



TRANSPORTATION REVIEW

TEEN DRIVING

GRADUATED DRIVER'S LICENSES AND MORE

By Brooke Oleen and Anne Teigen

September 2011

The National Highway Traffic Safety Administration (NHTSA) reports that in 2009, there were 5,148 drivers ages 15 to 20 involved in fatal crashes. This number is a 37 percent decrease from the 8,224 drivers in that age group involved in fatal crashes in 2000. The decline in the number of teenagers involved in fatal crashes shows a promising trend, as young drivers make up nearly 15 percent of the total population in the United States. State lawmakers continue to enact laws related to teen driving safety.

FEDERAL ACTION

Federal agencies such as NHTSA and the Centers for Disease Control and Prevention (CDC) have recognized teen driving as a safety issue and are working with researchers and state governments to educate the public about teen driving and implementing programs designed to reduce fatalities.

NHTSA, the CDC and the National Institutes of Health co-funded a study in 2006 that examined behavioral, cognitive, social and biological factors in adolescent development. The study aimed to provide insight into strategies for reducing motor vehicle crashes among teenagers.

Inexperience, hormones and cognitive functions combine to create unique risk factors for teen drivers. Newly licensed drivers' lack of experience can be a significant factor in traffic crashes. Research identifies ineffective visual searches (scanning for hazards), speed adjustment and attention as causes of crashes involving newly licensed drivers. At the onset of puberty, changes in the endocrine system can affect teens' motivation, moods and emotions. Puberty is associated with increased risk-taking, novelty and sensation seeking and increased focus on social status. Cognitive development, however, is not complete until the early 20s. Thus, the capacity for planning, logical reasoning and understanding long-term behavioral consequences are far from fully developed at age 16. Increased emotional development, coupled with the slower and steadier cognitive development in teens, could cause risky driving behavior resulting in crashes. Another part of the study showed adolescent and adult brains differ in their capacity to manage multiple tasks at once, meaning extra passengers, music and cellular phones pose additional risks to teen drivers.

This extensive research and studies conducted by federal agencies and others have made it possible for state lawmakers to learn about teen driving issues and create workable state policies.

STATE ACTION

In 2011, nearly 40 states considered legislation related to teen drivers. Most states considered modifications and improvements to their graduated driver's licensing systems. In addition, a number of states addressed the issue of teens driving while using mobile communication devices.

Contents

- Federal Action* 1
- State Action*..... 1
- Graduated Driver's Licenses (GDL)*..... 2
- Teens and Mobile Phones*..... 4
- Drunk Driving*..... 4
- Conclusion* 5
- Resources* 6

GRADUATED DRIVER'S LICENSES (GDL)

Graduated driver's licensing systems implemented in the states have been proven effective in reducing the number of teen traffic fatalities and crashes.

Researchers in North Carolina concluded that young drivers, especially those driving at night, were overrepresented in the state's crash fatalities in the early 1970s. From that research, the first concepts of graduated driver's licenses (GDL) were constructed and described in a model system developed by the NHTSA in 1977.

A graduated driver's license involves three stages for licensing teenage drivers.

- The “learner stage” requires teenage drivers to be accompanied and supervised by an adult as they learn to drive.
- By the intermediate stage—sometimes known as a provisional stage—unsupervised driving is permitted, subject to restrictions such as the number of passengers or the time of day.
- The final stage is full licensure, where all restrictions and provisions are lifted.

All states, the District of Columbia and Puerto Rico have implemented some form of GDL law; however, these laws vary greatly. Over the past few years, states have been proactive in taking action to adjust their laws, while keeping teen safety at the forefront of state policy. In 2011, 26 states considered more than 60 bills to modify state GDL laws.

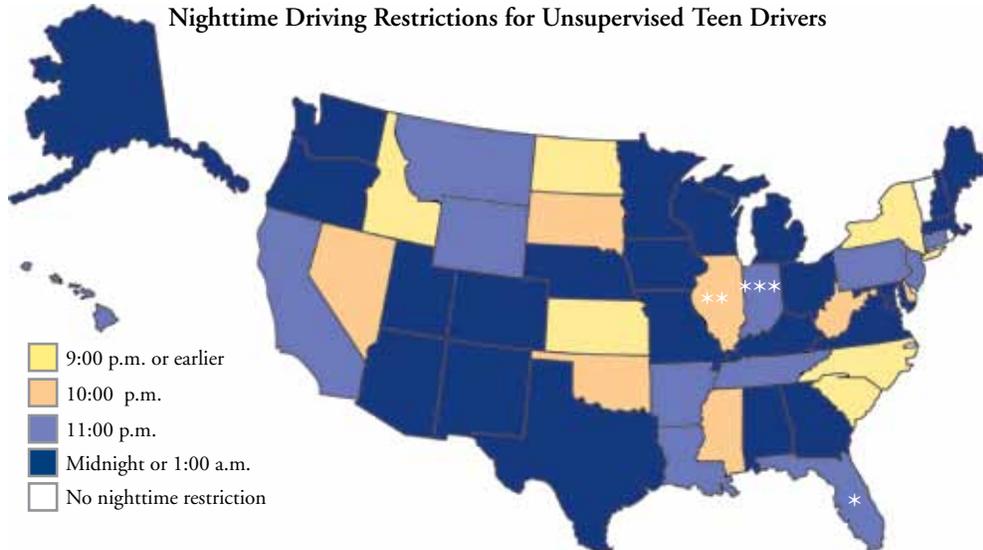


Six states—Ohio, Oklahoma, New Jersey, New York, Pennsylvania and South Carolina—debated more than a dozen bills related to suspension periods for teen drivers for offenses and violations of state GDL requirements.

Nine states—Arkansas, Florida, Indiana, Michigan, Mississippi, Montana, New Jersey, New York and Virginia—addressed revisions to age requirements for young drivers as well as exceptions to the number of passengers permitted in a vehicle with them under certain circumstances. Montana signed into law H 216, requiring the Department of Justice to adopt rules for hardship licenses that allow permit holders 14 years or older to operate a motor vehicle to or from a school bus stop without a parent or legal guardian. New York is considering legislation to require a young driver to have a learner's permit for nine months. After obtaining a license, the licensee would not be allowed to transport a passenger under 20 years of age for the first six months. This bill would also require parents to certify that applicants have at least 75 hours of driving experience before taking a road test, and raises permissible hours of operation for restricted teen drivers from 9 p.m. to 10 p.m.

GDL laws allow teens to gain experience under low-risk conditions while limiting driving under more risky conditions, such as driving at night. All states with GDL laws have provisions that address nighttime restrictions that typically make up the intermediate licensing stage, but half of them do not restrict driving until midnight or later. The Insurance Institute for Highway Safety defines an optimal graduated driver's licensing system as one that includes a night driving restriction that begins at 9 p.m. or 10 p.m. A few states—Illinois, Michigan and New Jersey—considered modifications to hours of operation for those with restricted licenses, including limitations on night driving. In the Illinois bill, instruction permits and licenses issued to drivers under 18 years of age would be invalid

from 10 p.m. to 5 a.m. A similar bill was enacted in Michigan that prohibits drivers with a Level 2 graduated driver’s license from operating a vehicle during these same hours; with certain exceptions.



- * Intermediate license drivers who are age 17 have a nighttime restriction beginning at 1:00 a.m.
- ** Intermediate license drivers have a nighttime restriction beginning at 11:00 p.m. on Friday and Saturday nights.
- ***Intermediate license drivers have a nighttime restriction beginning at 1:00 a.m. on Friday and Saturday nights.

Sources: Insurance Institute for Highway Safety and the National Conference of State Legislatures, 2011.

States considered measures to strengthen their overall driver’s education program for teens. Iowa, New Jersey, Virginia and Washington looked at ways to involve parents of young drivers in the process as well. New Jersey is considering a bill, A 3309, which would require a parent or guardian to complete a teen driver orientation program before a person under the age of 18 years may obtain a permit. Iowa considered legislation that would allow a parent or guardian (with a valid driver’s license and a two-year, clean driving record) who is providing competent private instruction to teach the student driver’s education. The course of instruction would need to be substantially the same as an approved course offered by a public school district or a private company. Oklahoma enacted S 443, requiring a portion of the state’s driver’s license examination to cover bicycle and motorcycle safety. New York is considering similar legislation, but also includes in-line skater, skateboarder and scooter rider safety as additional components to its pre-licensing driver’s education course.

Seven states—Iowa, Nevada, New Jersey, New York, North Carolina, Rhode Island and South Carolina—considered bills lengthening instructional periods for pre-licensing requirements and providing more time for teens to train behind the wheel. North Carolina enacted a bill, S 636, which requires restricted licensees to keep a driving log. Young drivers must log 60 hours of driving time before a level 2 provisional license can be issued; and log 12 hours for a level 3 license.

Seven states—Maine, Massachusetts, Minnesota, Montana, New York, South Carolina and Texas—debated legislation in which performance and school attendance would be stipulations for licensing of drivers under 18 years of age through state GDL programs. Texas enacted H 2466 that provides for a school administrator or law enforcement officer to notify the DMV if the minor has been absent from school for a specified number of days. New York is considering a bill that would require

minors to be enrolled in school or a graduation equivalent diploma program in order to receive a restrictive license. Legislation is pending in Massachusetts, H 3011, that would require every public and regional high school to provide driver's education programs and stipulate the successful completion of the program as a condition for graduation.

Since immaturity and inexperience are primary factors that contribute to deadly crashes by young drivers, states with three-stage GDL laws address these factors by providing teens with more exposure to driving and work to reduce high-risk situations. Forty-nine states and the District of Columbia have a three-stage GDL system. Analysis shows that adopting GDL laws leads to substantial decreases (20 to 50 percent) for crashes for this age group.

The AAA Foundation for Traffic Safety published *A Nationwide Review of Graduated Driver Licensing* in February 2007. In summarizing the study's findings, the report states, "The most restrictive graduated driver licensing programs are associated with reductions of 38 percent and 40 percent in fatal crashes and injury crashes, respectively, of 16-year-old drivers."

TEENS AND MOBILE PHONES

Teens and adults driving while using mobile communication devices, such as cellular phones, has been an issue at the forefront of legislative debate over the past five years. Thirty states and the District of Columbia have laws restricting the use of cell phones by younger drivers. Although their measures vary slightly, the laws generally restrict drivers who hold only an instructional or learner's permit from using any type of wireless communications device while operating a motor vehicle, except in emergency situations.



In 2011, 15 states introduced legislation related to teens and young drivers using mobile phones while operating a motor vehicle—Alaska, Arizona, Florida, Indiana, Maryland, Mississippi, North Carolina, North Dakota, New Jersey, New Mexico, Nevada, New York, Pennsylvania, Texas and Virginia. Since September 2011, North Dakota, New Mexico and Texas have enacted such laws. The enacted Texas bill, H 2466, prohibits young drivers from using a wireless communication device while operating a vehicle, motorcycle or moped, except in case of an emergency. Maryland, Mississippi and North Carolina considered legislation related specifically to young drivers using cell phones to send text messages. North Carolina's bill would have appropriated \$100,000 to the state highway patrol division to make teenagers aware of the risks and penalties of texting while driving if it had passed. North Dakota enacted a 2011 law assessing demerit points to restricted drivers who are caught using electronic communication devices.

DRUNK DRIVING

Due to strict alcohol purchasing laws and a nationwide drinking age of 21, drunk driving among teen drivers has decreased. In 2009, 28 percent of young drivers, ages 15 to 20, who were killed in crashes had a blood alcohol concentration (BAC) of .08 (the legal threshold for adults) or greater, compared with 41 percent of 16- to 17-year-old drivers killed in 1982. All states have zero tolerance laws for underage drinking and driving, meaning no amount of alcohol is permitted in a teen's system.¹ The consequence of violating such laws are cancellation of driving permits, revocation of provisional licenses, or suspension of full licenses with criminal charges filed. Although drunk driving

among teens has decreased overall, it still accounts for a large portion of teen driving fatalities. In 2009, 24 percent of drivers between the ages of 15 and 20 who were killed in motor vehicle crashes had been drinking before the crash. State legislators have introduced a number of bills in recent years related to teen alcohol use. Most provide for license suspension after an alcohol conviction, even if it is not for driving under the influence. Virginia passed legislation in 2011 defining zero tolerance underage drinking and driving as a Class 1 misdemeanor with penalties that include, but are not limited to, forfeiture of license for one year and a mandatory minimum fine of \$500 or 50 hours of community service. Virginia also enacted a measure to eliminate the authority of the court to give a restricted license to a child who has lost his driving privilege because of an alcohol-related offense. New Hampshire enacted S 31, which clarifies the procedure for revocation or denial of a young driver's license for alcohol or drug involvement.

CONCLUSION

Motor vehicle crashes are the leading cause of death for young people between the ages of 15 and 20, and graduated driver's license programs have emerged as an effective way to prevent injuries and save lives on America's roadways. With periods of supervised training, passenger restrictions, and night driving restrictions, teens have the opportunity to slowly become acclimated to the increased responsibilities and benefits of driving.

SOURCES

- AAA Foundation for Traffic Safety, <http://www.aaafoundation.org/resources/index.cfm?button=research>
- AAA Foundation for Traffic Safety. "Nationwide Review of Graduated Driver's Licensing." February 2007; <http://www.aaafoundation.org/pdf/NationwideReviewOfGDL.pdf>.
- Centers for Disease Control and Prevention, http://www.cdc.gov/motorvehiclesafety/teen_drivers/
- Colorado State Patrol website, <http://csp.state.co.us/newsroom.cfm>
- Insurance Institute for Highway Safety, <http://www.iihs.org/research/topics/teenagers.html>
- National Conference of State Legislatures, www.ncsl.org
- NHTSA, <http://www-nrd.nhtsa.dot.gov/Pubs/810630.PDF>
- National Safety Council, <https://secure.nsc.org/onlinecart/product.cfm?id=1437>
- "Preventing Teen Motor Crashes: Contributions from Behavioral and Social Sciences." National Research Council, Institute of Medicine, and Transportation Research Board, 2006.
- Simpson, Herb M. "The evolution and effectiveness of graduated licensing." *Journal of Safety Research* 34 (2003).
- Statenet.com

NOTE

1. Some states use a .02 BAC standard to account for the alcohol that is in some permitted forms of cough syrup.



NATIONAL CONFERENCE OF STATE LEGISLATURES

William T. Pound, Executive Director

7700 East First Place
Denver, Colorado 80230
(303) 364-7700

444 North Capitol Street, N.W., #515
Washington, D.C. 20001
(202) 624-5400

www.ncsl.org

© 2011 by the National Conference of State Legislatures. All rights reserved.

ISBN 978-1-58024-646-0