	More than 57 inches	\$50 ¹
Hawaii	Ages 3 and younger in a child safety seat; ages 4 through 7 must be in a booster seat or child restraint	Ages 4 through 7 who are taller than 4'9"; ages 4 through 7 who are at least 40 lbs. seated in a rear seat where, if there are no available lap/shoulder belts, can be restrained by a lap belt; law states no preference for rear seat	\$100 ⁷
Idaho	Ages 6 and younger	Not permissible	\$100

Appendix C. State Laws on Child Restraint Use (continued)			
State/ Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Illinois	Ages 7 and younger; children who weigh more than 40 lbs. seated in rear where only a lap belt is available	Ages 8 through 15; law states no preference for rear seat	\$50
Indiana	Ages 7 and younger when driver holds Indiana license ⁸	Ages 8 through 15; law states no preference for rear seat	\$25 ¹
Iowa	Younger than age 1 and less than 20 lbs. in a rear-facing seat; ages 1 through 5 in front facing child restraint	Ages 6 through 17; law states no preference for rear seat	\$25
Kansas	All children ages 3 and younger must be in a child restraint; children ages 4 through 7 who weigh less than 80 lbs. and children ages 4 through 7 who are less than 57 inches tall must be in a child restraint or booster seat	All children ages 8 through 13; children ages 4 through 7 who weigh more than 80 lbs.; children who are taller than 57 inches; law states no preference for rear seat	\$60
Kentucky	40 inches or less must be in a child restraint; ages 6 and younger who are between 40 and 50 inches must be in a booster seat	Ages 6 and younger who are taller than 50 inches	\$50 child restraint; \$30 booster seat
Louisiana	Younger than age 1 or less than 20 lbs. in a child safety seat; ages 1 through 3 or 20-39 lbs. in a forward-facing safety seat; ages 4 through 5 or 40-60 lbs. in a child booster seat	Ages 6 through 12 or more than 60 lbs.; law states no preference for rear seat	\$100
Maine	Less than 40 lbs. in a child safety seat; 40- 80 lbs. and younger than age 8 in a safety system that elevates the child so that an adult seat belt fits properly; ages 11 and younger and less than 100 lbs. must be in rear seat if available	Ages 8 through 17 or younger than age 18 and more than 4'9"	\$50
Maryland	Ages 7 and younger and either 65 lbs. or less or less than 57 inches	Ages 8 through 15; children who are at least 57 inches or 65 lbs.; law states no preference for rear seat	\$25
Massachusetts	Ages 7 and younger and less than 57 inches	Ages 8 through 12; children who are at least 57 inches tall; law states no preference for rear seat	\$25
Michigan	Ages 7 and younger and less than 57 inches	Ages 8 through 15 or children who are at least 57 inches tall; ages 3 and younger must be in the rear seat if available	\$10
Minnesota	Ages 7 and younger and less than 57 inches (effective 7/1/09)	Not permissible	\$50
Mississippi	Ages 3 and younger must be in a child restraint; ages 4 through 6 and either less than 57 inches or less than 65 lbs. must be in a booster seat	Ages 6 and younger who weigh more than 65 lbs. or are at least 57 inches tall	\$25

Appendix C. State Laws on Child Restraint Use (continued)			
State/ Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Missouri	Ages 3 and younger must be in child restraint; all children who weigh less than 40 lbs. must be in a child restraint; ages 4 through 7 who weigh at least 40 lbs. but less than 80 lbs. and who are 4'9" or shorter must be in either a child restraint or booster seat; children ages 4 and older who weigh at least 80 lbs. or who are at least 4'9" tall must be in either a booster seat or safety belt	All children ages 8 through 16; all children ages 4 and older who weigh 80 lbs. or more or who are 4'9" tall or more; law states no preference for rear seat	\$50; \$10 for violations involving children taller than 4'9" or who weigh more than 80 lbs.
Montana	Younger than age 5 and less than 60 lbs.	Not permissible	\$100
Nebraska	Ages 5 and younger	Ages 6 through 17; ⁹ law states no preference for rear seat	\$25 ¹
Nevada	Ages 5 and younger and 60 lbs. or less	Not permissible	\$100 ¹⁰
New Hampshire	Ages 5 and younger and less than 55 inches	Ages 6 through 17; ages 6 and younger who are at least 55 inches tall; law states no preference for rear seat	\$50
New Jersey	Ages 7 and younger and less than 80 lbs. seated in rear seat if available	Not permissible	\$25
New Mexico	Younger than age 1 in a rear-facing infant seat, seated in the rear seat if available; children ages 1 through 4 or less than 40 lbs.; ages 5 through 6 or less than 60 lbs. in booster seat	Ages 7 through 17	\$25
New York	Ages 3 and younger unless a child weighs more than 40 pounds and is seated where there is no available lap/shoulder belt; ages 4 through 7 unless a child is seated where there is no available lap/shoulder belt. (effective 11/24/09)	Ages 8 through 15; children who weight 40 lbs. or more; children ages 4 through 6 in a seating position where there is no available lap/shoulder belt; law states no preference for rear seat (effective 11/24/09)	\$100 ¹
North Carolina	Ages 7 and younger and less than 80 lbs. ¹¹	Ages 8 through 15 and children 40 - 80 lbs. in seats without shoulder belts; law states no preference for rear seat	\$25 ¹
North Dakota	Ages 6 and younger and less than 57 inches or less than 80 lbs.	Ages 7 through 17; ages 6 and younger and at least 57 inches tall and at least 80 lbs.; ages 6 and younger and at least 40 lbs.; if there are no available lap/shoulder belt, can be restrained by lap belt only; law states no preference for rear seat	\$25 ¹

Appendix C. State Laws on Child Restraint Use (continued)			
State/ Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Ohio	Ages 3 and younger or less than 40 lbs.; ages 4 through 7 who weigh more than 40 lbs. and are shorter than 57 inches must be in booster seat (effective 10/7/09)	Ages 8 through 14; ¹² law states no preference for rear seat (effective 10/7/09)	\$75 ¹ (effective 10/7/09)
Oklahoma	Ages 5 and younger ¹³	Ages 6 through 12; law states no preference for rear seat	\$25
Oregon	Child younger than age 1 or 20 lbs. must be in a rear-facing child safety seat; 40 lbs. or less must be in child safety seat; more than 40 lbs. but 4' 9" or less must be in a safety system that elevates the child so that an adult seat belt fits properly	Ages 8-15, taller than 4' 9"; law states no preference for rear seat	\$90
Pennsylvania	Ages 7 and younger ¹⁴	Not permissible	\$100
Rhode Island	Ages 7 and younger and less than 57 inches and 80 lbs.; children ages 7 and younger must be in rear seat if available	Ages 7 and younger who either weigh more than 80 lbs. or who are taller than 57 inches; ages 8 through 17	\$75
South Carolina	Younger than age 1 or less than 20 lbs. in a rear-facing infant seat; ages 1 through 5 and 20-39 lbs. in a forward-facing child safety seat; ages 1 through 5 and 40-80 lbs. in a booster seat secured by lap-shoulder belt; children ages 5 and younger must be in rear seat if available	Ages 1 through 5 and more than 80 lbs. or any child age 5 and younger if the child's knees bend over the seat edge when sitting up straight with his/her back firmly against the seat back	\$150
South Dakota	Age 4 and younger and less than 40 lbs.	Ages 5 through 17; all children who weigh more than 40 lbs; law states no preference for rear seat	\$20
Tennessee	Younger than age 1 or less than 20 lbs. in a rear-facing infant seat; ages 1 through 3 who weigh more than 20 lbs. in a forward-facing infant seat; ages 4 through 8 and less than 4' 9" in a booster seat; children age 8 and younger and less than 4' 9" must be in a rear seat if available	Ages 9 through 15; ages 12 and younger and 4' 9" or more	\$50
Texas	Ages 7 and younger and less than 57 inches (effective 9/1/09)	Not permissible	\$25
Utah	Ages 7 and younger and less than 57 inches	Ages 8 through 15; children taller than 57 inches; law states no preference for rear seat	\$45
Vermont	Younger than age 1 or less than 20 lbs. in a rear-facing infant seat; if not available, they can be placed in front only if front passenger airbag is deactivated; ages 2 through 7 and more than 20 lbs. in child restraint	Ages 8 through 15 and more than 20 lbs.; law states no preference for rear seat	\$25

Appendix C. State Laws on Child Restraint Use (continued)			
State/ Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Virginia	Ages 7 and younger unless they have a medical exemption; children in rear-facing devices must be in rear seat if available; if not available, they can be placed in front only if passenger airbag is deactivated.	Ages 8 through 17 ¹⁵	\$50
Washington	Ages 7 and younger and less than 4'9"; ages 12 and younger must be in rear seat if practical	Ages 8 through 15; ages 7 and younger and 4'9" or taller; children who weigh more than 40 lbs. in a seating position where only a lap belt is available	\$124
West Virginia	Ages 7 and younger and less than 4'9"	Ages 7 and younger and 4'9" and taller; law states no preference for rear seat	\$20
Wisconsin	Children younger than age 1 and all children who weigh less than 20 lbs. must to be in a rear-facing infant seat; children ages 1 through 3 who weigh at least 20 lbs. but less than 40 lbs. are required to be in a forward-facing child safety seat; children ages 4 through 7 who weigh at least 40 lbs. but less than 80 lbs. and who are less than 57" tall must to be in a booster seat; children age 3 and younger must be in a rear seat if available	Ages 8 and younger and more than 80 lbs. and 57" or taller	\$75
Wyoming	Ages 8 and younger; must be in rear seat if available	Not permissible	\$50
District of Columbia	Ages 7 and younger and less than 66 pounds	Ages 8 through 15 or more than 66 pounds; law states no preference for rear seat	\$75 ¹
Puerto Rico	Ages 4 and younger	Ages 4 and older	\$100
U.S. Virgin Islands	Ages 5 and younger	Children ages 3 through 5 may be restrained by only a seatbelt if they are in the rear seat	\$100

Notes

1. This state assesses points for violations.
2. In California, children weighing more than 40 pounds can be belted without a booster seat if they are seated in the rear seat of a vehicle not equipped with lap/shoulder belts. The California rear seat requirement does not apply if there is no rear seat; the rear seats are side-facing jump seats; the rear seats are rear-facing seats; the child passenger restraint system cannot be installed properly in the rear seat; all rear seats are already occupied by children under age 12; or medical reasons necessitate that the child not ride in the rear seat. A child cannot ride in the front seat of a motor vehicle with an active passenger airbag if the child is under age 1, weighs less than 20 pounds, or is riding in a rear-facing child restraint system.
3. In Colorado, if a child age 4 to 5 and less than 55 inches is being transported in a vehicle equipped with a lap belt only, then the child must be restrained with the lap belt. The law is secondary for children ages 4 to 5 who must be in booster seats.
4. The fine in Connecticut is \$15 if the child is age 4 to 16 and 40 pounds or more. Connecticut also requires a child restraint education program for first or second violation.

Appendix C. State Laws on Child Restraint Use (continued)

5. In Delaware, children younger than age 12 or 65 inches or less must be restrained in a rear seat if a vehicle has a passenger airbag, unless the airbag either has been deactivated or designed to accommodate smaller people. Exceptions: If there is no rear seat or rear seat is occupied by other children younger than age 12 or 65 inches or less.
6. In Georgia, children weighing more than 40 pounds can be restrained in the back seat of a vehicle by a lap belt if the vehicle is not equipped with lap and shoulder belts or when the lap and shoulder belts are being used by other children who weigh more than 40 pounds.
7. Hawaii drivers are charged \$50 for a mandatory child restraint education program and \$10 for a surcharge that is deposited into a neurotrauma special fund.
8. In Indiana, children younger than age 8 must be restrained in adult belts if it's reasonably determined they cannot fit in child restraints. If the driver does not hold an Indiana driver's license, children under age 16 must be restrained by either a child restraint or a safety belt. Children weighing more than 40 pounds can be restrained by a lap belt if the vehicle is not equipped with lap and shoulder belts or if all lap and shoulder belts other than those in the front seat are being used to restrain other children who are younger than age 16.
9. Nebraska's law is secondary for those children who may be in safety belts and standard for those who must be in a child restraint device.
10. In Nevada, the minimum fine is \$100. An alternative to the fine is at least 10 hours but not more than 50 hours of community service.
11. In North Carolina, children younger than age 5 who weigh less than 40 pounds must be restrained in a child safety seat in the rear seat if the vehicle has a passenger airbag, unless the child restraint system is designed for use with airbags.
12. In Ohio, the law is secondary for children ages 4 through 14.
13. In Oklahoma, children weighing more than 40 pounds can be restrained in the back seat of a vehicle by a lap belt if the vehicle is not equipped with lap and shoulder belts or when the lap and shoulder belts are being used by other children who weigh more than 40 pounds.
14. In Pennsylvania, the law is secondary for children ages 4 through 7 who must be in booster seats.
15. Children at least age 4 but younger than age 8 can be belted if any licensed physician determines that use of child restraint system by a particular child would be impractical by reason of the child's weight, physical fitness or other medical reason, provided that any person transporting a child so exempted shall carry on his person or in the vehicle a signed written statement of the physician identifying the child so exempted and stating the grounds for the determination.

Sources: Insurance Institute for Highway Safety, AAA and NCSL, 2010.

Appendix D. Children not Covered by Safety Belt or Child Restraint Laws

State/Jurisdiction	Those not Covered	State/Jurisdiction	Those not Covered
Alabama	Ages 15+ in rear seat	Nevada	All children covered
Alaska	All children covered	New Hampshire	All children covered
Arizona	All children covered	New Jersey	All children covered
Arkansas	Ages 15+ in rear seat	New Mexico	All children covered
California	All children covered	New York	All children covered
Colorado	All children covered	North Carolina	All children covered
Connecticut	All children covered	North Dakota	All children covered
Delaware	All children covered	Ohio	Ages 15+ in rear seat
Florida	All children covered	Oklahoma	Ages 13+ in rear seat
Georgia	All children covered	Oregon	All children covered
Hawaii	All children covered	Pennsylvania	All children covered
Idaho	All children covered	Rhode Island	All children covered
Illinois	All children covered ¹	South Carolina	All children covered
Indiana	All children covered	South Dakota	All children covered
Iowa	All children covered	Tennessee	All children covered
Kansas	All children covered	Texas	All children covered
Kentucky	All children covered	Utah	All children covered
Louisiana	All children covered	Vermont	All children covered
Maine	All children covered	Virginia	All children covered
Maryland	All children covered	Washington	All children covered
Massachusetts	All children covered	West Virginia	All children covered
Michigan	All children covered	Wisconsin	All children covered
Minnesota	All children covered	Wyoming	All children covered
Mississippi	Ages 7+ in rear seat	District of Columbia	All children covered
Missouri	All children covered	Puerto Rico	All children covered ²
Montana	All children covered	U.S. Virgin Islands	No information
Nebraska	All children covered		

Notes

1. The Illinois law requires parents to provide child restraints to drivers who transport their children.
2. Excepted from this provision are those children who suffer some sort of disability, duly certified by a physician that prevents them from traveling safely in safety belts or child restraints.

Sources Insurance Institute for Highway Safety and NCSL, 2010.

Appendix E. Restrictions on Riding in Cargo Areas of Pickup Trucks		
State/ Jurisdiction	Restrictions in Cargo Areas	Gaps in Coverage
Alabama	✗	
Alaska	✗	
Arizona	✗	
Arkansas	✓ ¹	Employees on duty; people within bodies of trucks in a space intended for merchandise
California	✓	If the person is restrained by a federally approved restraint system; farmer-owned vehicle used exclusively within farming land or mile of highway between one part to another; parade if not more than 8 mph; emergency situations
Colorado	✓	Those sitting in the cargo area if it is fully or partially enclosed on all four sides
Connecticut	✓	Anyone age 16 and older; anyone age 15 and younger if belted; parades; farming operations; hayrides August through December
Delaware	✗	
Florida	✓ ¹	Anyone age 18 and older; anyone age 17 and younger in enclosed cargo area; person 17 and younger on non-limited access roads unless local law exempts them from the prohibition on minors riding the cargo areas of pickup trucks and flatbeds; persons 17 and younger on non-limited-access roads in a seat fitted with a safety belt that has been added to the pickup or flatbed; employees on duty
Georgia	✓	Anyone age 18 and older; anyone age 17 and younger in pickup trucks with covered cargo areas; any pickup truck off the interstate
Hawaii	✓	People can ride in back of pickup trucks if there are no available seats in the cab and the side racks and tailgate are securely closed, the passengers are seated on the floor and do not attempt to unlatch cargo; parades, employees on duty and life-threatening emergencies exempt
Idaho	✗	
Illinois	✗	
Indiana	✗	Anyone age 16 and older
Iowa	✗	
Kansas	✓	Anyone age 14 and older; parades; employment; does not apply to vehicles not being operated in the state highway system or within the corporate limits of a city
Kentucky	✗	
Louisiana	✓	Anyone age 12 and older if the truck is being used on a non-interstate highway; parades moving less than 15 mph; emergencies if the child is with an adult in the cargo area; emergencies on interstate highway
Maine	✓	Anyone age 19 and older; agricultural workers and hunters age 18 and younger; parades; and those in original equipment manufacturer installed seats outside passenger compartment
Maryland	✓	Anyone age 16 and older; anyone age 15 and younger if the vehicle is traveling 25 mph or less; employees being transported to work sites or those engaged in farming operations; exceptions do not eliminate requirements to use child restraints or belts; inapplicable to pickup trucks with covered cargo areas
Massachusetts	✓	Anyone age 12 and older; anyone age 11 and younger if the vehicle is being driven less than 5 miles and less than 5 mph; parades; farming activities
Michigan	✓	Age 18 and older; those age 17 and younger if the vehicle is moving 15 mph or less; parades; military vehicles; emergency situations; farming; construction
Minnesota	✗	
Mississippi	✗	

Appendix E. Restrictions on Riding in Cargo Areas of Pickup Trucks (continued)		
State/ Jurisdiction	Restrictions in Cargo Areas	Gaps in Coverage
Missouri	✓	Anyone age 18 and older; those age 17 and younger if the vehicle is not being operated on a highway that is part of the state or federal highway system or within the corporate limits of any city; exceptions for employment, agricultural activities, parades, where there is a device to keep the passenger from being thrown or falling out of the vehicle, special events, assisting people in a recreational activity, family- owned truck with insufficient room for all the passengers, inapplicable to pickup trucks with covered cargo areas
Montana	✗	
Nebraska	✓	Anyone age 18 or older; parades
Nevada	✓	Anyone age 18 or older; those younger than age 18 when the vehicle is used in farming or ranching or if vehicle is used in an authorized parade; vehicles operated on unpaved roads; those in riding areas enclosed by a camper shell
New Hampshire	✗	
New Jersey	✓	Employees engaged in their duties
New Mexico	✓	Anyone age 18 or older
New York	✓	Not applicable to trips of 5 miles or less; not applicable to trips of more than 5 miles if one-third or fewer of the passengers are standing or if suitable seats are securely attached and there are side rails and a tailgate; not applicable to trips of more than 5 miles if there are fewer than five people age 17 or younger in the cargo area or if at least one person age 18 or older is in the cargo area
North Carolina	✓	Anyone age 16 and older; those age 15 and younger if a supervising adult is present in cargo area; when the child is belted; emergencies; parades; vehicle being used in agriculture; vehicles with permanent overhead structures
North Dakota	✗	
Ohio	✓	Anyone age 16 and older; those age 15 and younger if the vehicle is driven less than 25 mph or if the person is belted and seated in an original equipment manufacturer seating position; emergencies; not applicable to pickup trucks with covered cargo areas
Oklahoma	✗	
Oregon	✓	Anyone age 18 or older; minors secured with a safety belt or harness; parades; minors seated on the floor of the open bed of a motor vehicle in which all available passenger seats are occupied by minors, the tailgate is securely closed and the minor is being transported either in the course and scope of employment or between a hunting camp and hunting site or between hunting sites during hunting season and the minor has a hunting license
Pennsylvania	✓	Anyone age 18 or older if the vehicle is traveling less than 35 mph; not applicable to occupants age 17 and younger if the cargo area is enclosed; parades; hunting and farm operations
Rhode Island	✓	Anyone age 16 or older; those age 15 and younger who are secured in the cargo area
South Carolina	✓	Anyone age 15 or older; those age 15 and younger when an adult is present; when the child is belted; parade; emergency situation; agricultural activities; hunting; vehicle has a secured metal tailgate and operated at less than 36 mph; vehicle operated in a county with incorporated areas with population of 3,500 or less
South Dakota	✗	
Tennessee	✓	Anyone age 12 or older; those ages 6 to 11 in a vehicle being operated off the interstate or state highway system; parades if vehicle is going less than 20 mph; agricultural activities; or on city or county roads unless prohibited by local ordinance or resolution

Appendix E. Restrictions on Riding in Cargo Areas of Pickup Trucks (continued)		
State/ Jurisdiction	Restrictions in Cargo Areas	Gaps in Coverage
Texas	✓	Anyone age 18 or older; vehicles that are the only vehicles owned by members of the household; vehicles in parades; hayrides, on beaches, or being used in an emergency; vehicles in farm operations used to transport people from field to field or on farm.
Utah	✓ ¹	Off-highway operation; employees performing their duties; those riding in a vehicle space that is intended for any load
Vermont	✗	
Virginia	✓	Anyone age 16 or older; farmers when crossing a highway when going from field to field
Washington	✗	
West Virginia	✗	
Wisconsin	✓ ¹	Not applicable to enclosed areas; farm operations; parades; deer hunting; employees; those riding in truck bodies in spaces intended for merchandise
Wyoming	✗	
District of Columbia	✓ ¹	Employees on duty; those riding within truck bodies in a space intended for materials
Puerto Rico	✓	No gaps in coverage
U.S. Virgin Islands	✗	
Total	34	

Key:

- ✓ Law
- ✗ No Law

Note

1. This provision is designed to prohibit riding on hoods, fenders and other places not designed for passengers. The exemption for people in the body of a truck applies to enclosed areas such as the cargo area of a straight truck or van.

Sources: AAA Public Affairs and NCSL, 2010.

Appendix F. Teen Driving Restrictions				
State/Jurisdiction	Minimum Age for a Learner's Permit	Learner Stage with a Minimum Amount of Supervised Driving Required	Intermediate Stage with a Nighttime Driving Restriction	Intermediate Stage with Passenger Restrictions (family members excepted unless otherwise noted)
Alabama	15	30 hrs. (none with driver education)	Midnight-6 am	No more than 1 passenger (effective 7/1/10)
Alaska	14	40 hrs., 10 of which must be at night or in inclement weather	1 am-5 am	First six mo.: no passengers
Arizona	15, six mo.	30 hrs., 10 of which must be at night (none with driver education)	Midnight-5 am (secondary ¹)	First six mo.: no more than one passenger younger than age 18 (secondary ¹)
Arkansas	14	None	11 pm-4 am (effective 7/30/09)	No more than one passenger (effective 7/30/09)
California	15, six mo.	50 hrs., 10 of which must be at night	11 pm-5 am (secondary)	First 12 mo.: no passengers younger than age 20 (secondary)
Colorado	15	50 hrs., 10 of which must be at night	Midnight-5 am (secondary)	First six mo.: no passengers. second six mo.: no more than one passenger (secondary)
Connecticut	16	40 hrs.	11 pm-5 am	First six mo.: no passenger other than parents or driving instructor; second six mo: no passengers other than parents, driving instructor, or members of immediate family
Delaware	16	50 hrs., 10 of which must be at night	10 pm-6 am	No more than one passenger
Florida	15	50 hrs., 10 of which must be at night	11 pm-6 am (age 16); 1 am-5 am (age 17)	None
Georgia	15	40 hrs., six of which must be at night	Midnight-6 am (secondary)	First six mo.: no passengers; second six mo.: No more than one passenger younger than age 21; thereafter, no more than three passengers (secondary)
Hawaii	15, six mo.	50 hrs., 10 of which must be at night	11 pm-5 am	No more than one passenger younger than age 18 (household members exempted)
Idaho	14, six mo.	50 hrs., 10 of which must be at night	Sunset to sunrise	First 6 mo: licensees age 16 and younger can have no more than one passenger younger than age 17
Illinois	15	50 hr, 10 of which must be at night	Sun.-Thur.: 10 pm-6 am, Fri-Sat: 11 pm-6 am	First 12 mo.: no more than one passenger younger than age 20

Appendix F. Teen Driving Restrictions (continued)				
State/Jurisdiction	Minimum Age for a Learner's Permit	Learner Stage with a Minimum Amount of Supervised Driving Required	Intermediate Stage with a Nighttime Driving Restriction	Intermediate Stage with Passenger Restrictions (family members excepted unless otherwise noted)
Indiana	15, six mo. (eff. 7/1/10)	50 hrs., 10 of which must be at night (eff. 7/1/10)	First 180 days: 10 pm-5 am, then Sun.-Fri.: 11 pm-5 am, Sat.-Sun.: 1 am-5 am	First 180 days: no passengers
Iowa	14	20 hrs., two of which must be at night	12:30 am-5 am	None
Kansas	14	25 hrs. in learner phase; 25 hrs. before age 16; 10 of the 50 hrs. must be at night	9 pm-5 am (eff. 1/1/10)	First six mo.: no more than one passenger younger than age 18 (effective 1/1/10)
Kentucky	16	60 hrs., 10 of which must be at night	Midnight-6 am	No more than one passenger younger than age 20 unless supervised by a driving instructor (secondary)
Louisiana	15	35 hrs.	11 pm-5 am	None
Maine	15	35 hrs., five of which must be at night	Midnight-5 am	First 180 days: no passengers
Maryland	15, nine mo.	60 hrs., 10 of which must be at night	Midnight-5 am	First five mo.: no passengers younger than age 18 (secondary)
Massachusetts	16	40 hrs.	12:30 am-5 am (secondary between 12:30 am-1:00 am and 4:00 am-5:00 am)	First six mo.: no passengers younger than age 18
Michigan	14, nine mo.	50 hrs., 10 of which must be at night	Midnight-5 am	None
Minnesota	15	30 hrs., 10 of which must be at night	First six mo.: Midnight-5 am	First six mo.: no more than one passenger younger than age 20; second six mo.: no more than three passengers younger than age 20
Mississippi	15	None	Sun.-Thur.: 10 pm-6 am, Fri.-Sat. 11:30 pm-6 am	None
Missouri	15	40 hrs., 10 of which must be at night	1 am-5 am	First six mo.: no more than one passenger younger than age 19; thereafter: no more than three passengers younger than age 19
Montana	14, six mo.	50 hrs., 10 of which must be at night	11 pm-5 am	First six mo.: no more than one passenger younger than age 18; second six mo.: no more than three passengers younger than age 18
Nebraska	15	50 hrs., 10 of which must be at night (none with driver education)	Midnight-6 am (secondary)	First six mo.: no more than one passenger younger than age 19 (secondary)

Appendix F. Teen Driving Restrictions (continued)				
State/Jurisdiction	Minimum Age for a Learner's Permit	Learner Stage with a Minimum Amount of Supervised Driving Required	Intermediate Stage with a Nighttime Driving Restriction	Intermediate Stage with Passenger Restrictions (family members excepted unless otherwise noted)
Nevada	15, six mo.	50 hrs., 10 of which must be at night	10 pm-5 am (secondary)	First six mo.: no passengers younger than age 18 (secondary)
New Hampshire	15, six mo. ²	40 hrs., 10 of which must be at night (effective 6/16/09)	1 am-4 am (effective 1/1/11)	First six mo.: no more than one passenger younger than age 25
New Jersey	16	None	Midnight-5 am (11 pm-5 am effective 5/1/10)	No more than one passenger (household members excepted until 5/1/10, when the exception will be limited to the driver's dependents)
New Mexico	15	50 hrs., 10 of which must be at night	Midnight-5 am	No more than one passenger younger than age 21
New York	16	50 hrs., 15 of which must be at night (effective 2/22/10)	9 pm-5 am	No more than one passenger younger than age 21 (effective 2/22/10)
North Carolina	15	None	9 pm-5 am	No more than one passenger younger than age 2; if a family member younger than age 21 is already a passenger, then no other passengers younger than age 21 who are not family members
North Dakota	14	None	None	None
Ohio	15, six mo.	50 hr, 10 of which must be at night	Midnight-6 am (age 16), 1 am-5 am (age 17) (secondary)	No more than one passenger
Oklahoma	15, six mo.	50 hrs., 10 of which must be at night (effective 11/1/09)	10 pm-5 am (effective 11/1/09)	No more than one passenger
Oregon	15	100 hrs. (50 hrs. with driver education)	Midnight-5 am	First six mo.: no passengers younger than age 20; second six mo. no more than 3 passengers younger than age 20
Pennsylvania	16	50 hrs.	11 pm-5 am	None
Rhode Island	16	50 hrs., 10 of which must be at night	1 am-5 am	First 12 mo.: no more than one passenger younger than age 21
South Carolina	15	40 hrs., 10 of which must be at night	6 pm-6 am EST, 8 pm-6 am EDT	No more than two passengers younger than age 21 (driving to and from school excepted)
South Dakota	14	None	10 pm-6 am	None
Tennessee	15	50 hrs., 10 of which must be at night	11 pm-6 am	No more than one passenger

Appendix F. Teen Driving Restrictions (continued)				
State/Jurisdiction	Minimum Age for a Learner's Permit	Learner Stage with a Minimum Amount of Supervised Driving Required	Intermediate Stage with a Nighttime Driving Restriction	Intermediate Stage with Passenger Restrictions (family members excepted unless otherwise noted)
Texas	15	None	Midnight-5 am (secondary)	No more than one passenger younger than age 21 (secondary)
Utah	15	40 hrs., 10 of which must be at night	Midnight-5 am	First six mo.: no passengers (secondary)
Vermont	15	40 hrs., 10 of which must be at night	None	First three mo.: no passengers without exception; second three mo.: no passengers with family exception
Virginia	15, six mo.	45 hrs., 15 of which must be at night	Midnight-4 am (secondary)	First 12 mo.: no more than one passenger younger than age 18; thereafter, no more than three passengers younger than age 18 (secondary)
Washington	15	50 hrs., 10 of which must be at night	1 am-5 am (secondary)	First six mo.: no passengers younger than age 20; second six mo.: no more than three passengers younger than age 20 (secondary)
West Virginia	15	50 hrs., 10 of which must be at night (none with driver education) (effective 7/10/09)	10 pm-5 am (effective 7/10/09)	First six mo.: no passengers younger than age 20; second six mo.: no more than one passenger younger than age 20 (effective 7/10/09)
Wisconsin	15, six mo.	30 hrs., 10 of which must be at night	Midnight-5 am	No more than one passenger
Wyoming	15	50 hrs., 10 of which must be at night	11 pm-5 am	No more than one passenger younger than age 18
District of Columbia	16	40 hrs. in learner's stage, 10 hrs. at night in intermediate stage	Sept-June: Sun.-Thur.: 11 pm-6 am, Sat.-Sun.: 12:01 am-6 am. July-Aug: 12:01 am-6 am	First six mo.: no passengers; thereafter, no more than two passengers
Puerto Rico		X ³		
U.S. Virgin Islands ⁴	16	None	None	None

Notes

1. States that prohibit police from stopping young drivers solely for violating night driving or passenger restrictions are labeled secondary.
2. In New Hampshire, learner's permits are not issued. At age 15 and six months, a person can drive while supervised by a licensed driver age 25 or older.
3. Requires supervision of a licensed driver in the car at all times.
4. The U.S. Virgin Islands has no graduated driver's licensing system; learner's permits can be granted at age 16.

Sources: NCSL and IIHS, 2010.

Appendix G. Licensing Procedures for Older Drivers

State/ Jurisdiction	Length of Renewal Cycle	Accelerated Renewal	Other Provisions
Alabama	Four years	None	None
Alaska	Five years	None	Mail renewal not available to people age 69 and older and to people whose prior renewal was by mail
Arizona ¹	Until age 65 ¹	Five years for people age 65 and older	People age 70 and older cannot renew by mail; anyone age 65 or older must submit a vision test verification of an examination of the applicant's eyesight; the vision test must be conducted not more than three months before
Arkansas	Four years	None	None
California	Five years	None	At age 70, mail renewal is prohibited; no more than two sequential mail renewals are permitted, regardless of age
Colorado	10 years	Five years for people age 61 and older	Mail or electronic renewal not available to people age 61 and older, unless optometrist certifies eye exam passed within the last six months. No one can renew by mail whose prior renewal was by mail or electronic
Connecticut	Four years or six years	None that are safety related ²	None that are safety related ²
Delaware	Five years	None	None
Florida	Eight years	Six years for people age 80 and older	Renewal applicants age 80 and older must pass a vision test administered at any driver's license office or, if applying by mail or electronically, must pass a vision test administered by a licensed physician or optometrist ³
Georgia	Five years or 10 years; veterans' licenses are valid until age 65	Five years for people 60 and older	Vision test required at renewal for drivers older than age 64
Hawaii	Eight years	Two years for people age 72 and older	None
Idaho	Four years	Drivers age 21 to 62 have the choice of a four- or eight-year license; drivers age 63 and older will receive a four-year license	None
Illinois	Four years	Two years for drivers ages 81 to 86; one year for drivers age 87 and older	Renewal applicants age 75 and older must take a road test
Indiana	Six years	Three years for drivers age 75 and older; two years for drivers age 85 and older	None
Iowa	Five years	Two years for drivers age 70 and older	None
Kansas	Six years	Four years for drivers age 65 and older	None
Kentucky	Four years	None	None
Louisiana	Four years	None	Mail renewal not available to people age 70 and older and to those whose prior renewal was by mail

Appendix G. Licensing Procedures for Older Drivers (continued)			
State/ Jurisdiction	Length of Renewal Cycle	Accelerated Renewal	Other Provisions
Maine	Six years	Four years for drivers age 65 and older	Vision test required at first renewal after driver's 40 th birthday and at every second renewal until age 62; thereafter, at every renewal
Maryland	Five years	None	Vision test required at age 40 and older at every renewal ⁴
Massachusetts	Five years	None	Renewal applicants who are age 75 and older must apply in person (effective 9/30/10)
Michigan	Four years	None	None
Minnesota	Four years	None	None that are safety related ⁴
Mississippi	Four years	None	None
Missouri	Six years	Three years for drivers age 70 and older and age 21 and younger	None
Montana	Eight years or four years if by mail or on 75 th birthday, whichever occurs first ⁵	Four years for drivers age 75 and older	A person cannot renew by mail for consecutive terms
Nebraska	Five years	None	None
Nevada	Four years	None	Applicants for mail renewal age 70 and older must include a medical report; none that are safety related ⁴
New Hampshire	Five years	None	Renewal applicants age 75 and older must take a road test
New Jersey	Four years	None	None
New Mexico	Four or eight years at driver's option.	Four years for drivers who would turn 75 in the last half of an eight-year renewal cycle	None
New York	Five years, initial renewal, eight years thereafter	None	None
North Carolina	Eight years	Five years for drivers age 54 and older	People age 60 and older are not required to parallel park in the road test
North Dakota	Four years	None	None
Ohio	Four years	None	None
Oklahoma	Four years	None	None that are safety related ⁶
Oregon	Eight years	None	Vision screening is required every eight years for drivers age 50 and older
Pennsylvania	Four years	None	None
Rhode Island	Five years	Two years for drivers age 70 and older	None
South Carolina	10 years	Five years for drivers age 65 and older	Vision test required for people age 65 and older; beginning Oct. 1, 2008, every licensee will be required to take a vision test every five years
South Dakota	Five years	None	None
Tennessee	Five years	None	Licenses issued to people age 65 and older do not expire; fees are reduced for drivers age 60 and older ⁶
Texas	Six years	Two years for drivers age 85 and older	Mail or electronic renewal not available to people age 79 and older
Utah	Five years	None	Vision test required for people age 65 and older
Vermont	Four years	None	None
Virginia	Eight years	None	Vision test required for people age 80 and older

Appendix G. Licensing Procedures for Older Drivers (continued)			
State/ Jurisdiction	Length of Renewal Cycle	Accelerated Renewal	Other Provisions
Washington	Five years	None	No online renewals permitted after age 65; no online renewal permitted if medical condition exists that requires monitoring
West Virginia	Five years	None	None
Wisconsin	Eight years	None	None
Wyoming	Four years	None	None
District of Columbia	Five years	None	At age 70 or nearest renewal date thereafter, a vision test is required and a reaction test may be required; applicants must provide a statement from a practicing physician certifying the applicant to be physically and mentally competent to drive ⁷
Puerto Rico	Six years	None	None
U.S. Virgin Islands	Five years	No information	No information

Notes

1. In Arizona, the license is valid until age 65. Anyone age 65 and older who is renewing by mail must submit a vision test verification form, provided by the department, or verification of an examination of the applicant's eyesight. The vision test or examination must be conducted not more than three months before.
2. In Connecticut, people age 65 and older can choose a two-year or six-year renewal cycle. A personal appearance at renewal generally is required. Upon a showing of hardship, people age 65 and older can renew by mail.
3. In Florida, only two successive renewals can be made electronically or by mail, regardless of age.
4. Some states' licensing laws specifically prohibit licensing administrators from treating people differently solely by virtue of advanced age. Maryland law specifies that age alone is not grounds for reexamination of drivers; applicants for an initial license age 70 and older must provide proof of previous satisfactory operation of a vehicle or a physician's certificate of fitness. Massachusetts law prohibits discrimination by reason of age with regard to licensing. Minnesota and Nevada law specify that age alone is not a justification for reexamination. In Nevada, applicants for mail renewal age 70 and older must include a medical report.
5. Montana allows only two successive renewals to be made electronically or by mail, regardless of age.
6. License fee is reduced for drivers between the ages of 62 and 64 and is waived for drivers age 65 and older in Oklahoma; fees are reduced for drivers age 60 and older in Tennessee.
7. The District of Columbia specifically states that an applicant shall not be required to retake the written or road test based solely on advanced age.

Sources: Insurance Institute for Highway Safety, AAA and NCSL, 2010.

Appendix H. State Aggressive Driving Laws				
State/ Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
Arizona	A person commits "Aggressive Driving" if both of the following occur: (1) If during a "course of conduct," they violate either the Basic Speed Rule or the "Excessive Speed" law <u>plus</u> two of the following minor driving offenses: (a) Failure to obey traffic control devices; (b) overtaking and passing another vehicle on the right by driving off the pavement or main traveled portion of the roadway; (c) unsafe lane change; (d) following a vehicle too closely; and, (e) failure to yield the right-of-way; and, (2) their "driving is an immediate hazard to another person or vehicle." "Course of conduct" means "a series of acts committed during a single, continuous period of driving."	6 months ¹	\$2,500	30 days ²
California	California does not have a per se aggressive driving law. In 2006, however, the reckless driving statute was amended to punish drivers who have caused certain bodily injuries to people other than the driver and to punish drivers engaged in speed contests who have caused bodily injury to people other than the driver.	6 months	\$1,000	None
Delaware	No person shall drive any vehicle in an aggressive manner. Aggressive driving is defined as continuous conduct that violates three or more of the following rules-of-the-road: (1) failing to obey a traffic-control device; overtaking on the right; failing to drive within a marked lane for traffic; following too closely; failing to yield the right-of-way to approaching traffic when turning left; failing to yield to approaching traffic when entering or crossing a roadway; failing to signal when turning or stopping; failing to stop at stop signs or yield at yield signs; overtaking and passing a stopped school bus with flashing lights; failing to obey the basic speed rule; and, failing to obey a posted speed limit.	30 days ³ 10 days mandatory ³	\$300 ³ \$100 mandatory ³	None ⁴
Florida	Aggressive careless driving means committing two or more of the following acts simultaneously or in succession: (1) exceeding the posted speed, (2) unsafely or improperly changing lanes, (3) following another vehicle too closely, (4) failing to yield the right-of-way, (5) improperly passing, (6) violating traffic control and signal devices. ⁷	None	\$500	None
Georgia	A person commits the offense of aggressive driving when he or she operates any motor vehicle with the intent to annoy, harass, molest, intimidate, injure, or obstruct another person, while violating motor vehicle code sections including overtaking and passing another vehicle; traffic lane violations; following too closely; turn signal, lane change, slowing or stopping violations; impeding traffic flows; or reckless driving. A person convicted of aggressive driving shall be guilty of a misdemeanor of a high and aggravated nature.	12 months	\$5,000	None

Appendix H. State Aggressive Driving Laws (continued)				
State/ Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
Indiana	A person engages in aggressive driving if, during one episode of continuous driving of a vehicle, the person does or commits at least three of the following: (1) following a vehicle too closely, (2) unsafe operation of a vehicle, (3) overtaking another vehicle on the right by driving off the roadway, (4) unsafe stopping or slowing a vehicle, (5) unnecessary sounding of the horn, (6) failure to yield, (7) failure to obey a traffic control device (8) driving at an unsafe speed (9) repeatedly flashing the vehicle's headlights. A person who, with the intent to harass or intimidate a person in another vehicle, knowingly or intentionally engages in aggressive driving commits a Class A misdemeanor.	1 year	\$5,000	None
Maryland	A person is guilty of aggressive driving if the person commits three or more of the following offenses at the same time or during a single and continuous period of driving in violation of: Traffic lights with steady indication, overtaking and passing vehicles, passing on right, driving on laned roadways, following too closely, failure to yield right-of-way, exceeding a maximum speed limit or posted maximum speed limit.	None	None	None ⁵
Nevada	A person commits "Aggressive Driving" if, during a course of one (1) mile, they, in any sequence, do all of the following. 1) violate either (a) the basic speed rules, (b) the speed limit in a school zone, (c) the posted speed limit, or (d) the prohibition against driving >75 mph. 2) Commit two or more of the following offenses: (a) Failing to obey a traffic control device; (b) overtaking and passing another vehicle on the right by driving off the paved portion of the highway; (c) driving unsafely or improperly upon a highway that has marked lanes for traffic; (d) following another vehicle too closely; or, (e) failing to yield the right of way. 3) Create an immediate hazard, regardless of its duration, to another vehicle or to another person.	6 months ³	\$1,000 ³	30 days ² 1 year on 2 nd offense
New Jersey	New Jersey enforces against aggressive driving by charging under 39:4-97 (Careless Driving), 39-4-97.2 (Operating a vehicle in an Unsafe Manner) or any other statute at the discretion of the officer.	N/A	N/A	N/A
North Carolina	Any person who operates a motor vehicle on a street, highway or public vehicular area is guilty of aggressive driving if the person: (1) violates speed laws or speeding in school zone laws, and (2) drives carelessly and heedlessly in willful or wanton disregard of the rights or safety of others. For the purposes of this section only, in order to prove a violation of the aforementioned section, the State must show that the person committed two or more of the below specified offenses while in violation of the aforementioned section): (1) running through a red light, (2) running through a stop sign, (3) illegal passing (4) failing to yield right-of-way, (5) following too closely. A person convicted of aggressive driving is guilty of a Class 1 misdemeanor.	45 days ³	At the discretion of the court ³	None

Appendix H. State Aggressive Driving Laws (continued)				
State/ Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
Pennsylvania	Pennsylvania does not have an aggressive driving law per se. In 2006, the Pennsylvania House of Representatives passed a resolution to encourage drivers to drive courteously and defensively, not aggressively. The House also resolved to support measures that would promote safe driving practices in the Commonwealth.	N/A	N/A	N/A
Rhode Island	“Aggressive Driving” is defined as operating a motor vehicle in violation of any speed law and a violation of two or more of the following traffic law provisions: (1) obedience to traffic control devices; (2) overtaking on the right; (3) driving within a traffic lane; (4) following too closely—interval between vehicles; (5) yielding right of way; (6) entering the roadway; (7) use of turn signals; (8) relating to school buses, special stops, stop signs and yield signs; and, (9) use of emergency break-down lane for travel.	None	\$500	30 days ⁶
Utah	Reckless driving is defined as operating a vehicle either (1) “in willful or wanton disregard for the safety of persons or property” or (2) “while committing three or more moving traffic violations under Title 41, Chapter 6, Traffic Rules and Regulations, in a series of acts within a single continuous period of driving.”	6 months ¹	\$1,000 ¹	3 months ^{2,3}
Virginia	A person is guilty of aggressive driving if the person (i) violates one or more of the following: driving on right side of highways, failing to observe lanes marked for traffic, following too closely, not yielding or stopping before entering certain highways, evading traffic control devices, passing when overtaking a vehicle, passing on the right when overtaking a vehicle, not giving way to certain overtaking vehicles on divided highway, any provision of Article 8 (§ 46.2-870 et seq.) of Chapter 8 of Title 46.2 (Speed), or § 46.2-888 (Stopping on highways); and (ii) that person is a hazard to another person or commits an offense in clause (i) with the intent to harass, intimidate, injure or obstruct another person.	6 months	\$1,000	None ⁵

Notes

1. This sanction applies to first and subsequent offenses.
2. Licensing action is in the form of a suspension.
3. This is applies to the first offense.
4. Since the offender may be prosecuted for and convicted of the underlying offenses, they are subject to licensing action associated with violating such offenses.
5. Points assessed against the driver for offense.
6. The law provides that a person’s license may be subject to a minimum 30 day suspension. This sanction appears to apply only to first offenders.
7. The law is a defining statute but does not permit enforcement.

Sources: NHTSA, Governor’s Highway Safety Association and NCSL, 2010.

Appendix I. State Maximum Posted Speed Limit Laws				
State/ Jurisdiction	Rural Interstates	Urban Interstates	Other Limited Access Roads	Other Roads
Alabama	70	65	65	65
Alaska	65	55	65	55
Arizona	75	65	65	65
Arkansas	70; trucks: 65	55	60 ¹	55
California	70; trucks: 55	65; trucks: 55	70	65
Colorado	75	65	65	65
Connecticut	65	55	65	55
Delaware	65	55	65	55
Florida	70	65	70	65
Georgia	70	65	65	65
Hawaii	60	50	45	45
Idaho	75; trucks: 65	75	65	65
Illinois	65; trucks: 65 (effective 01/01/2010)	55	65	55
Indiana	70; trucks: 65	55	60	55
Iowa	70	55	70	55
Kansas	70	70	70	65
Kentucky	65; 70 on specified segments of road ¹	65	65	55
Louisiana	70	70	70	65
Maine	65	65	65	60
Maryland	65	65	65	55
Massachusetts	65	65	65	55
Michigan	70; trucks: 60	65	70	55
Minnesota	70	65	65	55
Mississippi	70	70	70	65
Missouri	70	60	70	65
Montana	75; trucks: 65	65	day: 70; night: 65	day: 70; night: 65
Nebraska	75	65	65	60
Nevada	75	65	70	70
New Hampshire	65	65	55	55
New Jersey	65	55	65	55
New Mexico	75	75	65	55
New York	65	65	65	55
North Carolina	70	70	70	55
North Dakota	75	75	70	65
Ohio	65	65	55	55
Oklahoma	75	70	70	70
Oregon	65; trucks: 55	55	55	55
Pennsylvania	65	55	65	55
Rhode Island	65	55	55	55
South Carolina	70	70	60	55
South Dakota	75	75	70	70
Tennessee	70	70	70	65
Texas	day: 75 ² ; trucks: 70 night: 65; trucks: 65	day: 70; night: 65	day: 75; night: 65	day: 60; night: 55
Utah	75 ³	65	75	65
Vermont	65	55	50	50
Virginia	65 ⁴	65 ⁴	65	55

State/ Jurisdiction	Rural Interstates	Urban Interstates	Other Limited Access Roads	Other Roads
Washington	70; trucks: 60	60	60	60
West Virginia	70	55	65	55
Wisconsin	65	65	65	55
Wyoming	75	60	65	65
District of Columbia	n/a	55	n/a	25
Puerto Rico	65	65	n/a	n/a
U.S. Virgin Islands	35; trucks: 30 ⁵	20; trucks: 10 ⁵	n/a	n/a

Key

n/a = not applicable

Notes

1. Effective June 25, 2007, the speed limit increased to 70 mph on specific segments of highway upon the basis of an engineering and traffic investigation. On July 10, 2007, highway officials increased the speed from 65 mph to 70 mph on Interstate 75 south of US 42, Interstate 71 west to the split to Louisville, and portions of Boone Carroll, Gallatin, and Grant counties.

2. In sections of I-10 and I-20 in rural west Texas, the speed limit for passenger cars and light trucks is 80 mph. For large trucks, it is 70 in the daytime and 65 at night.

3. Based on 2008 Utah House Bill 406, which became effective on May 5, 2008, portions of I-15 have a posted limit of 80 mph.

4. Effective July 1, 2006, the posted limit on I-85 can be as high as 70 mph.

5. In the Virgin Islands, rural interstates were considered “public highways” and urban interstates were considered roads within town limits. The speed limit on Melvin H. Evans Highway on St. Croix are 55 mph for cars and 40 mph for trucks.

Sources: Insurance Institute for Highway Safety, AAA and NCSL, 2010.

Appendix J. State Policies Regarding Use of Traffic Cameras		
State/ Jurisdiction	Statute Cite	Policy
Alabama	2009 SB 59	Authorizes the City of Montgomery, in Montgomery County to use automated traffic light enforcement in the City of Montgomery as a civil violation. \$100 maximum fine with a \$10 court fee. No points assessed.
Arizona	§28-654	Authorizes use of cameras to enforce speed laws and red light violations. Requires signs where the enforcement is used. \$165 maximum fine, no points assessed.
Arkansas	§14-16-117	Use of photo radar by county or state government is prohibited except in school zones and at railroad crossings. Officer must be present and citation must be issued at time of the offense.
California	Vehicle Code §§210, 21455.5 and 21455.6, 40518-40521	Establishes conditions for use of red light cameras and highway-rail crossing cameras by law enforcement agencies. \$100 maximum fine/one license point.
Colorado	§42-4-110.5	Authorizes use of photo radar to catch red light runners and speeders. Speed radar limited to construction and school zones, residential areas or adjacent to a municipal park. \$75 maximum fine for red light violation, \$80 maximum for speeding, no points assessed. Conspicuous sign no less than 200 feet before the automated system must warn motorists of system.
Delaware	§4101 (d) Title 21	Authorizes a red light camera program throughout the state. \$110 maximum fine, no points assessed and offense cannot be used by insurers.
Florida	§316.003, 316.007, 316.0083	Authorizes use of cameras for red light violations. Maximum fine of \$158, no points.
Georgia	§40-6-20	Authorizes the use of photo monitoring devices to detect red light violations. Devices cannot be used to produce any photograph, microphotograph, electronic image or videotape showing the identity of any person in a motor vehicle. \$70 maximum fine, no points assessed. Not a moving violation, cannot be used by insurers.
Illinois	625 Ill. Comp. Stat. Ann. 7/10, 5/11-306 (c)(5), 5/1-105.5, 625 Ill. Comp. Stat. Ann. 5/11-1201.1 through 1201.5, 625 Ill. Comp. Stat. Ann. 5/11-612	Permitted use statewide in construction zones or Illinois Toll Authority roads to enforce speed laws. Certain counties with local ordinances can use it to enforce red light violations. Any county or municipality can use cameras to enforce rail crossing violations in cooperation with IL-DOT and IL-CC; ordinance required. Local authorities cannot use cameras for other speed offenses (the state can use only if an officer is present), statewide. \$250 maximum fine or 25 hours of community service. County or municipality may use automated railroad grade crossing enforcement system at any railroad grade crossing equipped with a crossing gate designated by local authorities.
Louisiana	R.S. 32:393(I)	Convictions resulting from camera enforcement cannot be reported for inclusion in driver record.
Maine	29-A MRSA § 2117	Prohibits both speed and red light camera enforcement.
Maryland	Transportation Code §21-202.1,207	Authorizes use of red light cameras statewide. \$100 maximum civil penalty. School zones and residential districts in Montgomery County, Prince George's County school zones, statewide in school zones by local ordinance and work zones are authorized to use photo enforcement for speed; \$40 maximum fine. Montgomery county and Prince George's county can use automated enforcement at railroad crossings.
Mississippi	2009 HB 1568	Prohibits all localities from using automated enforcement. Any county or municipality using an automated recording equipment or system shall remove the equipment or system before Oct. 1, 2009.
Montana	§61-8-203	Prohibits all localities from using automated enforcement. Cameras at railroad grade crossings excepted.
Nevada	§484.910	Prohibits use of camera equipment unless it is held by an officer or installed in a law enforcement vehicle or facility.
New Hampshire	§236:130	Automated enforcement is prohibited unless there is specific statutory authorization; effective July 1, 2006. It is authorized for toll enforcement.

Appendix J. State Policies Regarding Use of Traffic Cameras (continued)		
State/ Jurisdiction	Statute Cite	Policy
New Jersey	§39:4-103.1	Prohibits use of camera radar by law enforcement officers or agencies. Local jurisdictions can apply to transportation commissioner to participate in a pilot program for red light enforcement after passing an ordinance. Vendor installing system must establish a public awareness campaign to notify the public of the intersection at which the system will be installed and of the date on which the system will be activated.
New Mexico	SB 861 (2007)	No state law authorizing photo radar use, but state law requires counties and municipalities using photo enforcement to post a warning sign and beacon.
New York	V&T §1111-a	Authorizes red light enforcement in cities with populations of more than 1 million people with a maximum of 150 intersections. \$50 maximum fine, no points assessed. Counties of Nassau and Suffolk, cities of Rochester and Buffalo, by local ordinance, up to 50 intersections; Yonkers, by local ordinance, up to 25 intersections.
North Carolina	§160A-300.1	Authorizes certain cities to operate a red light camera program. \$75 maximum civil penalty. No points assessed.
Ohio	No specific statute	Red light cameras authorized by ordinance in Toledo and Dayton.
Oregon	§810.483 ORS and §810.434 ORS	Authorizes use of photo radar in specific jurisdictions to detect speed violations. Allows use of red light cameras statewide. \$300 maximum fine.
Pennsylvania	75 Pa. Cons. Stat. Ann. 3166	Authorizes the use of red light cameras in Philadelphia. \$100 maximum fine.
Rhode Island	Title 31, Chapter 41.2	Authorizes statewide use of red light cameras. \$75 maximum fine, not a criminal or record offense. Authorizes cameras for school bus safety enforcement. \$500 maximum fine.
South Carolina	§56-5-70	Photo enforcement prohibited with exception; citations for violating traffic laws relating to speed or disregarding traffic control devices can be used only when the state declares an emergency. Citations must be served in person within one hour of the violation.
South Dakota	No specific statute	Red light cameras authorized by ordinance in Sioux Falls.
Tennessee	§55-8-110	Photo enforcement authorized statewide for traffic violations. \$50 maximum fine, no points assessed. Appropriate signage must be located not less than 500 feet in advance of the intersection, informing drivers of the presence of surveillance cameras at the approaching intersection. Traffic surveillance cameras not allowed on interstate highways except for construction zones.
Texas	Transportation Code §707	Texas municipalities not allowed to use photo enforcement to enforce speed violations. Photo enforcement authorized statewide for red light violations; requires local ordinance. \$75 maximum fine, not a criminal or record offense.
Utah	§41-6-52.5	Limits the use of camera enforcement to school zones, areas with speed limits of 30 mph or less, when a police officer is present, when signs are posted giving notice to motorists of camera use, and when the citation is accompanied by the photograph produced by the camera radar.
Virginia	§46.2-833.1 §15.2-968.1	Authorizes counties, cities and towns to operate red light cameras at no more than one intersection for every 10,000 residents; requires local ordinance. Authorizes up to 10 camera sites in Washington D.C. metro area. \$50 maximum fine. No points.
Washington	RCW 46.63	Cities and counties statewide are authorized to enforce, through photos, red light violations at two-arterial intersections, rail crossings, school speed zones. \$250 maximum fine.
West Virginia	§17C-6-7a	All photo enforcement is prohibited.
Wisconsin	§349.02	All photo enforcement is prohibited.
District of Columbia	DC Code §40-751	Authorizes an automated traffic enforcement program in the District of Columbia for all moving infractions. \$75 maximum fine, no points assessed.

Sources: Insurance Institute for Highway Safety and NCSL, 2010.

Appendix K. Motorcycle Helmet Use Requirements		
All Riders	Specific Segment of Riders (Usually under age 21 or age 18)	No Helmet Required
Alabama	Alaska ¹	Illinois
California	Arizona	Iowa
Georgia	Arkansas	New Hampshire
Louisiana	Colorado	
Maryland	Connecticut	
Massachusetts	Delaware	
Michigan	Florida ²	
Mississippi	Hawaii	
Missouri	Idaho	
Nebraska	Indiana	
Nevada	Kansas	
New Jersey	Kentucky ³	
New York	Maine ⁴	
North Carolina	Minnesota ⁵	
Oregon	Montana	
Tennessee	New Mexico	
Vermont	North Dakota ⁶	
Virginia	Ohio ⁷	
Washington	Oklahoma	
West Virginia	Pennsylvania ⁸	
District of Columbia	Rhode Island ⁹	
Puerto Rico ¹²	South Carolina	
American Samoa	South Dakota	
Guam	Texas ¹⁰	
Northern Marianas	Utah	
Virgin Islands	Wisconsin ¹¹	
	Wyoming	

Notes

1. Alaska's motorcycle helmet use law covers passengers of all ages, operators younger than age 18, and operators with instructional permits.

2. In Florida, the law requires that all riders younger than age 21 wear helmets, without exception. Those age 21 and older can ride without helmets only if they can show proof that they are covered by a medical insurance policy.

3. In Kentucky, the law requires that all riders younger than age 21 wear helmets, without exception. Those age 21 and older can ride without helmets only if they can show proof that they are covered by a medical insurance policy. Motorcycle helmet laws in Kentucky also cover operators with instructional/learner's permits.

4. Motorcycle helmet laws in Maine cover operators with instructional/learner's permits. Maine's motorcycle helmet use law also covers passengers ages 17 and younger and passengers if their operators are required to wear a helmet.

5. Motorcycle helmet laws in Minnesota cover operators with instructional/learner's permits.

6. North Dakota's motorcycle helmet use law covers all passengers traveling with operators who are covered by the law.

7. Ohio's motorcycle helmet use law covers all operators during the first year of licensure and all passengers of operators who are covered by the law.

8. Pennsylvania's motorcycle helmet use law covers all operators during the first two years of licensure

Appendix K. Motorcycle Helmet Use Requirements (continued)

unless the operator has completed the safety course approved by PennDOT or the Motorcycle Safety Foundation.

9. Rhode Island's motorcycle helmet use law covers all passengers (regardless of age) and all operators during the first year of licensure (regardless of age).

10. Texas exempts riders age 21 or older if they can either show proof of successfully completing a motorcycle operator training and safety course or can show proof of having a medical insurance policy. A peace officer cannot stop or detain a person who is the operator of or a passenger on a motorcycle for the sole purpose of determining whether the person has successfully completed the motorcycle operator training and safety course or is covered by a health insurance plan.

11. Motorcycle helmet laws in Wisconsin cover operators with instructional/learner's permits.

12. Puerto Rico strengthened its motorcycle law in 2007. The law requires riders to wear helmets, boots, gloves and reflective gear while riding at night. The law also imposed new testing requirements.

Sources: NCSL and the National Highway Traffic Safety Administration, Insurance Institute For Highway Safety, 2010.



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