

Traffic Safety Trends

State Legislative Action 2015

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Introduction

In 2014, 32,675 people died in crashes, and approximately 2.3 million people were injured in motor vehicle crashes. According to the National Highway Traffic Safety Administration (NHTSA) report, *The Economic and Societal Impact of Motor Vehicle Crashes 2010*, the economic costs of motor vehicle crashes in 2010 totaled \$277 billion. This number includes lost productivity, medical costs, legal and court costs, emergency services costs, insurance administration costs, congestion costs, property damage and work place losses. Public revenues paid for roughly 9 percent of all motor vehicle crash costs in 2010. The cost to taxpayers was \$24 billion, the equivalent of more than \$200 in added taxes for every household in the United States.

Traffic safety is a costly and important public health issue for many people, including state legislators. In 2015, state legislators debated more than 1,500 traffic safety proposals. 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 (Appendix A contains National Highway Traffic Safety Administration regional office contact information). All bills discussed in this report can be found in the [NCSL-NHTSA Traffic Safety Legislative Tracking Database](#).

Federal Update

On Dec. 4, 2015, [Fixing America's Surface Transportation Act \(FAST Act\)](#) was passed by Congress and signed into law by the president. The FAST Act is a five-year bill that provides authority and funding for federal surface transpor-

tation programs. The bill approved \$305 billion in funding for surface transportation programs through 2020.

The FAST Act includes highway safety provisions in Title IV. Title IV provides grants to states to advance a number of traffic safety-related programs if they adopt, or have adopted, certain provisions. Grants are available for programs that involve occupant protection, traffic data systems improvements, impaired driving, distracted driving, motorcyclist safety, bike and pedestrian safety and graduated driver's licenses. More information about specific FAST Act provisions can be found in the corresponding issue areas under "Federal Action."

Occupant Protection

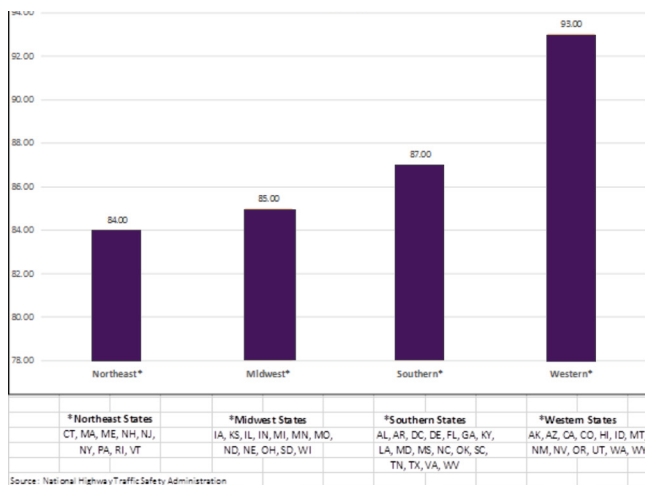
According to the [Centers for Disease Control and Prevention](#), motor vehicle crashes are a leading cause of death among those ages 1-54 in the United States. Of the 32,675 people killed on America's roads in 2014, 49 percent were not wearing a seat belt. Research indicates that lap/shoulder seat belts, when used, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent and the risk of moderate-to-critical injury by 50 percent.

NHTSA estimates that seat belts saved approximately 12,802 lives in 2014 and have prevented hundreds of thousands of injuries. Getting people to buckle up isn't always easy, however, and seat belt use varied widely in the states—from 68.9 percent in South Dakota to 97.8 percent in Oregon in 2014.

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Figure 1. Seat Belt Use by Region, 2014



Seat belt laws and enforcement can encourage drivers and passengers to buckle up. Every state except New Hampshire has an adult safety belt law. Seat belts laws can be primary or secondary. Primary laws allow police officers to stop motorists solely for violating the seat belt law. Thirty-three states and the District of Columbia have primary enforcement seat belt laws. Sixteen 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. According to NHTSA, states with primary laws averaged 11 percent higher seat belt use than secondary law states in 2013.

Laws in 28 states and the District of Columbia require occupants in both the front and rear seats to be belted. According to the [Governor's Highway Safety Association](#), seat belt use by adults in the back of passenger vehicles is about 10 percentage points lower than by those in the front. (Appendix B contains information about safety belt use laws and Appendix D contains information on occupants in cargo areas in trucks.)

One common concern about enacting a primary belt law is the fear that such a law would be unequally enforced in regard to minorities. NHTSA published a study of 13 states that had changed their seat belt laws from primary to secondary since 2000. It found that, although minority groups thought their chances of getting a seat belt ticket were higher than for whites, data revealed no differences in ticketing by race. The number of citations for nonuse of seat belts increased substantially in every state that

switched to a primary law, and increases occurred in all groups. The percentage of citations received by each group changed very little. However, a report from the ACLU in Florida indicated that, in 2014, black motorists in the state were stopped and ticketed for seat belt violations in far greater numbers than white motorists.

Law enforcement agencies in Florida are required to report the race and ethnicity of every recipient of a ticket for violation of seat belt requirements. In 2014, black motorists were stopped and cited three times more often than white motorists in Palm Beach County and 2.8 times more often in Orange County. The report cites statewide and national studies that show the differences in seat belt-wearing behavior between races, but does not explain the disparities in seat belt citation rates. Fair enforcement of seat belt use and other traffic laws in all segments of the population is an ongoing concern for law enforcement agencies, state lawmakers and the general public.

During the 2015 state legislative sessions, 27 states considered bills related to seat belts. Three states—Missouri, Vermont and Virginia—considered, but did not pass, primary seat belt laws in 2015. Minnesota, which has a primary enforcement law, introduced a bill to require only secondary enforcement. Utah was the only state to make a substantial change to its seat belt law in 2015. Now, rear seat occupants who are unbelted must be given a warning on the first violation but may be ticketed on subsequent violations. The law will be automatically repealed on July 1, 2018.

Kansas, Louisiana, Massachusetts, Missouri, Montana, South Dakota, Tennessee and Puerto Rico considered, but did not pass, measures that would have increased the fine for not wearing a seat belt. Many of the states aimed to double or even triple the amount of a violation for not wearing a seat belt. The Massachusetts bill, for example, would have increased the fine from \$25 to \$50, and the Montana bill would have increased the fine from \$20 to \$100. Some of these measures were carried over to the 2016 session.

In New York, Ohio and Oklahoma, bills were introduced that would require passengers in all seats, including the rear

seats, to wear safety belts. All three carried over to the 2016 session for consideration.

Child Passenger Protection

In 2014, 1,070 children age 14 and younger died and an estimated 167,000 were injured in motor vehicle crashes. Child deaths in motor vehicle crashes have declined since 1975, but crashes still cause about one of every four unintentional injury deaths among children younger than age 13, according to the Centers for Disease Control and Prevention (CDC). 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. NHTSA estimates that child safety seats reduce the risk of fatal injury by 71 percent for infants and by 54 percent for toddlers in passenger cars.

In 2011, NHTSA revised its [child restraint guidelines](#) to be categorized by age rather than by type of child seat. The [recommendations](#) include:

- For the best possible protection, infants should be kept in the back seat, in rear-facing child safety seats until a minimum of age 1 and at least 20 pounds.
- When children outgrow their rear-facing seats they should ride in forward-facing child safety seats, in the back seat, until they reach the upper weight or height limit of the particular seat (usually at around age 4 and 40 pounds).
- Once children outgrow the forward-facing seats, they should ride in booster seats, in the back seat, until vehicle seat belts fit properly. Seat belts fit properly when the lap belt lies across the upper thighs and the shoulder belt fits across the chest (usually at age 8 or when the child is 4'9" tall).

NHTSA notes the primary reasons for injuries to children restrained at the time of motor vehicle crashes relate to prematurely turning a child forward, premature graduation from harnessed safety seats to booster seats, premature graduation from booster seats to adult safety belts, misuse of safety restraints and seat belts, and children seated in the front seat of the vehicle.

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 and Ohio. (Appendix C contains information on state child restraint use laws.) According to the CDC, booster seat use reduces the risk of serious injury by 45 percent for children ages 4 to 8 when compared with seat belt use alone. South Dakota is the only state that does not have a booster seat law.

In 2015, 17 states debated child passenger protection legislation, and four states passed laws. California amended its rear-facing child restraint use law to include children under age 2 unless the child weighs more than 40 pounds. New Jersey and Oklahoma enacted similar rear-facing provisions for younger children and now also require older kids to remain in booster seats until they are age 8 or older or 57 inches tall. Kentucky enacted a similar booster seat provision.

Smoking in Cars with Children

In addition to keeping children properly restrained in vehicles, states also have been interested in keeping children safe from harmful tobacco smoke. Statutes in five states—Arkansas, California, Louisiana, Maine and Utah—prohibit adult drivers and passengers from smoking while in a motor vehicle with a child. Utah's 2013 law prohibits drivers from smoking in a vehicle if they have a passenger who is age 15 or younger. The infraction carries a \$45 fine. Connecticut, Kentucky, Massachusetts and Nevada considered, but did not pass, bills in 2015 prohibiting smoking in cars with children present.

Children in Unattended Vehicles

According to Kids and Cars, a nonprofit child safety organization, 38 children, on average, die every year from heat-related deaths in motor vehicles. In 2014, 32 children died in cars due to heat stroke. Laws in 19 states—California, Connecticut, Florida, Hawaii, Illinois, Kentucky, Louisiana, Maryland, Michigan, Missouri, Nebraska, Nevada,

Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas, Utah and Washington—specifically make it illegal to leave a child unattended in a vehicle. In 2015, Oklahoma enacted legislation that provides immunity from civil liability for any damages resulting from forcibly entering a car to remove a child. Virginia passed a similar measure in 2014.

Federal Action

Section 24407 of the FAST Act requires the U.S. Department of Transportation (DOT) to improve data collection on child occupants in vehicle crashes.

Impaired Driving

In 2014, 9,967 people were killed in alcohol-impaired traffic crashes, accounting for 31 percent of all motor vehicle fatalities. Impaired driving continues to be a serious traffic safety and public health issue for states (Table 1). According to NHTSA, an average of 1 alcohol impaired-driving fatality occurred every 53 minutes in 2014. The annual cost of alcohol-related crashes is more than \$44 billion.

In 2015, lawmakers in 49 states introduced approximately 350 bills related to impaired driving. The ultimate goal of these laws is to reduce the incidence of impaired driving and resulting injuries and fatalities. Lawmakers considered legislation ranging from stricter penalties for high blood alcohol concentrations and repeat offenders, increased use of ignition interlocks, and comprehensive alcohol treatment programs. During the 2015 legislative session, 29 states enacted laws related to impaired driving.

High BAC

In 2014, 56 percent of drivers who had been drinking and were involved in fatal crashes had a blood alcohol concentration (BAC) of .15 or greater.

To address this problem, states 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 mandatory treatment. The BAC levels at which these sanctions are applied vary as well, ranging

Table 1. Alcohol-Impaired Traffic Fatalities, 2014

State/ Jurisdiction	Total Traffic Fatalities	Alcohol-Impaired Driving Fatalities (BAC ≥.08)	Percent- age Alcohol- Impaired
Alabama	820	264	32%
Alaska	73	22	30
Arizona	770	199	26
Arkansas	466	135	29
California	3,074	882	29
Colorado	488	160	33
Connecticut	248	97	39
Delaware	121	49	40
Florida	2,494	685	27
Georgia	1,164	278	24
Hawaii	95	32	34
Idaho	186	53	28
Illinois	924	317	34
Indiana	746	205	27
Iowa	321	93	29
Kansas	385	103	27
Kentucky	672	171	25
Louisiana	737	253	34
Maine	131	44	33
Maryland	442	130	29
Massachusetts	328	133	41
Michigan	901	215	24
Minnesota	361	106	29
Mississippi	607	178	29
Missouri	766	204	27
Montana	192	73	38
Nebraska	225	60	27
Nevada	290	93	32
New Hampshire	95	30	31
New Jersey	556	163	29
New Mexico	383	116	30
New York	1,039	317	30
North Carolina	1,284	378	29
North Dakota	135	55	41
Ohio	1,006	310	31
Oklahoma	669	154	23
Oregon	357	100	28
Pennsylvania	1,195	345	29
Rhode Island	52	18	34
South Carolina	824	279	34
South Dakota	136	46	34
Tennessee	962	267	28
Texas	3,538	1,446	41
Utah	256	56	22
Vermont	44	9	20
Virginia	703	214	30
Washington	462	134	29
West Virginia	272	84	31
Wisconsin	507	166	33
Wyoming	150	48	32
District of Columbia	23	5	22
United States	32,675	9,967	31
Puerto Rico	304	93	31

Source: NHTSA, 2015.

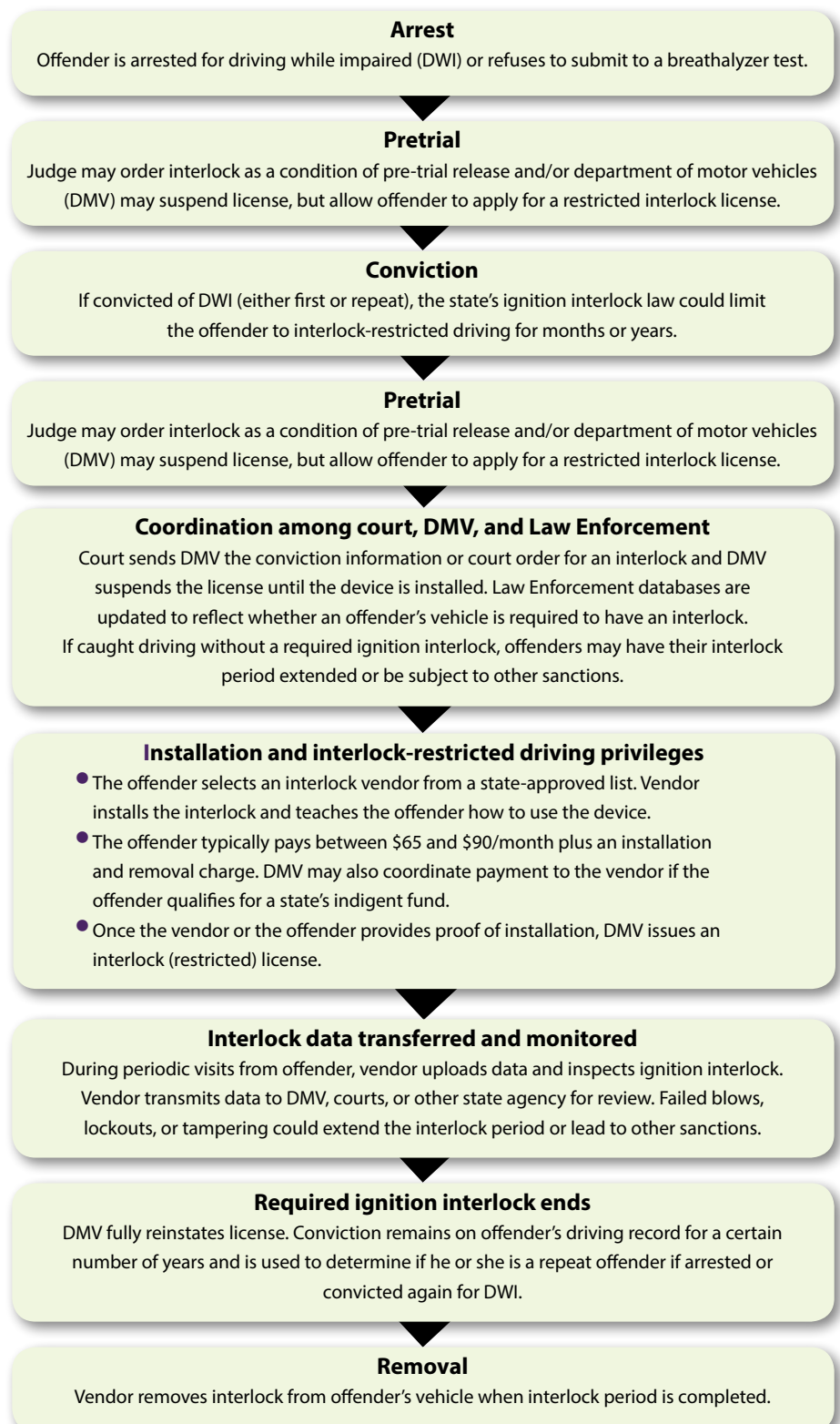
from .15 to .20. NHTSA recommends that the enhanced penalties for first-time high-BAC offenders should be comparable to those for repeat offenders. As of Aug. 1, 2015, Minnesota lowered the BAC level that constitutes a “gross misdemeanor DUI” from 0.20 to 0.16. The change will expose offenders to a maximum one-year jail term, up from 90 days under the misdemeanor standard, and it would triple the current \$1,000 maximum fine. New York considered similar legislation this year, attempting to lower the threshold for an “aggravated DUI” from .18 to .14.

Ignition Interlock Requirements

Ignition interlock devices are installed in motor vehicles to prevent the car from being started if a set level of alcohol, usually .02 or .025, is detected on the driver’s breath. Most devices require random retesting while the car is running to ensure that the driver is not drinking once the car is started. Many courts include the use of ignition interlock devices when sentencing offenders convicted of driving under the influence (DUI).^{*} 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 on the vehicle(s) they use (Figure 2). All 50 states have passed legislation that allows or requires use of ignition interlocks for drunk driving offenders.

In 2005, New Mexico became the first state to require ignition interlock devices for all convicted drunk drivers, including first-time offenders. As of December 2015, 23 additional states—Alabama, Alaska, Arizona, Arkansas, Colorado, Connecticut, Delaware, Hawaii, Illinois, Kansas, Louisiana, Maine, Mississippi, Nebraska, New Hampshire, New York, Oregon, Tennessee, Texas, Utah, Virgin-

Figure 2. How Does Ignition Interlock Work?



Source: GAO analysis based on information from selected states and NHTSA, GAO 14-559

^{*}It is understood that many states refer to impaired driving as “driving while impaired” (DWI), or “operating while impaired” (OWI), or “operating under the influence” (OUI). For the remainder of this document, the term “DUI” will be used.

In 2015, Kentucky passed a law that requires ignition interlock installation for all repeat offenders and for first-time convicted drunk driving offenders with a BAC of .15 or greater. The law also requires an interlock for those who refuse to take breath tests.

Ignition Interlock Compliance Laws

Fifteen states—Florida, Hawaii, Illinois, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New York, Oregon, South Dakota, Tennessee, Texas, Vermont and Washington—now require all or some offenders to install interlock devices that are equipped with a camera. The camera captures an image of the person using the interlock to ensure the driver is the person taking the test to start the vehicle. Minnesota considered a measure in 2015 that would require a camera for all offenders, but the bill did not pass.

No camera requirements
 ID camera requirements

Source: NCSL, 2016.

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States also are amending provisions of their ignition interlocks laws to include compliance-based removal provisions. To attain compliance-based removal, an offender must use the interlock device and not fail any tests for a set amount of time prior to removal. Washington passed its compliance-based removal provision in 2011. The law states that, when the requirement period is over, the offender can have the device removed if he or she has not:

- Tried to start the vehicle with a breath alcohol concentration of .04 or more.
- Failed to take or pass any required retests.
- Failed to obtain scheduled maintenance, repairs, calibration, monitoring, inspection or replacement of the device.

New Hampshire passed provisions in 2014 to require that an offender have a record of 120 days with no reported fails on the interlock before the device can be removed; Vermont's law will add three additional months to the ignition interlock requirement if the offender with a BAC of .04 or above makes three attempts to start a vehicle. In Missouri, a person with an interlock restricted license who tests above .08 percent BAC or tampers with the device during the six-month period, must keep the device on the vehicle for another six months. In 2015, Missouri amended this provision by adding that the driver must have no violations at all for three consecutive months in order to regain full driving privileges.

Treatment Programs and 24/7 Sobriety Monitoring Programs

One significant legislative trend related to impaired driving is the interest in using treatment programs and sobriety monitoring programs to help prevent DUI recidivism. Court-mandated treatment, which requires impaired driving offenders to participate in an evaluation and treatment for their substance abuse issues, has always been an option for judges when sentencing DUI offenders. Recently, however, more interest has been shown in combining behavioral treatment with more punitive sanctions, leading to a more comprehensive approach in dealing with impaired driving offenders and those who have committed other offenses while impaired. One of these programs is called a "24/7 sobriety monitoring program." In 2007, South

Dakota became the first state to pass a statewide program of this kind. The pre-trial program emphasizes offender sobriety and requires repeat- and high-BAC DUI offenders to submit to a breath or urine test twice a day at a local sheriff's office or other designated site. Breathalyzers, transdermal alcohol monitoring devices (ankle bracelets) and drug monitoring patches also may be used to monitor an offender's sobriety. If the offender fails or does not appear for a test, the offender's bond, parole or probation may be immediately revoked and, in most cases, the infraction will result in immediate incarceration. In 2013, the [RAND Corporation](#) published the first peer-reviewed evaluation of whether 24/7 sobriety monitoring programs improved public health in South Dakota. Key findings indicated that, between 2005 and 2010, more than 17,000 South Dakota residents—including more than 10 percent of men ages 18 to 40 in some counties—participated in a 24/7 program. At the county level, researchers documented a 12 percent reduction in repeat DUI arrests and a 9 percent reduction in domestic violence arrests following adoption of the program. Evidence for traffic crashes was mixed.

A 2015 [study](#) by the Upper Great Plains Institute at North Dakota State University studied the deterrent effect of the 24/7 program on offenders. Researchers found that among DUI offenders in this sample, positive behavioral improvements were made upon enrolling in the program. The program appears to have more of a deterrent effect on women than on men. The mandatory 12-month enrollment period has a stronger deterrent effect than did prior sentences, which generally were left to judicial discretion. Nonetheless, for the group of high-risk offenders who likely have alcohol abuse problems, the program was found to have little deterrent effect.

Other states have used South Dakota's model, and Alaska, Idaho, Montana, North Dakota, Washington and Wyoming have enacted statewide legislation. Alaska, Idaho and Wyoming passed this legislation in 2014, and Massachusetts considered, but did not pass, a 24/7 program bill in 2015. North Dakota expanded its 24/7 program in 2015 this year to include juvenile offenders, and the program is now required for some individuals after their release from incarceration.

These programs have not been without controversy. An offender took his case to the [Montana Supreme Court](#), arguing the program was unconstitutional because the tests violated due process rights and state fees for alcohol monitoring constituted pretrial punishment. The Court ruled unanimously in June 2015 that the 24/7 program is constitutional and that breath testing can be an appropriate condition of pretrial release. The Court concluded that testing also can be an appropriate condition of bond and likened the test fees to bail. Thus, requirements for the 24/7 program can be ordered only after the court conducts an individual assessment to determine whether the condition is appropriate for the defendant.

Enhanced Criminal Penalties

At least four states in 2015 enacted legislation to enhance the criminal penalties for DUI convictions. Colorado passed a felony DUI measure this year making a fourth or higher DUI in a person's lifetime a felony punishable by up to six years in prison. The law also includes additional supervision and community corrections requirements for second- and third-time offenders. South Dakota also passed a law this year that makes the sixth DUI offense a felony. Montana doubled the fine, from \$1,000 to \$2,000 and provides mandatory 72 hours of jail time for driving under the influence with a minor under age 16 in the vehicle. Finally West Virginia passed "Willy and Andrea's Law," named for two young victims who died in alcohol-involved crashes. The law substantially increases penalties for serious DUI cases. Drunk driving that results in a fatality is automatically a felony, regardless of how many previous offenses the driver has on his or her record. Drunk driving that results in serious injuries becomes a felony if the driver has three or more offenses.

Federal Action

The National Priority Safety Programs, Section §4005 of the FAST Act, contains provisions related to impaired driving. States can qualify for the Ignition Interlock Grant if they require all offenders to install ignition interlocks and they can qualify for another grant if they have a statewide 24-7 program. The FAST Act allows for exceptions to the all-offender interlock law if the offender is operating a vehicle that belongs to an employer and is being used while working, if he or she is medically unable to use an inter-

lock device or if there is no provider within 100 miles of the offender's home.

Drugged Driving

In addition to alcohol-impaired driving, drugged driving is implicated in an increasing number of crashes and fatalities. According to the 2012 National Survey on Drug Use and Health (NSDUH), an estimated 10.3 million people age 12 or older reported driving under the influence of illicit drugs during the year prior to the survey. In the [2013-2014 National Roadside Survey of Alcohol and Drug Use by Drivers](#), about 20 percent of weekend nighttime drivers tested positive for at least one drug, up from 16.3 percent in 2007. The percent of weekend nighttime drivers who tested positive for the presence of marijuana rose from 8.6 percent of drivers in 2007 to 12.6 percent in 2014. NHTSA reports it is extremely difficult to use crash data to quantify how widespread the drugged driving problem is because many states do not test for the presence of drugs, do not test for the same drugs or do not test to the same cutoff levels. At the current time, specific drug concentration levels cannot be reliably equated with levels of impairment or effects on driver performance.

In all, 22 states—Arizona, Colorado, Delaware, Georgia, Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Montana, Nevada, North Carolina, Oklahoma, Ohio, Pennsylvania, Rhode Island, South Dakota, Utah, Virginia, Washington and Wisconsin—have some version of a drug "per se law." In these states, a driver cannot have any presence of a prohibited drug or substance in his or her body while driving. These laws vary, however. In Colorado and Washington, the per se applies only to the presence of tetrahydrocannabinol (THC, the primary ingredient found in marijuana). In South Dakota, the per se law applies to people under age 21 only, and in Minnesota, the per se law does not include THC. New Jersey considered but did not pass a per se bill in 2015. For more information about Drugged Driving Per Se Laws, see www.ncsl.org/documents/transportation/persechart.pdf.

The legalization of recreational marijuana has brought a new challenge for lawmakers who want to prevent impaired drivers on the roads. Colorado, Montana and Washington set a blood content threshold for THC.

Anyone who drives a motor vehicle and has a THC blood concentration of 5 nanograms or more will be guilty of driving under the influence. Nevada and Ohio statutes establish a threshold of 2 nanograms of illegal substances per milliliter of blood, and Pennsylvania's administrative law establishes the threshold at 5 nanograms. Both the Illinois Senate and House passed a bill in 2015 that would decriminalize possession of marijuana. A provision in the proposed bill would have established the highest limit in the nation for driving while using THC (25 nanograms for oral fluids and 15 nanograms for blood). The bill was vetoed by the governor.

Washington addressed open containers related to marijuana in 2015. The new law makes it a traffic infraction to keep marijuana in the vehicle while driving on state roads unless the container is in the trunk or any other compartment that is unavailable to drivers and passengers. The law allows sealed packages to be within reach of the driver. Alaska considered a similar measure; it is still pending 2016 carryover.

California and Michigan considered bills that would authorize law enforcement personnel to use a preliminary oral fluid test. The test ideally would indicate the presence or concentration of a drug or controlled substance based on a sample taken at the roadside. At the time of publication, both bills were pending.

Federal Action

Section 4008 of the FAST Act requires the U.S. Department of Transportation to conduct a study on marijuana-impaired driving. The issues to be examined include:

- Methods to detect marijuana-impaired driving, including devices capable of measuring marijuana levels in drivers.
- A review of impairment standard research for driving under the influence of marijuana.
- Methods to differentiate the cause of a driving impairment between alcohol and marijuana.
- State-based policies on marijuana-impaired driving.
- The role and extent of marijuana impairment in motor vehicle accidents.

The findings of the study are to be presented in 2016. Section 4009 of the act provides that federal partners work together to help states increase public awareness about the dangers of drug-impaired driving.

Distracted Driving

The National Highway Safety Administration defines distraction as a specific type of inattention from the driving task to focus on some other activity. Distracting tasks can affect drivers in different ways and can be grouped into three categories:

- 1. Visually distracting:** Tasks that require the driver to look away from the roadway to visually obtain information.
- 2. Manually distracting:** Tasks that require the driver to take a hand off the steering wheel and manipulate a device or object.
- 3. Cognitively distracting:** Tasks that require the driver to think about something other than driving.

All these types of distractions can increase crash risk. Research indicates that using a cell phone while driving can be dangerous. In 2009, Virginia Tech Transportation Institute (VTTI) research showed that drivers who text messaged while driving had more than 20 times the risk of a 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. A [new study](#) from the AAA Foundation for Traffic Safety reveals more about the effect of cognitive distractions. The study showed that using the voice-based personal assistant to place calls, select music or send text messages was associated with a significant increase in the driver's distraction; drivers can be mentally distracted for up to 27 seconds after using voice commands.

Distracted driving can lead to costly and deadly outcomes. NHTSA reports 3,154 people were killed and an estimated 424,000 people were injured in motor vehicle crashes involving distracted driving in 2013. A "distraction-affected" crash is any crash in which a driver is identified as distracted at the time of the crash. Ten percent of fatal crashes

and 18 percent of injury crashes in 2013 were reported as distraction-affected crashes. According to NHTSA, based on all police-reported crashes that occurred in 2010, the economic cost of distraction-affected crashes was approximately \$46 billion (in 2010 dollars).

Although drivers can be distracted by many things—including eating and drinking; grooming; using a navigation system; and adjusting a radio, CD player or MP3 player—a [2011 CDC study](#) confirmed that cell phone use is widespread on America's roadways. In the United States, 69 percent of drivers' ages 18 to 64 reported that they had talked on their cell phone, and 31 percent reported they had read or sent a text message while driving at least once within the last 30 days. The prevalence of cellular phones, new research and publicized crashes have initiated many debates related to the role cell phones play in driver distraction. In 2015, legislators in 42 states considered more than 150 driver distraction bills.

No state completely bans all phones for all drivers. State legislation usually addresses a range of issues, including particular wireless technologies and specific drivers. Fourteen states—California, Connecticut, Delaware, Hawaii, Illinois, Maryland, Nevada, New Hampshire, New Jersey, New York, , Oregon, Vermont, Washington and West Virginia—and the District of Columbia prohibit driver use of hand-held phones. Vermont strengthened its hands-free law this year and drivers no longer are allowed to use their devices while stopped at a red light or stop sign. More than a dozen states including Georgia, Indiana, Iowa, Kansas, Kentucky, Maine, Massachusetts, Minnesota, Mississippi, Nebraska, North Carolina, Pennsylvania, Rhode Island, South Carolina and Virginia—considered, but did not pass, hands-free laws in 2015. Legislation in many of these states will carry over to 2016.

Texting while driving also remains a common driver distraction measure debated in legislatures. As of December 2015, 46 states, the District of Columbia, Guam, Puerto Rico and the U.S. Virgin Islands specifically ban text messaging while driving for all drivers. Most of these jurisdictions enforce texting laws with primary enforcement, but five states—Florida, Iowa, Nebraska, Ohio and South Dakota—have secondary enforcement laws that allow police

to issue a texting while driving citation only if the motorist was first stopped for another infraction. Legislation in Mississippi and Oklahoma passed in 2015; however, the Mississippi law is in effect for only two years and sunsets in 2018. Arizona and Montana are the only states without any sort of texting ban.

Penalties for violating texting bans vary among the states, from a misdemeanor charge in Maryland that carries a \$175 fine, to a traffic infraction in South Carolina that carries a \$25 fine. This year, Oklahoma set its fine at \$100, and Mississippi established a tiered civil violation that will cost \$25 until July 2016, when the fine will increase to \$100. Texting while driving violators in some states such as Nebraska will have points assessed against their license and pay a \$200 fine, while North Carolina's statute specifically prohibits assessing points against a person's license. Tennessee introduced but did not pass legislation in 2015 that would increase the penalty for texting while driving from \$50 to \$250.

The New Face of Distracted Driving

With the development of new, head-mounted intelligent devices, people now can purchase “wearable computers.” The University of Central Florida, in partnership with the Air Force Research Laboratory, released the first scientific study to examine use of wearable computers (specifically Google Glass) and texting while driving. Researchers compared the reactions of 40 twenty-something-year-old drivers in a car simulator to a vehicle ahead of them that slammed on the brakes. Researchers found subjects who were exchanging messages using Google Glass or a smart phone were equally slow to respond. The study revealed, however, that drivers wearing the “wearable computer” recovered more quickly than those texting on a smart phone. Legislation was introduced, but did not pass, in 2015 in Illinois, Missouri, New Jersey and New York, to prohibit use of such “wearable computers” while driving.

Federal Action

The FAST Act contains incentive grant provisions for states that pass distracted driving laws that meet the law's criteria. To be eligible for the distracted driving grants under the FAST Act, states must have enacted and be enforcing the following.

- Primary texting while driving prohibition with a mandatory minimum fine for first violation and for subsequent offenses. The law must not provide for an exemption to allow texting while stopped in traffic.
- A primary prohibition on youth under age 18 (or in any stage of a graduated driver's license) from using cell phones while driving, and/or require distracted driving issues to be tested as a part of the state driver's license exam. Again, the law must not provide for an exemption to allow texting while stopped in traffic.

States that are ineligible for the distracted driving grant described above can qualify for a texting-ban grant in FY 2017 if they enact a primary or secondary texting ban. To qualify for funding in FY 2018, states must enact primary

texting bans and prohibit drivers under age 18 from using wireless devices while driving.

Driver Licensing

All states, the District of Columbia and the U.S. territories license more than 211 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 prior to issuing a license. Testing drivers and issuing licenses, however, no longer are the sole concern

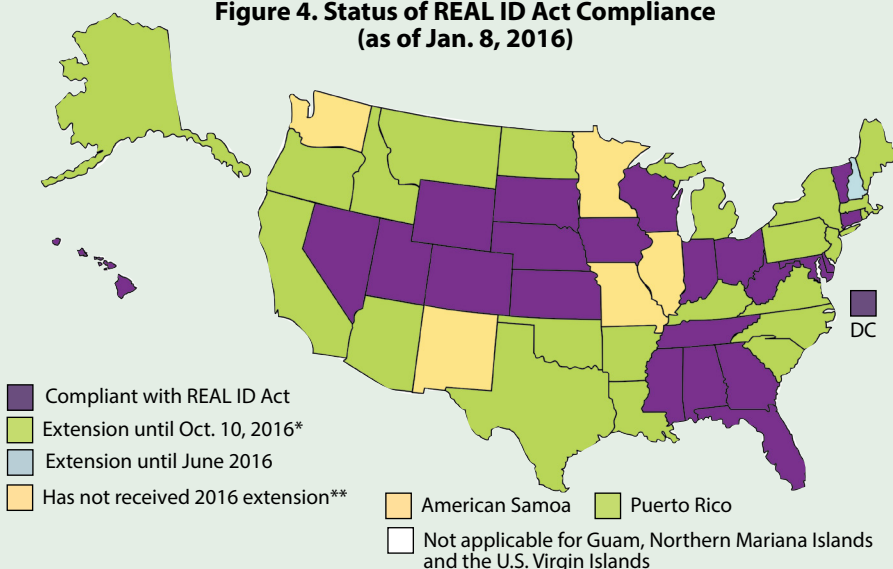
REAL ID

On Jan. 8, 2016, the U.S. Department of Homeland Security (DHS) released an updated timeline for implementation of the final phase of REAL ID, which pertains to enforcement by the Transportation Security Administration (TSA) at airports regarding domestic air travel.

Beginning Jan. 22, 2018, passengers with a driver's license issued by a state that is not compliant with the REAL ID Act—and has not been granted an extension—will need to show an alternative form of acceptable identification for domestic air travel in order to board a flight. Passengers with driver's licenses issued by a state that is compliant with REAL ID—or a state that has been issued an extension—will be able to use a driver's license or identification card. Starting on Oct. 1, 2020, every air traveler will need a REAL ID-compliant license, or another acceptable form of identification, for domestic air travel.

Currently, DHS has determined that 22 states and the District of Columbia are fully compliant with the REAL ID Act; most of the remaining states and territories are operating under an extension through Oct. 10, 2016. Several states are noncompliant. DHS is continuing to provide extensions, as warranted, which are granted for a maximum of one year and may be renewed if a state demonstrates continued progress toward compliance. Passengers can continue to use any of the various other forms of identification accepted by TSA, such as a passport or passport card, Global Entry card, U.S. military ID, airline or airport-issued ID or federally recognized tribal-issued photo ID.

Figure 4. Status of REAL ID Act Compliance (as of Jan. 8, 2016)



*Extension allows federal agencies to accept driver's licenses from these states until Oct. 10, 2016.

**Subject to enforcement for accessing most federal facilities, nuclear power plants and military bases beginning Jan 10, 2016. Federal officials may continue to accept Washington Enhanced Driver's Licenses.

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, military designations, medical designations and immigrant driver's licenses.

Military Designation on Driver's Licenses

Active duty servicemen and servicewomen carry military ID cards to prove their status, but veterans must carry the comparatively large certificate of release or discharge from active duty—referred to as a DD214—to prove their military experience. To make it easier and more convenient for veterans to verify their service, all 50 states, the District of Columbia and Puerto Rico allow a military designation on driver's licenses. Delaware's veteran identification card is available for no charge.

Medical Designations on Driver's Licenses

At least five states considered legislation in 2015 that would allow medical information to be displayed on a driver's license. Louisiana now allows a driver's license applicant to put their blood type on the back of their driver's license. The Georgia Department of Driver Services began offering the same option in 2014. The measures are aimed at helping medical personnel during crucial moments in an emergency. New Jersey considered a bill in 2015 that would permit a driver's license applicant to indicate penicillin or other drug allergies on the license. In Virginia, upon the applicant's request and with a signed statement from a physician, the DMV can designate hearing or speech impairment, insulin dependence or intellectual disabilities on a driver's license. Massachusetts and Mississippi considered, but did not pass, similar bills.

Undocumented Immigrant Drivers Licenses

Many state legislatures and executive agencies have reviewed their driver's license statutes and policies regarding issuance to unauthorized immigrants. Prior to 2013, laws in only three states—New Mexico, Utah and Washington—allowed unauthorized immigrants to obtain a driver's license. These states will issue a license if an applicant

provides a foreign birth certificate or a foreign passport, a Matricula Consular Card and evidence of current residency in the state. In Utah, the "Driving Privilege Card," specifically for unauthorized immigrants, was created to help ensure drivers on Utah roads purchased auto insurance. Utah's Department of Public Safety reported that 35,232 driver privilege cards were issued in 2014, which is slightly down from previous years.

As of December 2015, 12 states and the District of Columbia have laws to allow unauthorized immigrants to obtain a driver's licenses. These states—California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, New Mexico, Nevada, Utah, Vermont and Washington—issue a license if an applicant provides certain documentation, such as a foreign birth certificate, a foreign passport, or a consular card and evidence of current residency in the state. Delaware and Hawaii enacted their laws in 2015. Delaware's driver's privilege card law, which went into effect in January 2016, requires documentation such as a birth certificate, a foreign passport, a foreign driver's license or a school identification card. The law also requires applicants to provide two years of state income tax returns and submit fingerprints for a background check. The driver privilege cards are marked "Not Valid for Identification."

Georgia and Maine enacted limited immigrant driver's licensing laws in 2013. The Georgia law allows a noncitizen who has filed a request for a visa extension with the U.S. Department of Homeland Security to be issued a temporary driving permit valid for 120 days. The Maine law provides an exception to its legal presence requirement if the person is renewing a driver's license that he or she has held continuously since 1989, or if the person was born before Dec. 1, 1964.

In 2013, Oregon enacted SB 833, which provided driver's licenses for unauthorized immigrants. Voters approved ballot Measure 88 in 2014, which suspended the law.

Digital Driver's Licenses

Iowa began testing a mobile app in August 2015 that would make driver's licenses digital. About 100 Department of Transportation employees participated in a pilot program where they could access their driver's license

through a secure smartphone app. Other states have taken notice, and nine considered legislation related to digital driver's licenses in 2015. Tennessee enacted legislation this year that authorizes the Department of Safety to develop an electronic driver's license system, permits development of an app to display images of driver's licenses on cell phones, and allows electronic driver's licenses to be accepted in lieu of physical licenses. Delaware and North Dakota adopted resolutions requesting agencies to study and consider digital driver's licenses as an option for motorists. Illinois created the Electronic Driver's License Task Force to examine and make recommendations related to the feasibility and cost for the secretary of state to issue electronic or virtual driver's licenses. In California, the Assembly and the Senate passed a 2015 bill that would require the Department of Motor Vehicles to study the feasibility of the app, but the governor vetoed the bill, noting, "While the idea of a digital license sounds innovative, it poses numerous technical difficulties. Given the many new responsibilities that the Department of Motor Vehicles is already dealing with, I don't believe this bill is advisable."

Older Drivers

The age of 14.5 percent of the total U.S. resident population in 2014—approximately 46.2 million people—was 65 and older. According to the [Insurance Institute for Highway Safety](#) (IIHS), using information reported to states by the Federal Highway Administration, approximately 23.6 million people over age 70 were licensed drivers in 2013. While older drivers have lower rates of crashes reported to the police, the likelihood of involvement in a fatal crash goes up after age 70.

Older drivers generally are considered to be safer drivers because they use seat belts, rarely speed and are less likely than other age groups to drive while impaired. On the other hand, AAA notes that age-related decline in vision, hearing and cognitive functioning, along with physical changes, may affect driving ability. In addition, a number of medical conditions, such as heart disease and diabetes, may make it more difficult for older drivers to heal following a traffic accident.

In December 2015, the AAA Foundation for Traffic Safety released a [research synthesis](#) of advanced in-vehicle tech-

nologies and the application of those technologies for older drivers. Sixteen types of advanced technologies were evaluated to determine which could be the most useful and beneficial for older drivers. The report found that these technologies can "help extend the period over which an older adult can drive safely." The most beneficial technologies, according to the study, were forward collision warning/mitigation systems; three forms of parking assist: rear-view display, cross traffic warnings and semi-autonomous parking assistance; navigation assistance; automatic crash notification; and adaptive headlights. The study also found that it was too early to assess the benefits of other systems, such as intersection and merging assistance and congestion warning.

Nine states considered legislation on older driver issues in 2015. Nevada and Virginia were the only states to enact legislation. Nevada's legislation implements a "Yellow Dot" program in certain counties, and in October 2015, Kentucky Governor Steve Beshear announced the launch of the "Yellow Dot" program there. States with a "Yellow Dot" program provide a bright yellow circle decal to drivers, including seniors, who sign up for the program. This decal, which is placed in the car's back window, tells first responders to look for a "Yellow Dot" folder in the glove box that contains a photo and detailed medical information, including prescriptions, drug allergies, surgeries, presence of pacemakers or other information that could affect emergency treatment. The nation's first "Yellow Dot" program began in Connecticut in 2002, and 23 states currently have some form of the program. Each year for the last three years, New York has introduced legislation to establish a statewide "Yellow Dot" program in its Department of Transportation, but the measures have not passed. Federal legislation was introduced in late 2013 that would create a national "Yellow Dot" program, but the bill did not move out of committee.

Virginia's legislation establishes a course in mature driver motor vehicle crash prevention and allows courts to provide this course as an option for defendants. Older drivers who successfully complete the course voluntarily are eligible for a lower insurance rate. The legislation also requires that licenses for drivers over age 75 be valid for no more than five years, rather than eight. Prior to this legislation,

drivers over age 80 were required to appear in person to renew their license and pass a vision exam. This law lowers the age requirement to 75.

A number of states—including Hawaii, Illinois, Oregon, South Carolina and Vermont—considered legislation dealing with medical fitness to drive. Illinois would have required drivers report to the secretary of state any medical conditions that may create hazards while driving. Oregon’s legislation would have required drivers over age 75 to renew their licenses every four years and either take a driving test or submit a certificate from a medical professional indicating they do not have an impairment that would affect their driving ability. None of the measures passed.

New York considered many pieces of legislation related to older drivers, including a bill to waive license renewal fees for seniors and veterans, a bill to discount license renewal fees for seniors, a bill to establish a senior driver safety commission, and a bill to prohibit insurers from increasing auto insurance premiums based solely on the fact that the insured is over age 60, among others. (Appendix E contains information about state licensing procedures for older drivers).

Teen Drivers

Young, inexperienced drivers are significantly overrepresented in fatal crashes, according to NHTSA. In 2014, 1,678 teen drivers between the ages of 16 and 20 were killed in car crashes. An additional 581 young passengers riding with young drivers were killed in accidents. Young adults ages 15 to 24 make up 14 percent of the U.S. population, but they constitute 30 percent and 28 percent of the total costs of motor vehicle injuries for males and females, respectively, according to the CDC. With 12.3 million teen drivers on the road today, teen driving remains a top traffic safety issue.

In April 2015, the CDC released a report on driving among high school students. The study attributed a decline in teen fatal crash involvement from 2004 to 2013 to a number of potential factors, including graduated driver licensing, safer vehicles, young people waiting longer to get their licenses and young people driving less. Of high school

students 16 or older nationwide, 76.3 percent reported driving during the previous 30 days, with higher driving prevalence in midwestern and mountain states. Hawaii had the lowest rate; 53.8 percent of teens reported driving in the last 30 days. South Dakota was the highest at 90.2 percent.

Due to immaturity and inexperience, young drivers may often exhibit dangerous driving behaviors. Teen drivers have the highest crash risk of any age group and, according to the CDC, are three times more likely to be involved in a fatal crash than drivers age 20 and older. According to a report released by the Children’s Hospital of Philadelphia in 2013, among the more than 55,000 teen drivers and their passengers seriously injured each year in 2009 and 2010, 30 percent suffered head injuries, including concussions, skull fractures and traumatic brain injuries. Injury and fatality rates are high for teens because they are more likely to engage in risky behaviors such as speeding, driving under the influence (26 percent of drivers between the ages of 15 and 20 who were killed in crashes in 2011 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.

A March 2015 study from the AAA Foundation for Traffic Safety evaluated the factors that contribute to teen driver crashes. The study used data from thousands of crashes involving teen drivers obtained through the use of in-vehicle event recorders. It provided information on the 8 seconds before a crash and the 4 seconds after. Most crashes occurred on roads connecting local streets. Of the single-vehicle crashes observed, 65 percent occurred on roads covered with snow or ice. The study found that inattention, inadequate observation and decision errors—such as running stop signs and speeding—were the most common mistakes made by young drivers in the recorded crashes. In 58 percent of the crashes, some form of potentially distracting behavior was observed, such as attending to passengers and cell phone use.

To mitigate this public health issue, every state has enacted some type of law intended to protect these drivers as they develop skill and experience. Commonly referred to

as graduated driver's licensing (GDL), the laws provide a gradual process for teen drivers to gain experience in a safer environment.

NHTSA defines a comprehensive GDL law as one that includes 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 of at least three months after obtaining a learner's permit before applying for an intermediate license;
- A minimum of 30 hours of supervised driving;
- A minimum age of at least 16 and six months for obtaining an intermediate state license;
- A minimum age of at least 17 for full licensing;
- Nighttime driving restrictions; and
- Passenger restrictions.

According to a study by the California Department of Motor Vehicles and the University of North Carolina, fatal crash rates for 16- and 17-year-olds were 21 percent lower with permit holding periods of nine to 12 months, compared to no holding period. A limit of no more than one passenger was associated with a 15 percent reduction in fatal crash rates, compared with no passenger restriction. All states have at least one of the GDL components. (Appendix F contains information about teen driving restrictions.)

In 2015, 29 states considered nearly 100 bills related to teen driving. Alabama enacted a law increasing the number of hours of required supervised driving from 30 to 50. New York considered legislation that would institute fines against parents who knowingly allowed their children to drive a vehicle in violation of GDL restrictions.

In Arkansas, a person may apply for an instruction permit at age 14. This year, the state enacted legislation increasing the waiting period from six to 12 months before a license can be obtained for drivers under age 16. The Arkansas State Police also must increase the availability of information about GDL for schools and parents. Indiana enacted legislation lowering the required age to obtain a driver's license from 16 years and six months to 16 years and three

months. The law also makes a license issued to a driver under age 21 probationary, increasing the age limit from 18.

California considered, but did not pass, legislation to request a study regarding the potential impact of lowering the minimum age to apply for a driver's instruction permit. The state also considered legislation to increase the time during which a young driver is subject to passenger restrictions and nighttime driving restrictions. Currently, these restrictions are in place for 12 months. This legislation would have kept the restrictions in place until the driver reached age 18.

Hawaii adopted a resolution encouraging driver's education courses to emphasize courteous and responsible driving. South Carolina considered legislation that would require some form of driver training for all new drivers, regardless of age. New drivers under age 21 would be required to complete a driver training course, and new drivers over 21 would be required to complete an eight-hour defensive driving course.

Maine's new law also requires the secretary of state to offer decals to young drivers, which they can choose to display on the vehicle to indicate he or she has an intermediate license. New Jersey is the only state that requires decals on vehicles driven by young drivers. Massachusetts, New York and Washington considered similar legislation this year. The decals aid in the enforcement of GDL restrictions for young drivers. New Jersey considered, but did not pass, legislation to repeal the state's decal requirement.

Young Drivers and School Enrollment or Academic Performance

In 29 states, some provision exists to link driver's licenses to school enrollment, attendance or academic performance. In Illinois, for example, students who do not receive a passing grade in at least eight courses during the previous two semesters prior to enrolling in a driver's education course will not be allowed to enroll. Driver's education is required for a permit or license.

Arkansas requires regular attendance in school with a C average to obtain a permit or license. At least 18 states link driver's licenses to habitual school absence. Georgia law

states that the Department of Motor Vehicles can suspend the license of a juvenile if he or she has not attended school for 10 consecutive days without permission to be absent. In Indiana, those deemed “habitual truants” cannot receive a license until they reach age 18. New Mexico considered, but did not pass, legislation in 2015 to allow the suspension or postponement of driving privileges for young drivers who are truant. Legislation also was introduced in New York to tie licenses to grades and attendance.

Distracted Driving and Young Drivers

Distracted driving among young drivers is a serious safety issue. In 2013, 10 percent of teen drivers ages 15 to 19 who were involved in fatal crashes were distracted at the time of the crashes. According to NHTSA, as many as 25 percent of teens respond to a text message once or more every time they drive, even though 32 states and the District of Columbia ban all cell phone use by novice drivers and consider it a primary offense.

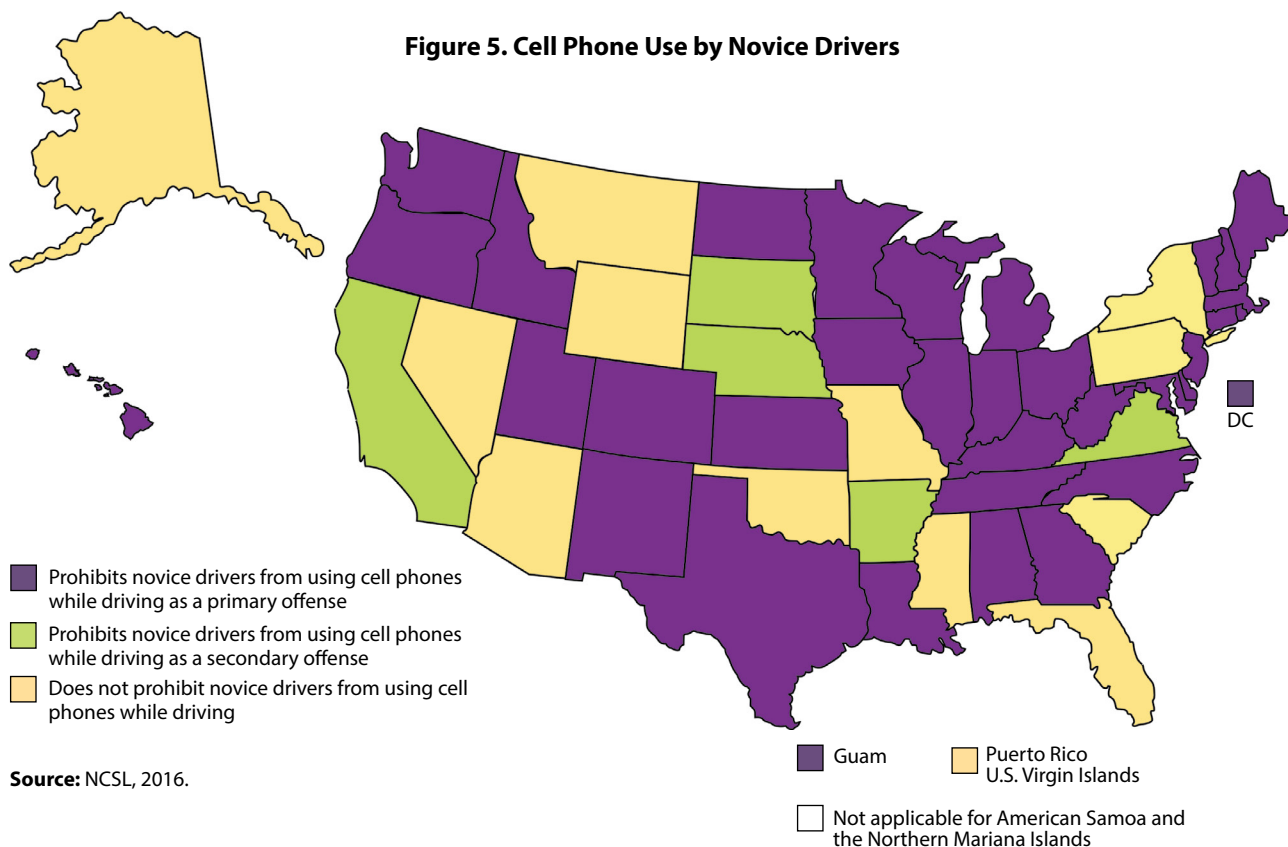
Maine passed a law in 2015 prohibiting the use of hand-held electronic devices by drivers with learning permits.

Minnesota considered legislation prohibiting cell phone use by drivers under age 18. Bills were introduced in New Jersey to require school districts to provide education about the dangers of texting while driving. New York also considered legislation to prohibit the use of cell phones by teen drivers. A new rule in Texas created the [IMPACT Texas Teen Drivers](#) course, requiring a two-hour distracted driving course for young drivers who are applying for licenses.

Impairment and Young Drivers

According to NHTSA, “teens are at far greater risk of death in an alcohol-related crash than the overall population, despite the fact that they are below the minimum drinking age in every State.” In order to address this risk, a number of states considered legislation related to teen driver impairment in 2015. Tennessee’s new law requires an annual report to inform students of the death of anyone under age 18 who died because of the impairment of another teen under age 18. Tennessee also considered legislation that would have expanded the driver’s education courses in public schools to provide information about the effects of drug consumption on driving.

Figure 5. Cell Phone Use by Novice Drivers



Utah enacted legislation allowing courts to order a screening, assessment, and educational series or substance abuse treatment for minors convicted of certain drug and alcohol offenses for the first time and requiring this for second or subsequent violations. The law also allows the court to reduce the period of a license suspension for certain violations. Legislation failed in Virginia that would have expanded statewide availability of a driver's education program that would include information about the danger of driving while intoxicated.

Federal Action

Section 4005 of the FAST Act changes the requirements for states to receive a graduated driver licensing grant. The age requirement is decreased from 21 to 18. The learner's permit and intermediate permit are modified so that states have more discretion. In addition, 100 percent of funds can be used for certain projects if the state is in the lowest 25 percent of states with drivers under age 18 involved in fatal crashes. Under MAP-21, only 75 percent of funds could be used for certain projects.

Aggressive Drivers

Running red lights or stop signs, speeding, preventing other drivers from passing and illegal driving on the shoulder are examples of aggressive driving. NHTSA, in cooperation with law enforcement agencies, defines aggressive driving as occurring when "an individual commits a combination of moving traffic offenses so as to endanger other persons or property." In AAA's Traffic Safety Culture Index, half of drivers admitted to exceeding speed limits by at least 15 percent in the preceding 30 days. In the same survey, however, eight of 10 drivers ranked "aggressive driving as a 'serious' or 'extremely serious' risk that jeopardizes their safety." [Utah crash statistics from 2013](#) showed that 81 fatalities, 3,225 injuries and 11,231 crashes in the state were caused by aggressive driving and speeding.

Aggressive driving continues to be a topic of legislation around the country. Several states have laws defining the offense of aggressive driving and establishing penalties. Eleven states—Arizona, Delaware, Florida, Georgia, Indiana, Maryland, Nevada, North Carolina, Rhode Island, Vermont and Virginia—have aggressive driving laws. (Appendix G contains more information about state aggressive

driving laws.) California and Utah have reckless driving laws that include behaviors similar to those other states classify as aggressive. The Pennsylvania legislature passed a resolution against aggressive driving. In Maryland, a driver must commit three specified offenses at the same time or in a continuous period of driving for his or her behavior to constitute aggressive driving. Maryland considered legislation in 2015 to reduce the number of required offenses to two and increase the maximum fine to \$1,000, but it failed.

New Jersey enacted legislation this year requiring driver education courses and an informational brochure distributed to parents of beginning drivers to include information about the dangers of aggressive driving. The legislation specifies that driving in an aggressive manner includes, but is not limited to, unexpectedly changing speeds, making improper or erratic lane changes, disregarding traffic control devices, failing to yield the right of way and following another vehicle too closely. New Jersey considered, but did not pass, a number of other measures related to aggressive driving, including one measure that would create the offense of engaging in a pattern of aggressive driving and another that would create an awareness campaign to address aggressive driving.

New York introduced, but did not pass, three pieces of legislation to establish the offense of aggressive driving in the state. One bill would have made aggressive driving a misdemeanor, while another would have made it a class E felony.

Speeding

In 2014, 9,262 traffic fatalities occurred in [speeding-related crashes](#). NHTSA considers a crash to be speeding-related if the driver was charged with a speeding-related offense or if an officer indicated that racing, driving too fast for conditions or exceeding the posted speed limit was a contributing factor in the crash. The number of fatalities in 2014 represented a 3.65 percent decrease from 9,613 in 2013. The most recent year for which statistics are available—2014—saw the fewest speeding-related fatalities in the last 10 years, with a peak of 13,609 fatalities in 2006.

While the number of speeding-related fatalities have decreased in recent years, speeding remained a factor in [28.3 percent of motor vehicle fatalities](#) in 2014.

According to AAA's [2014 Traffic Safety Culture Index](#), 46.1 percent of drivers say they have driven 15 mph over the speed limit on a freeway in the past month, and more than 20 percent say it is acceptable to do so. Of drivers surveyed, 43.5 percent say they have gone 10 mph over the limit on a residential street in the past month, but 90.2 percent say they disapprove of speeding on a residential street.

In 1995, Congress repealed the maximum speed limit of 55 mph, which had been established in the early 1970s, and states were given more power to set maximum speed limits. Since then, 38 states have set speed limits of 70 mph or higher on some portion of their roadways. (Appendix H contains more information about state speed limit laws.)

Forty-three states considered 114 bills related to speed limits in 2015. Montana, Nevada, South Dakota and Wyoming increased the maximum speed to 80 mph, and Montana also increased the maximum speed limit for trucks to 65 mph. Washington increased state speed limits to 75 mph. Wisconsin increased the maximum speed limit to 70 mph, while Maryland and Oregon increased the speed limit on certain stretches to 70 mph.

Montana's legislation not only increased the maximum speed limits, but also increased the fines for speeding, which are lower than those in most surrounding states. The Montana legislation increased the fine for exceeding the speed limit by 11 mph to 20 mph from \$40 to \$70; from \$70 to \$120 for going 21 mph to 30 mph over the speed limit; and doubled it to \$200 for going more than 31 mph over the speed limit.

NHTSA notes that, in 2012, only 12 percent of speeding-related fatalities occurred on interstate highways, meaning that many crashes occur on city streets and in work zones. Seven states—California, Illinois, Michigan, Rhode Island, Texas, Vermont and Virginia—considered bills related to speeding in school zones in 2015. Illinois passed

a bill specifying that a driver exceeding a certain speed in a school zone or work zone is not eligible for supervised probation, and instead is subject to incarceration.

Speed limits can be set at the state or local level, and some legislative action in 2015 addressed this authority. South Dakota passed a bill allowing township boards to establish speed zones on township roads, perhaps setting lower limits than those set by the state. Similar legislation also was considered in Alabama, Arizona, Mississippi, Montana, New York and Pennsylvania. Virginia passed legislation specifying that counties can increase or decrease the speed limit only after an engineering and traffic study shows that such modification is appropriate. The law also specifies that the new speed limit will not be effective unless it is conspicuously posted.

Automated Enforcement

Deliberately running a red light is a common and serious violation. According to the Fatality Analysis Reporting System, in 2014, 709 were killed in crashes and an estimated 126,000 people were injured in police-reported crashes that involved a driver who ran a red light. More than half of those killed were people other than the red light running drivers—occupants of other vehicles, passengers in the red light runners' vehicles, bicyclists or pedestrians.

Red light cameras and photo radar allow local law enforcement agencies to enforce traffic laws remotely. 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. A study of [Arlington, Va., by the Insurance Institute for Highway Safety](#) showed decreases in red light running in intersections equipped with cameras. The decreases were particularly significant for the most dangerous violations, those that occurred 1.5 seconds or longer after the light turned red. In another [Insurance Institute study](#) from 2015, researchers looked at the effectiveness of speed cameras.

Speed cameras were introduced in Montgomery County, Va., in 2007. As of 2014, the county had 56 fixed cameras, 30

portable cameras and six mobile speed vans; the cameras are used on residential streets with speed limits of 35 mph or less and in school zones. IIHS found that, during the program's first year, the proportion of drivers traveling at least 10 miles over the speed limit had declined on streets with cameras. Researchers found that, in 2014, the camera programs have reduced by 59 percent the likelihood of a driver exceeding the speed limit by more than 10 mph, compared with similar roads in two nearby Virginia counties that do not have speed cameras. The researchers also looked at crashes on camera-eligible roads in Montgomery County and compared them to other similar roads in Virginia. They found that the camera

program resulted in a 19 percent reduction in the likelihood that a crash would involve a fatality or an incapacitating injury, as reported by a police officer on the scene.

The intent and lack of transparency of red light camera programs have been under increased scrutiny. In 2014, AAA in New York [reported](#) that the five pilot municipalities that operate red light cameras in the state had not completed the state-mandated reports on the safety impact of the cameras. This made it difficult to assess the safety benefits of the programs but easy to discern a revenue motive. AAA strongly suggested to the Legislature that the pilot program be extended in the municipalities, and that state oversight be extended and the requirements of the reports be strictly enforced.

Lowering Speed Limits

While the broader trend has been to increase speed limits, a number of states are enacting laws that enable municipalities to reduce speed limits in busy residential and business districts where there are many pedestrians and other vulnerable users. A small reduction in speed can mean the difference between life and death for pedestrians. A [2011 AAA study](#) examined impact speeds and the commensurate risk of injury or death for a pedestrian; small changes in speed can lead to much higher risk of death. The study notes that the “average risk of death for a pedestrian reaches 10% at an impact speed of 23 mph, 25% at 32 mph and 50% at 42 mph.”

A number of states enacted legislation in 2015 that allows speed limits to be lowered in certain instances. The Indiana legislature enacted a law allowing a locality that is not an urban district to establish a school zone speed limit of 20 mph. Previously, a town or county that was not defined as an urban district was not allowed to enact a speed limit lower than 30 mph. New Hampshire enacted legislation allowing a municipality to petition the state Department of Transportation to create a reduced seasonal speed limit to increase safety conditions on roads that are seasonally congested with pedestrian and bicycle traffic. If the state DOT agrees, the speed limit can be no lower than 20 mph and cannot extend for longer than four months a year; the municipality is responsible for signage costs.

New Mexico passed a law changing the maximum speed on county roads without a posted speed limit to 55 mph rather than the previous 75 mph. South Dakota authorized townships to establish speed zones on their roads, although no speeds may exceed 55 mph. Four other states—Kansas, Missouri, Ohio and Texas—considered, but did not enact, bills in 2015 that would have reduced speed limits.

States also debated measures regarding speed-calming infrastructure in 2015. The New Jersey Legislature eliminated the need for state DOT approval to construct traffic-calming measures in business districts on streets under municipal or county jurisdiction. Pending New York legislation would require a process to determine the need for traffic control signals at intersections within New York City, with consideration of other traffic control techniques—such as speed bumps—as one alternative to traffic signals.

The Florida Court of Appeals [ruled](#) in 2014 that some municipalities in the state operate their red light programs unlawfully. In particular, the court found that, when a private vendor in Florida first determines that a violation has occurred then sends it to the municipality to issue a citation, the state has unlawfully delegated police power to the private contractor. Since the court's decision, Florida cities and counties that want to keep their red light program must prove that their systems operate differently than the programs that were struck down. New Jersey ended its five-year red light camera pilot program in December 2014 after a number of difficulties. A federal lawsuit was settled, but it resulted in refunds to hundreds of thousands of violators, and a computer glitch in 2014 voided about 17,000 tickets. The state had to temporarily suspend dozens of the cameras in 2012 due to concern that yellow lights were not properly timed.

Approximately 450 communities have right light programs, and about 140 communities have speed camera programs. In most cases, state legislatures have passed enabling statutes that allow city and local governments to use the cameras and develop programs. City and local governments in Alabama, Arizona, California, Colorado, Delaware, Florida, Georgia, Illinois, Iowa, Louisiana, Maryland, Missouri, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia and Washington and the District of Columbia use red light cameras.

Communities in Alabama, Arizona, Colorado, Illinois, Iowa, Louisiana, Maryland, Missouri, New Mexico, New York, Ohio, Oregon, Tennessee, Washington and the District of Columbia use speed cameras. Although Iowa and Ohio have no specific statutes, cameras are used in certain cities.

Some states prohibit use of automated enforcement altogether. Arkansas, New Jersey and Wisconsin prohibit photo radar enforcement. In Texas, municipalities are prohibited from using automated enforcement to enforce speed. In Maine, Mississippi, Montana, Nevada, New Hampshire, South Carolina, South Dakota and West Virginia statutes prohibit red light camera use to issue citations to motorists. (Appendix I contains more information about state automated enforcement laws.)

Twenty-five states considered 91 bills related to red light and speed cameras in 2015. Hawaii, Iowa, Massachusetts, New Jersey and Missouri have no statewide automated enforcement laws; however, all five considered, but did not pass, such measures in 2015.

Oregon expanded its photo radar program in Portland and now allows a system to be operated in highway segments that have a high number of crashes resulting in serious injuries or fatalities. At its own cost, the city of Portland can put speed cameras in these “urban high crash corridors” if a sign is posted alerting drivers of their current rate of speed and indicating that photo enforcement is in use. Photo enforcement systems also must remain in the same place for a period of 180 days. In contrast, Tennessee passed legislation in 2015 that limits photo enforcement to school zones and any “S” bends on a public road or highway that inhibit a driver's full vision through the bend. Virginia enacted a law this year giving those who received red light tickets the right to appeal to a circuit court in a civil proceeding.

Many states with automated red light and speed enforcement considered bills to end the programs. Arizona, California, Colorado, Florida, Illinois, Iowa, Texas, Missouri, New Jersey, Virginia and Washington considered legislation in 2015 to prohibit red light and speed camera use. The Colorado bill passed both chambers and would have immediately ended the use of speed and red-light cameras statewide, but the measure was vetoed by the governor. None of the other measures passed.

Federal Action

The FAST Act discusses automated enforcement in two sections of the law. First, Section 1401 prohibits states from using funds apportioned under the Highway Safety Improvement program to purchase, operate or maintain an automated traffic enforcement system. Automated traffic enforcement systems located in a school zone are exempt from the funding prohibition. Section 4002 requires states with automated traffic enforcement systems to conduct a biennial survey that includes a list of automated enforcement systems in the state; data to measure transparency, accountability and safety attributes; and comparison of systems as they relate to DOT guidelines on speed enforcement and red light running.

Motorcycle Safety

The number of registered motorcycles in the United States is slightly below historic highs, with more than 8.4 million registered motorcycles as of 2013 [according to the U.S. DOT's Bureau of Transportation Statistics](#). This compares to 7.1 million in 2007, for example. Overall, preliminary data from 2014 suggests the number of motorcyclist fatalities declined from 2013, with 4,586 in 2014, compared to 4,692 in 2013. Meanwhile, motorcyclists' injuries increased from an estimated 88,000 to 92,000 between 2013 and 2014. Motorcyclist fatalities have risen since 2004, and that, combined with the continuing decline in passenger vehicle deaths, means that motorcyclist fatalities now account for a larger proportion of overall traffic deaths, up from 11 percent in 2005 to 14 percent in 2014.

Alcohol use is a major factor in motorcyclist deaths; a [NHTSA analysis of 2014 alcohol-impaired driving](#) found 29 percent of motorcycle drivers (1,372) involved in fatal crashes in 2014 were alcohol-impaired. This is the highest percentage of any group, compared to drivers of passenger cars and light trucks (22 percent each) and large trucks (2 percent). This comes on the heels of an 8.3 percent drop in the percentage of alcohol-impaired motorcycle drivers in fatal crashes between 2012 and 2013.

Motorcyclist fatalities continued to be higher in states that do not have universal helmet laws. According to [NHTSA's 2014 Crash Data Key Findings](#), "Ten times more un-helmeted motorcyclists died (1,565) in States without universal helmet laws than in States with universal helmet laws (151 un-helmeted motorcyclist fatalities) in 2014." Noting that 41 percent of motorcyclists who died in traffic crashes in 2013 were un-helmeted, [NHTSA estimated helmets saved 1,630 lives in 2013](#) and could have prevented an additional 715 motorcyclists fatalities that year. NHTSA estimates the economic cost savings of U.S. motorcycle helmet use at around \$2.8 billion in 2013. An estimated \$1.1 billion could have been saved if all motorcyclists had worn helmets.

The strong increase in the overall number of motorcycles in the United States, combined with persistent debate about how to best protect and create safe traffic conditions for motorcyclists, has led to consistent legislative consideration

of bills that affect motorcycle safety. Legislatures continued to debate, but for the most part did not enact, motorcycle helmet requirements in 2015. State laws were enacted in 2015 regarding motorcycle licensing and education, requirements for motorcycle operation and equipment, proceeding through traffic signals that do not detect a motorcycle's presence and defining autocycles.

Helmets

Motorcycle helmet laws have had an erratic history during the past 40 years. In 1975, motorcycle helmets were mandatory for all riders in 47 states and the District of Columbia, in large part due to federal highway funding that was tied to universal helmet requirements. With the congressional removal of that requirement in 1976 and the more recent repeal in 1995 of financial incentives for universal helmet laws, the overall trend has been to relax state motorcycle helmet laws, although few significant changes have occurred during the past decade.

Currently, 19 states, the District of Columbia, Guam, the Northern Marianas Islands, Puerto Rico and the U.S. Virgin Islands require all riders to wear helmets. Another 28 states require helmet use for certain groups, typically those under age 21 or age 18. The laws in Florida, Kentucky, Michigan and Texas carve out exceptions to helmet use for motorcyclists over age 21 who carry a certain amount of insurance or who pass a safety course or both, despite evidence showing these exemptions have no safety benefit. Three states—Illinois, Iowa and New Hampshire—have no helmet requirements. (Appendix J contains information on motorcycle helmet laws.)

Only one state enacted a law regarding motorcycle helmets in 2015. In Tennessee, which has a universal helmet requirement, the legislature created an exception to the helmet requirement for those over age 18 who are riding in a funeral procession or memorial ride.

Motorcycle Licensing and Education

A number of states revised their laws regarding motorcycle licensing and education requirements in 2015. In the most notable news, Alabama—the only state that did not require a class M endorsement to operate a motorcycle—created a class M endorsement and the requirements to acquire it. A

person operating a motorcycle on a public road in Alabama not only must pass either a motorcycle test designated by the Alabama Law Enforcement Agency or an accepted safety course, but also must display a motorcycle Class M on his or her driver's license or have been issued a Class M 2 motorcycle license.

A few states enacted bills to refine motorcycle testing, education and fee requirements for out-of-state motorcyclists or those new to the state. Oregon enacted legislation allowing the Department of Transportation to waive the test for those applying for a motorcycle endorsement if they either already have an out-of-state motorcycle endorsement or apply for a motorcycle endorsement within one year of the expiration date of their out-of-state endorsement. New Hampshire allowed the Department of Safety to set fees for residents and nonresidents participating in motorcycle rider education programs, while the Nevada Legislature allowed a nonresident who is a member of the U.S. Armed Forces and is stationed in Nevada to enroll in the Motorcycle Education Program.

The Idaho Legislature stipulated that a motorcycle endorsement instruction permit may be renewed one time without the requirement to retake and pass the motorcycle rider's knowledge test if the test was taken within one year of renewal. Virginia created titling and registration requirements for converting an off-road motorcycle to on-road use, including requiring those who convert off-road motorcycles to on-road use to certify that the vehicle has passed safety inspections.

In Texas, the Legislature sought to reduce diversion of money from the motorcycle education fund, since the Texas Department of Public Safety's spending on the Motorcycle Safety Program had decreased by 59 percent since 2004, according to the Texas Senate Research Center. New legislation allows the Texas Department of Transportation to use funds from the motorcycle education fund account to conduct its "Share the Road" campaign.

Motorcycle Operation and Equipment

Ensuring motorcycles are visible is essential to prevent crashes; [according to NHTSA](#), 42 percent of motorcyclist fatalities in multi-vehicle crashes were between 9:00 p.m. and 6:00 a.m.

A number of states changed their laws regarding motorcycle lighting equipment requirements in 2015. Illinois allowed motorcycles to be equipped with auxiliary lighting that is intended to protect the rider. The Texas and Wisconsin legislatures authorized motorcycles to be equipped with lighting attached to the underbody of a motorcycle to illuminate the motorcycle or the ground below the motorcycle. Missouri also enacted a law allowing a number of different lighting mechanisms to be included on a motorcycle.

Arizona made a few notable changes to its laws regarding motorcycle operation and equipment requirements. The Arizona Legislature prohibited another person from riding on a motorcycle or all-terrain vehicle (ATV) that is not designed to carry more than one person. Arizona also removed 1) the restriction on operating a motorcycle or ATV equipped with handlebars that position the operator's hands above their shoulders when sitting astride the seat, and 2) the requirement for handrails for passengers. South Dakota also repealed its handlebar height requirement. On the other hand, Nevada clarified that no one can drive a motorcycle or moped equipped with handlebars that extend more than 6 inches above the uppermost portion of the driver's shoulders.

Kentucky joined several other states that have clarified that a motorcyclist entering an intersection against a traffic control signal has an affirmative defense if the motorcycle was brought to a complete stop and the driver waited a certain amount of time and yielded to any approaching pedestrians or vehicles. Oregon enacted similar legislation that applies to bicyclists and motorcyclists. Sixteen states now have laws that allow both motorcycles and bicycles to proceed through a stoplight after a certain amount of time if the traffic control signal does not detect their presence. Kentucky's and North Carolina's laws cover only motorcycles.

Federal Action

The FAST Act includes several motorcycle safety provisions. A National Priority Safety Program (NPSP) for motorcyclist safety is continued in Section 4005, although additional flexibility is provided. States in the lowest 25 percent of all states for motorcycle deaths per 10,000 motorcycle registrations can use 50 percent of funds for Section 402 State and Community Highway Safety Grant Program activities.

The FAST Act also requires the secretary of transportation to update state model language for traffic safety education courses and other driver training materials that provide instruction for motorists on the importance of sharing the road safely with motorcyclists. Section 1426 of the FAST Act reauthorizes the Motorcyclist Advisory Council, which advises the federal highway administrator on motorcycle infrastructure issues, including road design and intelligent transportation system technologies. Finally, Section 4007 prohibits use of federal funds for any program that checks for motorcycle helmet use or for motorcycle checkpoints.

School Bus Safety

According to NHTSA, students are 50 times more likely to arrive at school alive when they take the bus, rather than when they drive themselves or ride with friends. [According to data from 2001-2009](#), 58 percent of student fatalities during normal school travel hours occurred when traveling with a teen driver and 23 percent occurred when traveling with an adult driver. Only 1 percent of those fatalities occurred when traveling by school bus. [From 2004 to 2013](#), 327 school-age children died in school-transportation-related crashes. Of those children, 54 were in school transportation vehicles.

Autocycles

Significant action was taken by state legislatures in 2015 to define autocycles and the safety and equipment requirements necessary to operate them. Under North Carolina's new statutory definition, an autocycle is "A three-wheeled motorcycle that has a steering wheel, pedals, seat safety belts for each occupant, antilock brakes, air bag protection, completely enclosed seating that does not require the operator to straddle or sit astride, and is otherwise manufactured to comply with federal safety requirements for motorcycles."

At least 22 states—Alabama, Arizona, Arkansas, Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Kansas, Louisiana, Maine, Michigan, Mississippi, Nebraska, New Hampshire, New Mexico, North Carolina, Oklahoma, Tennessee, Texas and Virginia—have created statutory definitions for autocycles. Of these, 14 enacted their measures in 2015—Alabama, Arizona, Connecticut, Delaware, Idaho, Indiana, Kansas, Mississippi, Nebraska, New Hampshire, New Mexico, North Carolina, Oklahoma and Texas.

Alabama, Arizona, Connecticut, Delaware, North Carolina, Oklahoma and Texas joined at least 14 other states—Arkansas (drivers over age 18), California, Colorado, Idaho, Illinois, Indiana, Kansas, Louisiana, Michigan, Nevada, New Hampshire, New Mexico, South Carolina and Virginia—that do not require a class M motorcycle endorsement on a driver's license to operate an autocycle.

With regard to safety requirements, a few states instituted operating and equipment requirements. New Hampshire required autocycle operators under age 18 to wear approved protective headgear. Texas required autocycle operators to follow the same helmet use requirements as motorcyclists: riders over age 21 are exempt from helmet use if they can show proof of medical insurance. Other states, such as Delaware, Mississippi and New Mexico, explicitly did not require helmet use when operating an autocycle.

Connecticut prohibited an autocycle from overtaking and passing any motor vehicle operating in the same single traffic lane, while Indiana prohibited operation of two autocycles in the same lane. Connecticut also clarified that 16- and 17-year-old autocycle drivers are subject to passenger restrictions that would apply if they were driving other motor vehicles, Texas prohibited passengers under age 5 on an autocycle. Nebraska and North Carolina do not allow use of an autocycle to take a driving skills test.

State Legislation

School bus safety saw a great deal of legislative activity in 2015, with a number of states taking action to increase the safety of passengers on school buses. The most activity occurred in the areas of illegal passing of school buses, including the use of cameras to catch violators, and requiring seat belts on school buses.

Illegal Passing of School Buses

An annual survey of school bus drivers organized by the National Association of State Directors of Pupil Transportation Services is charged with collecting first-hand information to help understand the number of drivers who illegally pass school buses. The [2015 survey collected results](#) from more than 102,000 school bus drivers in 26 states. These drivers “reported that 78,518 vehicles passed their buses illegally on a single day.” This adds up to more than 14 million violations in the school year.

In 2014, Alabama became the 14th state to enact legislation regarding the use of cameras to capture images of motorists who illegally pass stopped school buses that are loading or unloading children. Alabama’s new law allows Mobile County to use electronic devices to capture images of vehicles illegally passing school buses. Revenue from the fines is to be allocated among the governing body and school system where the violation occurred, along with the Alabama Law Enforcement Agency and the Mobile County: South Regional Highway Safety Office. Certain privacy safeguards are included in the law, such as a requirement that images or videos not include the face of the driver or passengers in the vehicle and a requirement that images and videos be destroyed within 30 days of the recording if there was no violation.

Arkansas, Connecticut, Georgia, Illinois, Maryland, Mississippi, North Carolina, Rhode Island, South Carolina, Virginia, Washington, West Virginia and Wyoming have similar existing laws. A number of other states—including Indiana, Massachusetts, Michigan, New Jersey, New York, Pennsylvania and Tennessee—considered legislation on school bus cameras this year, but none of the bills were enacted.

New Hampshire enacted a new law in 2015 that requires a \$150 fine for failing to stop for a school bus and adds a

penalty assessment for the first offense. It also sets the fine for overtaking and passing a school bus on the right at \$500 plus a penalty assessment for the first offense and set a fine of between \$500 and \$1,200 plus a penalty assessment for the second offense.

Seat Belts on School Buses

School buses are the safest form of transportation to school for children. NHTSA has mandated a number of safety standards that school buses must meet to ensure continued safety. These safety standards do not include requiring school buses to have seat belts for passengers on the bus. However, on Nov. 8, 2015, Administrator Mark Rosekind announced that “NHTSA’s policy is that every school bus should have a three-point seat belt,” and indicated that “NHTSA will seek to use all the tools at our disposal to help achieve that goal...”

California, Florida, Louisiana, New Jersey, New York and Texas have existing variations of a seat belt law for school buses. In 2015, another 13 states—Arizona, Connecticut, Indiana, Iowa, Massachusetts, Minnesota, Mississippi, Nebraska, Oregon, Pennsylvania, Rhode Island, Tennessee and West Virginia—and Puerto Rico considered legislation that would have required installation of seat belts on school buses. None of these bills were enacted. Indiana and Virginia also considered legislation that would have required a study on this topic. Following Administrator Rosekind’s November announcement, it is likely that the issue will remain a topic of conversation in state capitols around the country.

Drivers

Legislatures also increased safety requirements for school bus drivers. Louisiana adopted a resolution directing the Board of Elementary and Secondary Education and the Department of Education to establish policies and procedures for evaluating the training curriculum for bus drivers. Rhode Island enacted legislation increasing the penalty from \$50 to \$100 for the first offense for a school bus driver who uses a cell phone while transporting children. The law also increased the penalty from \$50 to \$150 for the second offense and set a penalty of \$200 for a third or subsequent offense. South Carolina’s new law requires that physical exams of bus drivers must meet federal and state requirements.

Bicycle and Pedestrian Safety

Efforts continued in state legislatures in 2015 to increase safety for pedestrians and bicyclists. Nationally, pedestrian deaths increased from 4,735 in 2013 to 4,884 in 2014. Pedestrian deaths have reached a nearly 10-year high, with only 2005 recording more pedestrian deaths, 4,982, in those years. Deaths dipped significantly during the great recession, to a low of 4,109 deaths in 2009, perhaps reflecting the decrease in driving and exposure to risk for pedestrians during that time period. Injuries to pedestrians decreased by 2 percent, from an estimated 66,000 injuries in 2013 to 65,000 in 2014.

Bicyclist deaths however, decreased slightly, to 726 in 2014, compared to 743 in 2013. Injuries to bicyclists though increased by 5 percent, from an estimated 48,000 in 2013 to 50,000 in 2014. According to NHTSA, [9 percent of alcohol-impaired driving deaths in 2014](#) were non-occupants such as pedestrians and bicyclists, and an even larger percentage of fatalities occurred among children, representing 14 percent of all alcohol-impaired crash deaths.

New research by the Federal Motor Carriers Safety Administration (FMCSA) examined the number of pedestrian and bicyclist fatalities in large truck crashes. [FMCSA recorded a 30 percent and 39 percent](#) increase, respectively, in pedestrian and bicyclist fatalities when comparing 2013 numbers to 2009. The analysis reported that 37 percent of pedestrians and 18 percent of bicyclists were found to have drugs or alcohol in their systems, while 14.5 percent of large truck drivers in pedestrian deaths were categorized as distracted or inattentive.

States continued to enact a wide variety of laws, programming and funding strategies in 2015 to increase safety for bicyclists and pedestrians. The most common approaches in 2015 were to adopt or strengthen safe bicycle passing laws, refine bicycle operation requirements, improve pedestrian safety tactics, and support bicycle and pedestrian infrastructure development.

Safe Bicycle Passing

At least 26 states and the District of Columbia have enacted so-called 3-foot passing laws that require drivers that overtake

and pass a bicyclist to allow at least 3 feet of clearance. Pennsylvania and South Dakota have even more expansive passing laws; in Pennsylvania, drivers must leave 4 feet between their vehicle and a bicycle.

In 2015, the South Dakota Legislature enacted the nation's second safe bicycle passing law to go beyond a 3-foot requirement. The law is two-tiered with a 3-foot passing requirement on roads with posted speeds of 35 mph or less and a minimum of 6-foot separation for roads with speed limits greater than 35 mph. Both require the measurement to be "between the right side of the driver's vehicle, including any mirror or other projection." The law also clarifies that a motorist may partially cross the center line to pass if it can be done safely.

Alabama and Wyoming also enacted 3-foot passing laws in 2015, although both contain language that allows exceptions to the requirement. Alabama's 3-foot passing requirement applies only on either a roadway with a bike lane or a roadway with a posted speed of 45 mph or less that does not have a double yellow line. In both types of roadways, the requirement "Shall only apply when a cyclist is riding within two feet of the right shoulder of the roadway." Wyoming's 3-foot passing law includes language stating, "When space allows."

It is of interest to note that some police departments have begun using ultrasound technology on bicycles that can help [determine the distance between a vehicle and the cyclist](#), which perhaps will allow simpler and more accurate enforcement of safe passing laws.

Bicycle Operation

Continuing a trend from the past few legislative sessions, many states clarified their laws regarding bicycle operation in 2015. The Montana Legislature made significant changes to its bicycle operation laws, refining language that previously required a bicyclist to ride as far to the right as practicable. Montana law now clarifies that a bicyclist can ride far enough to the right in the right-hand lane as judged safe by the bicyclist to facilitate the movement of overtaking vehicles as long as the lane is wide enough to be safely shared. The law also states that a bicyclist is not expected to ride "Over or through hazards at the edge of a roadway, including but not limited to fixed or moving objects, parked or moving

vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes; or without a reasonable margin of safety on the right side of the roadway.” Connecticut made similar changes to its bicycle operation laws.

The North Carolina legislature decided to study the state’s bicycle safety laws by directing a Department of Transportation working group to examine such dynamics as how faster-moving vehicles may safely overtake bicycles on roadways where sight distance may be inhibited; whether bicyclists should be required to ride single file or allowed to ride two or more abreast; whether bicyclists should be required to carry a form of identification; and other issues. The working group [provided the legislature with a report](#) at the end of 2015.

Pedestrian Safety

Maine refined its pedestrian crossing law to require a motorist to yield to “a pedestrian who has shown visible intent to enter the marked crosswalk,” and also clarified that other non-motorized road users such as bicyclists and skateboarders must yield to a pedestrian in a crosswalk. Nevada authorized a local government or the Department of Transportation to designate pedestrian safety zones on a highway if findings indicate that circumstances make an area of the highway dangerous for pedestrians; speeding violations in such zones are subject to a double penalty.

In California, the Legislature added additional flexibility to allow dedicated funds for bicyclist and pedestrian programs to be used to fund pedestrian safety programs. The Washington Legislature required the Washington Traffic Safety Commission to convene and staff a pedestrian safety advisory council to study pedestrian fatalities and injuries and examine how to improve the transportation system commensurately.

Bicycle and Pedestrian Infrastructure

State legislatures also made efforts to fund and support safer infrastructure for bicyclists and pedestrians in 2015. In Florida, the Legislature created a state Shared-Use Non-motorized Trail Network, with \$25 million in annual funding from vehicle registration fees for the Florida Department of Transportation to fund planning, development, operation and maintenance of a state multiuse trail network physically separated from motor vehicle traffic. These trails must

tie into existing trail networks and connect a wide range of origins and destinations.

The Montana Legislature passed legislation instructing the state DOT to compile an inventory of all multiuse trails within state-maintained highway rights-of-way that are separated from motorized vehicular traffic, to develop a plan for maintenance and repair of these trails, and to provide a report to the Legislature. Connecticut legislation expanded the eligible communities and uses for the Connecticut bike-way grant program.

Federal Action

As the [Government Accountability Office notes in a recent report](#), the number of Americans commuting to work by bike or foot has increased significantly since 2005. This increase in bicycling and walking may have contributed to a steady increase in the total portion of traffic crash deaths that are bicyclists and pedestrians, from 13 percent in 2004 to more than 17.2 percent in 2014. In response to this increase, the National Priority Safety Program (Section 4005) in the FAST Act includes provisions aimed at decreasing bicycle and pedestrian fatalities and injuries.

States where the portion of bicyclists and pedestrian traffic deaths exceeds 15 percent of total annual statewide traffic deaths will be eligible for approximately \$14 million in annual grant funds under Section 4005. Based on 2011-2013 data, 22 states would be eligible for these funds, but the U.S. DOT will decide based upon the data time period to determine eligibility. The grants may be used for three purposes: to train law enforcement personnel about state pedestrian and bicycle safety laws; to fund enforcement campaigns related to such laws; and to fund public education campaigns for motorists, pedestrians and bicyclists. The federal share of this program will be 80 percent; this is the only federal incentive grant with a specified federal limit.

The FAST Act also encourages “complete streets,” with language directing the secretary of transportation to encourage states and Metropolitan Planning Organizations (MPOs) to develop standards for providing accommodation to all users in all phases of project planning and development. Finally, non-infrastructure uses of the Highway Safety Improvement Program were eliminated; states such as Maine and Wisconsin

sin have regularly used HSIP funding in the past for bicycle and pedestrian safety projects.

Slow and Medium Speed Vehicles

In 2015, 18 states passed 25 pieces of legislation related to slow- and medium-speed vehicles. Four states enacted legislation related to golf carts, and at least nine considered legislation on the topic. Louisiana's new law specifies necessary safety equipment for golf carts, including efficient brakes, a reliable means to steer, safe tires, a rearview mirror, headlamps, front and rear turn signal lamps, tail lamps and brake lamps. The law also specifies the types of roads on which the cart can be operated. Golf carts must be registered with the state if they are operated on certain roads, and drivers must have a driver's license. Nebraska legislation allows localities to permit operation of golf carts between sunrise and sunset on roads with speed limits of 35 mph or less. The law also requires golf cart operators to have a valid license and liability insurance.

Five states enacted legislation related to mopeds, and at least 10 considered bills. Mississippi's law allows individuals to operate a motor scooter without a motorcycle endorsement as long as they rent the scooter for no more than 48 hours and operate the scooter on roads in or near a university. Montana's new legislation defines a moped as a vehicle with

two or three wheels, foot pedals and an independent power source that allows the moped to go no faster than 30 mph. The law requires that mopeds have the same lamps and equipment as bicycles and prohibits moped operation on a sidewalk or bike path unless it is under human propulsion. Nevada passed legislation requiring a \$33 moped registration fee. North Carolina's law requires moped owners to have liability insurance and theft or physical damage insurance. California enacted a law allowing electrically motorized boards in the state, but prohibits operation while under the influence. Operators must wear a helmet and be at least age 16. It previously was illegal to use a motorized skateboard in the state. This law clarifies that an electrically motorized board does not fall under this category.

Idaho legislation allows operation of all-terrain vehicles, utility type vehicles, motorbikes and other similar vehicles on certain roads where the speed limit is less than 45 mph. Illinois passed a new law requiring that low-speed vehicles have a parking brake, a windshield, a vehicle identification number, seat belts, a side view mirror, and front and rear turn signals, in addition to other equipment that already was required. The law also requires that every low-speed vehicle have a certificate of title and display valid registration. Indiana legislation permits use of titled and registered mini-trucks on state roads. The mini-truck must be no wider than 60 inches, must weigh less than 1,600 pounds and cannot travel above 60 mph. The annual excise tax for the mini-truck is set at \$30.

Links for Further Information

- 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>
- Federal Highway Administration, <http://www.fwha.dot.gov>
- Governors Highway Safety Association, <http://www.ghsa.org>
- Insurance Institute for Highway Safety, <http://www.iihs.org/>
- Motorcycle Riders Foundation, <http://www.mrf.org>
- Motorcycle Safety Foundation, <http://www.msf-usa.org>
- NCSL/NHTSA Traffic Safety Legislative Tracking, <http://www.ncsl.org/research/transportation/state-traffic-safety-legislation-database.aspx>
- National Highway Traffic Safety Administration (NHTSA), <http://www.nhtsa.dot.gov>
- 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>

Appendix A. National Highway Traffic Safety Administration Regional Offices

New England Region (Region 1)

(Conn., Maine, Mass., N.H., R.I., Vt.)
Regional Administrator, NHTSA
Volpe National Transportation Systems Center
Kendall Square, Code 8E
55 Broadway
Cambridge, MA 02142
Phone: (617) 494-3427
Fax: (617) 494-3646
Region1@dot.gov

Eastern Region (Region 2)

(N.Y., N.J., Pa., P.R., V.I.)
Regional Administrator, NHTSA
245 Main St., Suite 210
White Plains, NY 10601
Phone: (914) 682-6162
Fax: (914) 682-6239
Region2@dot.gov

Mid-Atlantic Region (Region 3)

(Del., D.C., Ky., Md., N.C. Va., W.Va.)
Regional Administrator, NHTSA
10 S. Howard St., Suite 6700
Baltimore, MD 21201
Phone: (410) 962-0090
Fax: (410) 962-2770
Region3@dot.gov

Southeast Region (Region 4)

(Ala., Fla., Ga., S.C., Tenn.)
Regional Administrator, NHTSA
Atlanta Federal Center
61 Forsyth St., S.W.
Atlanta, GA 30303
Phone: (404) 562-3739
Fax: (404) 562-3763
Region4@dot.gov

Great Lakes Region (Region 5)

(Ill., Ind., Mich., Minn., Ohio, Wis.)
Regional Administrator, NHTSA
4749 Lincoln Mall Drive, Suite 300B
Matteson, IL 60443-3800
Phone (708) 503-8822
Fax (708) 503-8991
Region5@dot.gov

South Central Region (Region 6)

(La., Miss., N.M., Okla., Texas, Indian Nations)
Regional Administrator, NHTSA
819 Taylor St., Room 8A38
Fort Worth, TX 76102
Phone: (817) 978-3653
Fax: (817) 978-8339
Region6@dot.gov

Central Region (Region 7)

(Ark., Iowa, Kan., Mo., Neb.)
Regional Administrator, NHTSA
901 Locust St., Room 466
Kansas City, MO 64106
Phone: (816) 329-3900
Fax: (816) 329-3910
Region7@dot.gov

Rocky Mountain Region (Region 8)

(Colo., Nev., N.D., S.D., Utah, Wyo.)
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12300 West Dakota Ave., Suite 140
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Fax: (720) 963-3124
Region8@dot.gov

Western Region (Region 9)

(Ariz., Calif., Hawaii, American Samoa,
Guam, N. Mariana Islands)
Regional Administrator, NHTSA
John E. Moss Federal Building
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San Francisco, CA 95814
Phone: (916) 498-5058Region9@dot.gov

Northwest Region (Region 10)

(Alaska, Idaho, Mon., Ore., Wash.)
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3140 Jackson Federal Building
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Region10@dot.gov

Appendix B. Safety Belt Laws 2015

State/Jurisdiction	Primary Enforcement	Who Is Covered? in What Seats?	Maximum Fine First Offense?
Alabama	Yes	Ages 15+ in front seat	\$25
Alaska	Yes	Ages 16+ in all seats	\$15
Arizona	No	Ages 8+ in front seat; ages 8 through 15 in all seats	\$10
Arkansas	Yes	Ages 15+ in front seat	\$25 ¹ (plus court costs and city/county jail fines)
California	Yes	Ages 16+ in all seats	\$20 (\$20 fine + \$142 in penalties and assessments)
Colorado	No (primary for occupants under age 18)	Ages 16+ in front seat	\$71
Connecticut	Yes	Ages 7+ in front seat	Ages 18 and younger: \$92 (\$50 fine + \$7 fee + \$35 surcharge); ages 18+: \$120 (\$75 fine + \$10 fee + \$35 surcharge)
Delaware	Yes	Ages 16+ in all seats	\$25
Florida	Yes	Ages 6+ in front seat; ages 6 through 17 in all seats	\$30
Georgia	Yes	Ages 8 through 17 in all seats; ages 18+ in front seat	\$15 ³
Hawaii	Yes	Ages 8+ in all seats	\$112 (including administrative fees)
Idaho	No (primary for drivers under age 18)	Ages 7+ in all seats	\$10
Illinois	Yes	Ages 16+ in all seats	\$25 (plus court fees)
Indiana	Yes	Ages 16+ in all seats	\$25
Iowa	Yes	Ages 18+ in front seat	\$127.50 (including court costs)
Kansas	Yes (secondary for rear seat occupants younger than age 18)	Ages 14+ in all seats	Ages 1-17: \$60; Ages 18+: \$10
Kentucky	Yes	Ages 7 and younger and more than 57" in all seats; ages 8+ in all seats	\$25
Louisiana	Yes	Ages 13+ in all seats	\$25; \$45
Maine	Yes	Ages 18+ in all seats	\$50
Maryland	Yes (secondary for rear seats)	Ages 16+ in all seats	\$83 (fine plus court costs)
Massachusetts	No	Ages 13+ in all seats	\$25 ⁴
Michigan	Yes	Ages 16+ in front seat	\$25
Minnesota	Yes	Ages 7 and younger and more than 57" in all seats; ages 8+ in all seats	\$25 (plus approx. \$75 court fee)
Mississippi	Yes	Ages 7+ in front seat	\$25
Missouri	No (primary for children ages 16 and younger)	Ages 16+ in front seat	Ages 8 through 15 in all seats: \$50; ages 16 and younger in front seats: \$10
Montana	No	Ages 6+ in all seats	\$20
Nebraska	No	Ages 18+ in front seat	\$25
Nevada	No	Ages 6+ in all seats	\$25
New Hampshire	No law	No law	No law
New Jersey	Yes (secondary for rear seat occupants)	Ages 7 and younger and more than 57"; ages 8+ in all seats	\$46 (including court costs)
New Mexico	Yes	Ages 18+ in all seats	\$25 ²
New York	Yes	Ages 16+ in front seat	\$50 ⁵
North Carolina	Yes (secondary for rear seat occupants)	Ages 16+ in all seats	\$25 + \$135.50 in court costs; \$10 + no court costs for rear seats
North Dakota	No	Ages 18+ in front seat	\$20

Appendix B. Safety Belt Laws 2015

State/Jurisdiction	Primary Enforcement	Who Is Covered? in What Seats?	Maximum Fine First Offense?
Ohio	No	Ages 8 through 14 in all seats; ages 15+ in front seat	\$30 driver; \$20 passenger
Oklahoma	Yes	Ages 9+ in front seat	\$20
Oregon	Yes	Ages 16+ in all seats	\$130
Pennsylvania	No (primary for ages 18 and younger)	Ages 8 through 17 in all seats; ages 18+ in front seat	\$10
Rhode Island	Yes	Ages 18+ in all seats	\$40
South Carolina	Yes ⁶	Ages 6+ in all seats	\$25
South Dakota	No	Ages 18+ in front seat	\$25
Tennessee	Yes	Ages 16+ in front seat	\$25
Texas	Yes	Ages 7 and younger and more than 57"; ages 8+ in all seats	Ages 15 and younger or passenger: \$50; ages 18+ \$200 driver
Utah	Yes	Ages 16+ in all seats	\$45
Vermont	No	Ages 18+ in all seats	\$25
Virginia	No	Ages 18+ in front seat	\$25
Washington	Yes	Ages 16+ in all seats	\$124
West Virginia	Yes	Ages 8+ in front seat; ages 8 through 17 in all seats	\$25
Wisconsin	Yes	Ages 8+ in all seats	\$10
Wyoming	No	Ages 9+ in all seats	\$25 ⁷ driver; \$10 passenger
District of Columbia	Yes	Ages 16+ in all seats	\$50 ²
Puerto Rico	Yes	Ages 9+ or children taller than 57"	\$50
U.S. Virgin Islands	Yes	All ages in front seat	\$25-\$250

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 not designed for that purpose. However, safety belt violations may be issued at license and registration checkpoints to drivers cited for other offenses.
7. Wyoming rewards belt use by reducing the fine for the primary violation by \$10.

Sources: Insurance Institute for Highway Safety, 2015; Governor's Highway Safety Association, 2015.

Appendix C. Child Restraint Use Laws 2015

State/Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Alabama ¹⁵	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 restraint; 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 lbs. in a rear-facing infant seat; ages 1 through 4 and more than 20 lbs. in a child restraint; ages 4 through 15 who are either shorter than 57" or who weigh more than 20 lbs. but less than 65 lbs. in a booster seat	Ages 4 through 7 who are at least 57" or 65+ lbs.; ages 7 through 15 who are shorter than 57" or weigh less than 65 lbs.; law states no preference for rear seat	\$50 ¹
Arizona	Ages 4 and younger; ages 5 through 7 who are 57" or shorter	Ages 5 through 7 who are taller than 57"; law states no preference for rear seat	\$50
Arkansas ¹⁵	Ages 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 2 and less than 40 lbs. and less than 40" in a rear-facing infant seat (effective 01/01/2017); ages 7 and younger who are less than 57" ²	Ages 8 through 15 or at least 57"; ages 7 and younger who are less than 57" must be in rear seat	\$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 child safety seat; ages 4 through 7 in a booster seat	Ages 8 through 15; children age 1 and younger and less than 20 lbs. must be in rear seat if available	\$82
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	\$92 ³
Delaware	Ages 7 and younger and less than 66 lbs. ⁴	Ages 8 through 15 or 66+ lbs.; ⁴ children ages 11 and younger and 65" or less must be in rear seat if passenger airbag is active	\$25
Florida	Ages 5 and younger	Not permissible; ⁵ law states no preference for rear seat	\$60 ¹
Georgia	Ages 7 and younger and 57" or less in rear seat if available	More than 57"; children age 7 and younger must be in rear seat if available ⁶	\$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, they can be restrained by a lap belt; law states no preference for rear seat	\$100 ⁷
Idaho	Ages 6 and younger	Not permissible; law states no preference for rear seat	\$79

Appendix C. Child Restraint Use Laws 2015

State/Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Illinois	Ages 7 and younger	Ages 8 through 15; children who weigh more than 40 lbs. seated in rear where only a lap belt is available; law states no preference for rear seat	\$75 (\$200 for subsequent offenses)
Indiana	Ages 7 and younger 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 a child restraint or booster	Ages 6 through 17; law states no preference for rear seat	\$195 (including court costs)
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" 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 ages 4 through 7 who are taller than 57"; law states no preference for rear seat	\$60
Kentucky	Children 40" or less must be in a child restraint; ages 7 and younger who are between 40" and 57" must be in a booster seat	Ages 6 and younger who are taller than 57"; law states no preference for rear seat	\$50 child restraint; \$30 booster seat
Louisiana	Younger than age 1 or less than 20 lbs. in a rear-facing 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 child restraint or booster seat	Ages 8 through 17 or younger than age 18 and more than 4'9"; ages 11 and younger and less than 100 lbs. must be in rear seat if available	\$50 (\$250 for subsequent offenses)
Maryland	Ages 7 and younger and less than 57"	Ages 8 through 15; children who are at least 57"; law states no preference for rear seat	\$50
Massachusetts	Ages 7 and younger and less than 57"	Ages 8 through 12; children who are at least 57"; law states no preference for rear seat	\$25
Michigan	Ages 7 and younger and less than 57"	Ages 8 through 15 or children who are at least 57"; ages 3 and younger must be in the rear seat if available	\$10 if child is age 4 or younger; \$25 if child is between ages 4 through 8 and under 4'9"
Minnesota	Ages 7 and younger and less than 57"	Not permissible	\$50
Mississippi ¹⁵	Ages 3 and younger must be in a child restraint; ages 4 through 6 and either less than 57" or less than 65 lbs. must be in a booster seat	Ages 6 and older who weigh more than 65 lbs. or are at least 57"; law states no preference for rear seat	\$25
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" 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 taller than 4'9"; law states no preference for rear seat	\$50; \$10 for violations involving children taller than 4'9" or who weigh more than 80 lbs.

Appendix C. Child Restraint Use Laws 2015

State/Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Montana	Younger than age 5 and less than 60 lbs.	Not permissible; law states no preference for rear seat	\$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; law states no preference for rear seat	\$500 ¹⁰ (\$100 minimum)
New Hampshire	Ages 6 and younger and less than 57"	Ages 7 through 17; ages 7 and younger who are at least 57"; law states no preference for rear seat	\$50
New Jersey	Younger than age 2 and less than 30 lbs. in a rear-facing infant seat; ages 4 and younger who are less than 40 lbs. in a rear-facing child seat until the child outgrows the manufacturer's maximum height or weight recommendations or in a forward-facing child safety seat; ages 8 and younger and less than 57", seated in forward-facing child seat until child outgrows the manufacturer's maximum height or weight recommendations or a booster seat	Not permissible; children ages 7 and younger who are less than 57" must be in the rear seat if available; no child shall be secured in a rear-facing child restraint in the front seat of any vehicle that is equipped with an active passenger-side airbag	\$75
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. in a child safety seat; 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 lbs. 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	Ages 8 through 15; children who weigh 40 lbs. or more; children ages 4 through 7 in a seating position where there is no available lap/shoulder belt; law states no preference for rear seat	\$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; children ages 4 and younger who weigh less than 40 lbs. must be in the rear seat unless the front passenger-side airbag is deactivated or the child safety seat is designed for use with airbags	\$25 ¹ (\$188 court fees)
North Dakota	Ages 6 and younger and less than 57" or less than 80 lbs.	Ages 7 through 17; ages 6 and younger and at least 57" and at least 80 lbs.; ages 6 and younger and at least 40 lbs.; if no lap/shoulder belt is available, can be restrained by lap belt only; law states no preference for rear seat	\$25 ¹
Ohio ¹⁵	Ages 3 and younger or less than 40 lbs. in child restraint; ages 4 through 7 who weigh more than 40 lbs. and are shorter than 57" must be in booster seat	Ages 8 through 14; ¹² law states no preference for rear seat	\$75 ¹

Appendix C. Child Restraint Use Laws 2015

State/Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Oklahoma ¹⁵	Younger than age 2 or until a child outgrows the manufacturer's maximum height and weight recommendations in a rear-facing child restraint; children ages 4 and younger in a child restraint; ages 4 through 7, if less than 4'9", in a child restraint or booster seat ¹³	Age 8; children who are taller than 4'9"; law states no preference for rear seat	\$50 (maximum \$207.90 with court fees)
Oregon	Child younger than age 1 regardless of weight or 20 lbs. or less must be in a rear-facing child safety seat; ages 7 or younger who are 40 lbs. or less must be in child safety seat; more than 40 lbs. but 4' 9" or less must be in a booster seat	Ages 8 through 15; children taller than 4'9"; law states no preference for rear seat	\$110
Pennsylvania	Ages 7 and younger	Not permissible; law states no preference for rear seat	\$75
Rhode Island	Ages 7 and younger and less than 57" and less than 80 lbs.; children ages 7 and younger must be in rear seat if available	Ages 8 through 17; ages 7 and younger who either weigh more than 80 lbs. or who are taller than 57"; children age 7 and younger must be in rear seat if available	\$85; \$40 for children between ages 8 through 17
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	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; children ages 4 and younger must be in rear seat if available	\$150
South Dakota	Ages 4 and younger and less than 40 lbs.	Ages 5 through 17; all children who weigh more than 40 lbs. regardless of age; law states no preference for rear seat	\$25
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	Ages 9 through 15; ages 12 and younger and 4'9" or more; children age 8 and younger and less than 4'9" must be in a rear seat if available	\$50
Texas	Ages 7 and younger and less than 57"	Not permissible; law states no preference for rear seat	\$25 minimum (maximum unlisted)
Utah	Ages 7 and younger and less than 57"	Ages 8 through 15; children taller than 57"; law states no preference for rear seat	\$45
Vermont	Younger than age 1 or less than 20 lbs. in a rear-facing infant seat; ages 1 through 7 and more than 20 lbs. in child restraint or booster seat	Ages 8 through 17 and more than 20 lbs.; children age 1 and younger or less than 20 lbs. must be in rear-facing seat unless the front passenger-side airbag is deactivated	\$25
Virginia	Ages 7 and younger	Ages 8 through 17; ¹⁴ children in rear-facing devices must be in a rear seat if available; if a rear seat is not available, then children may be placed in front seat only if passenger-side airbag is deactivated	\$50

Appendix C. Child Restraint Use Laws 2015

State/Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Washington	Ages 7 and younger and less than 4'9"	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; ages 12 and younger must be in rear seat if practical	\$124
West Virginia	Ages 7 and younger and less than 4'9"	Ages 7 and younger and 4'9" or 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 be in a rear-facing infant seat; ages 1 through 3 who weigh at least 20 lbs. but less than 40 lbs. must 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 be in a forward facing child restraint or booster seat	Ages 8 and younger and more than 80 lbs. and 57" or taller; ages 3 and younger must be in a rear seat, if available	\$173.50 if passenger is age 4 or younger; \$150.10 if passenger is age 4 through 8
Wyoming	Ages 8 and younger	Not permissible; ages 8 and younger must be in rear seat, if available	\$50
District of Columbia	Ages 7 and younger	Ages 8 through 15; law states no preference for rear seat	\$75 ¹
Puerto Rico	Ages 4 and younger must be in a child safety seat; children ages 4 through 8 or less than 57" must be in a booster seat; children younger than age 12 must be in a rear seat	Ages 9 and older or 57" or taller	\$100
U.S. Virgin Islands	Ages 5 and younger	Children ages 3 and younger; law states no preference	\$25-\$250

Notes

1. This state assesses points for violations.
2. In California, children weighing more than 40 lbs. may 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 may not ride in the front seat of a motor vehicle with an active passenger airbag if the child is riding in a rear-facing child restraint system.
3. The fine in Connecticut is \$15 if the child is age 4 to 16 and 40 lbs. or more. Connecticut also requires a child restraint education program for first or second violations.
4. In Delaware, children younger than age 12 or 65" 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" or less.
5. In Florida, the child restraint device requirement does not apply to children ages 4 through 5, when a safety belt is used and the child is either being transported by an operator who is not a member of the child's immediate family, in an emergency or has a documented medical condition that necessitates an exception.
6. In Georgia, children weighing more than 40 lbs. 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 lbs.
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 weighing more than 40 lbs. 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 4 who weigh less than 40 lbs. 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 lbs. 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 lbs.
14. In Virginia, children at least age 4 but younger than age 8 may be belted if any licensed physician determines that use of a 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.
15. In Arkansas, Alabama and Ohio, 15-year-olds riding in the rear seat; in Mississippi, children ages 7 and older riding in the rear seat; and in Oklahoma, children ages 13 through 15 riding in the rear seat are not covered by either adult safety belt laws or child safety seat laws.

Sources: Insurance Institute for Highway Safety, AAA and NCSL, 2015.

Appendix D. 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; those riding within truck bodies 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 one 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	✓	Anyone age 18 and older; anyone age 17 and younger in enclosed cargo area; anyone age 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; anyone age 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 no seats are available in the cab and the side racks and tailgate are securely closed; the passengers must be seated on the floor and may not attempt to unlatch cargo; parades, employees on duty; life-threatening emergencies
Idaho	✗	
Illinois	✗	
Indiana	✗	
Iowa	✗	
Kansas	✓	Anyone age 14 and older; parades; employment; does not apply to vehicles not being operated on 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; 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; not applicable 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 five miles and less than 5 mph; parades; farming activities
Michigan	✓	Age 18 and older; those ages 17 and younger if the vehicle is moving 15 mph or less; parades; military vehicles; emergency situations; farming; construction
Minnesota	✗	
Mississippi	✗	

Appendix D. Restrictions on Riding in Cargo Areas of Pickup Trucks

State/Jurisdiction	Restrictions in Cargo Areas	Gaps in Coverage
Missouri	✓	Anyone age 18 and older; those ages 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 passengers; not applicable 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 five miles or less; not applicable to trips of more than five 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 five miles if there are fewer than five people ages 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 ages 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 ages 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 ages 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 ages 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
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; on city or county roads unless prohibited by local ordinance or resolution

Appendix D. Restrictions on Riding in Cargo Areas of Pickup Trucks

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	32	

Key

- ✓ Law
- ✗ No state 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.

Source: Insurance Institute for Highway Safety, 2015.

Appendix E. 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	50 hrs. (none with driver education)	Midnight-6 am (secondary ¹)	First six mo.: no more than one passenger (secondary)
Alaska	14	40 hrs., 10 of which must be at night or in inclement weather	1 am-5 am	First six mo.: no passengers younger than 21
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 ²	None	11 pm-4 am	Until age 18: no more than one passenger younger than age 21
California	15, six mo. ³	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. (mandatory driver education for those under age 18)	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	First six mo. (and until issuance of a class D operator's license): 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-5 am (secondary)	First six mo.: no passengers; second six mo.: no more than one passenger younger than age 21; until age 18: no more than three passengers (secondary)
Hawaii	15, six mo.	50 hrs., 10 of which must be at night	11 pm-5 am	First six mo. (at least): 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 six mo.: licensees age 16 and younger can have no more than one passenger younger than age 17

Appendix E. 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)
Illinois	15	50 hrs., 10 of which must be at night	Sun.-Thur.: 10 pm-6 am, Fri-Sat: 11 pm-6 am	First 12 mo. (or until age 18): no more than one passenger younger than age 20
Indiana	15	50 hrs., 10 of which must be at night	First 180 days: 10 pm-5 am; then Sun.-Fri.: 11 pm-5 am, Sat.-Sun.: 1 am-5 am	First six mo. (or until age 18): no passengers
Iowa	14	20 hrs., two of which must be at night	12:30 am-5 am	Parental discretion ⁴
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	First six mo. (or until age 17): no more than one passenger younger than age 18
Kentucky	16	60 hrs., 10 of which must be at night	Midnight-6 am	First six mo.: no more than one passenger younger than age 20 unless supervised by a driving instructor (secondary)
Louisiana	15 ⁵	50 hours, 15 of which must be at night	11 pm-5 am	Until age 17: no more than one passenger younger than age 21 between the hours of 6 pm-5 am; no other passenger restrictions
Maine	15 ⁶	70 hrs., 10 of which must be at night	Midnight-5 am	First nine mo.: 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. ⁷	12:30 am-5 am (secondary between 12:30 am-1:00 am and 4:00 am-5:00 am)	First six mo. (or until age 18): no passengers younger than age 18 (secondary between 12:30 am-1:00 am and 4:00 am-5:00 am)
Michigan	14, nine mo.	50 hrs., 10 of which must be at night	10:00 pm-5 am	First six mo. and age 17 (or until age 18): no more than one passenger younger than age 21
Minnesota	15	40 hrs., 15 of which must be at night ⁸	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

Appendix E. 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)
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)
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. ⁹	40 hrs., 10 of which must be at night	1 am-4 am	First six mo.: no more than one passenger younger than age 25
New Jersey	16	None	11 pm-5 am	First 12 mo. (or until age 21): no more than one passenger (exception limited to the driver's dependents)
New Mexico	15 ¹⁰	50 hrs., 10 of which must be at night	Midnight-5 am	First 12 mo. (or until age 18): no more than one passenger younger than age 21
New York	16	50 hrs., 15 of which must be at night	9 pm-5 am (prohibited at all times in NYC and Nassau and Suffolk counties with some exceptions)	Until age 17 with driver education or until age 18: no more than one passenger younger than age 21
North Carolina	15 ¹¹	60 hrs., 10 of which must be at night during the learner phase; 12 hrs., six of which must be at night, during intermediate phase	9 pm-5 am	First six mo. (or until age 18): no more than one passenger younger than age 21; 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	50 hrs. if under age 16	Restricted license holder may only drive a car belonging to a parent or guardian and may not drive between the later of sunset or 9 pm and 5 am	None

Appendix E. 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)
Ohio	15, six mo.	50 hrs., 10 of which must be at night	Midnight-6 am (age 16), 1 am-5 am (age 17) (secondary)	Until age 17: no more than one passenger (effective 01/01/17)
Oklahoma	15, six mo.	50 hrs., 10 of which must be at night	10 pm-5 am	First six mo. with driver education, first 12 mo. without (or until age 18): no more than one passenger
Oregon	15	50 hrs. (100 hrs. without driver education)	Midnight-5 am	First six mo.: no passengers younger than age 20; second six mo.: no more than three passengers younger than age 20
Pennsylvania	16	65 hours, 10 of which must be at night and five of which must be in inclement weather	11 pm-5 am	First six mo.: no more than one passenger younger than age 18; thereafter, no more than three passengers
Rhode Island	16 ¹²	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	First 12 mo.: 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	First 12 mo. (or until age 18): no more than one passenger
Texas	15	30 hrs., 10 of which must be at night	Midnight-5 am (secondary)	Until age 18: 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. (or until age 18): 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 21; thereafter: no more than three passengers younger than age 21 (secondary)

Appendix E. 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)
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)	10 pm-5 am	First six mo.: no passengers younger than age 20; second six mo.: no more than one passenger younger than age 20
Wisconsin	15, six mo. ¹³	30 hrs., 10 of which must be at night	Midnight-5 am	First nine mo. (or until age 18): no more than one passenger
Wyoming	15	50 hrs., 10 of which must be at night	11 pm-5 am	First six mo. (or until age 17): 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	September–June: 11 p.m.-6 a.m. Sun.–Thur., 12:01 a.m.-6 a.m. Sat.–Sun.; July–August: 12:01 a.m.-6 a.m.	First six mo.: no passengers; thereafter: no more than two passengers
Puerto Rico		X ¹⁴		
U.S. Virgin Islands ¹⁵	16	None	None	None

Notes

1. State laws that prohibit police from stopping young drivers solely for violating night driving or passenger restrictions are labeled secondary.

2. In Arkansas, those age 14 can drive with an instruction permit after passing a written test. After passing a road test, they are eligible for a learner's license. Unsupervised driving is not permitted by holders of either the instruction permit or learner's license. The combined holding period for the permit and restricted license is six months.

3. In California, students enrolled in driver education may drive while supervised by an instructor. License applicants who do not take driver education must wait until age 18 for a license. They are not required to go through an intermediate license stage.

4. In Iowa, parents are permitted to waive at the time of licensure a discretionary six-month passenger limit of no more than one unrelated passenger younger than age 18.

5. In Louisiana, driver education is required for a permit and an intermediate license if the applicant is younger than age 18.

6. In Maine, driver education is required for a permit and a license if the applicant is younger than 18.

7. In Massachusetts, the requirement for supervised driving is 30 hours for applicants who have successfully completed a driver skills development program in a closed, off-road course licensed by the Registrar of Motor Vehicles.

8. In Minnesota, license applicants younger than age 18 must provide proof that a parent has taken a course for parents of teen drivers or perform an additional 10 certified practice hours.

9. 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.

10. In New Mexico, permit applicants younger than age 18 must be enrolled in driver education.

11. In North Carolina, driver education is required for permit applicants younger than age 18.

12. In Rhode Island, driver education is required of permit applicants younger than age 18.

13. In Wisconsin, enrollment in driver education is required for permit applicants younger than age 18.

14. Requires supervision by a licensed driver in the car at all times.

15. The U.S. Virgin Islands has no graduated driver's licensing system; learner's permits can be granted at age 16.

Sources: Insurance Institute for Highway Safety and National Conference of State Legislatures 2015.

Appendix F. 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
Arizona	Until age 65 ¹	Five years for people age 65 and older	People age 70 and older cannot renew by mail ¹
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 age 65 and older	Mail or electronic renewal not available to people age 66 and older, unless optometrist certifies eye exam passed within the last six months; no mail renewal for those whose prior renewal was by mail or electronic
Connecticut	Four or ix years	Two or six years for age 61 and older	Mail renewal requires demonstration of hardship ²
Delaware	Eight 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 or eight years	Five years for people age 60 and older	Vision test required at renewal for drivers older than age 64; mail-in or online renewal prohibited for ages 64 and older
Hawaii	Eight years	Two years for people age 72 and older	Drivers are limited to two consecutive mail-in renewals, regardless of age
Idaho	Four or eight years for ages 21 through 62	Drivers age 63 and older will receive a four-year license	People age 70 and older are not permitted to renew online or by mail
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; mail and electronic renewal are not available to ages 75 and older
Indiana	Six years	Three years for drivers age 75 through 84; two years for drivers age 85 and older	Mail and electronic renewal are not available to people age 75 and older or to those whose prior renewal was by mail or electronic
Iowa	Five years ⁴	Two years for drivers age 70 and older	People age 70 and older may not renew online
Kansas	Six years	Four years for drivers age 65 and older	None
Kentucky	Four years	None	None
Louisiana	Six years	None	Mail renewal not available to people age 70 and older and to those whose prior renewal was by mail
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; ages 62 and older prohibited from electronic or mail-in renewal
Maryland	Five years	None	Vision test required at age 40 and older at every renewal ⁵
Massachusetts	Five years	None	Renewal applicants who are age 75 and older must apply in person
Michigan	Four years	None	None
Minnesota	Four years	None	None that are safety- related ⁶
Mississippi	Four or eight years	None	None

Appendix F. Licensing Procedures for Older Drivers

State/Jurisdiction	Length of Renewal Cycle	Accelerated Renewal	Other Provisions
Missouri	Six years	Three years for drivers age 70 and older	None
Montana	Four (by mail) or eight years	Four years for drivers age 75 and older	None that are safety- related ⁶
Nebraska	Five years	None	Applicants age 72 and older may not renew electronically
Nevada	Four years; completing phase-in of eight years in 2018	Four years for drivers age 65 and older	None that are safety- related ⁷
New Hampshire	Five years	None	Road test required for people age 75 and older; online renewal is available to ages 75 and older
New Jersey	Four years	None	None
New Mexico	Four or eight years	Four or eight years at driver's option for driver's under age 67; four years for drivers older than age 67; annually for drivers age 75 and older	Applicants age 75 and older may not renew by mail or electronically
New York	Eight years	None	None
North Carolina	Eight years	Five years for drivers age 66 and older	None that are safety- related ⁷
North Dakota	Six years	Four years for drivers age 78 and older	None
Ohio	Four years	None	None
Oklahoma	Four years	None	None that are safety- related ⁸
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 75 and older	None
South Carolina	10 years	Five years for drivers age 65 and older	Vision test required for people age 65 and older; mail-in renewal available
South Dakota	Five years	None	People age 65 and older must submit a vision statement signed by an optometrist or ophthalmologist if applying online or by mail
Tennessee	Five years	No expiration for people age 65 and older	None that are safety-related ⁹
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	Five years for drivers age 75 and older	Renewal applicants age 75 and older must apply in person and pass department vision requirements or present a vision statement, no older than 90 days, from an optometrist or ophthalmologist
Washington	Five years	None	None
West Virginia	Eight 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 ¹⁰
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 showing a 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. Beginning Jan. 1, 2014, and continuing through Dec. 31, 2018, Iowa will transition from a standard five-year license term to an eight-year license term. During this time, Iowa driver's licenses will be issued with a randomly assigned expiration date of between five and eight years.

5. Some state 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 who are 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.

6. Montana allows only two successive renewals to be made electronically or by mail, regardless of age.

7. In North Carolina, people age 60 and older are not required to parallel park in the road test.

8. In Oklahoma, the license fee is reduced for drivers ages 62 to 64 and is waived for drivers age 65 and older.

9. In Tennessee, fees are reduced for drivers age 60 and older and licenses issued to people age 65 and older do not expire.

10. 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, 2015.

Appendix G. 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	65	65 ¹	65
California	70; trucks: 55	65; trucks: 55	70; trucks: 55	65; trucks: 55
Colorado	75	65	65	65
Connecticut	65	55	65	55
Delaware	65	55	65	55
Florida	70	65	70	65
Georgia	70 ²	70	65	65
Hawaii	60 ³	60 ³	55 ³	45 ³
Idaho	75; 80 on specified segments of road; ⁴ trucks: 70	75; 80 on specified segments of road; ⁴ trucks: 65	70	70
Illinois	70 ⁵	55	65	55
Indiana	70; trucks: 65	55	60	55
Iowa	70	55	70	65
Kansas	75	75	75	65
Kentucky	65; 70 on specified segments of road ⁶	65	65	55
Louisiana	75	70	70	65
Maine	75	75	75	60
Maryland	70	70	70	55
Massachusetts	65	65	65	55
Michigan	70; trucks: 60	65	70	55
Minnesota	70	65	65	60
Mississippi	70	70	70	65
Missouri	70	60	70	65
Montana	80; trucks: 65	65	day: 70; night: 65	day: 70; night: 65
Nebraska	75	65	65	60
Nevada	80	65	70	70
New Hampshire	65; 70 on specified segments of road ⁷	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	70	65	70	55
Oklahoma	75	70	70	70
Oregon	65; 70 on specified segments of road; trucks: 55 or 65 on specified segments of road (effective 03/01/16)	55	65	65
Pennsylvania	70	70	70	55
Rhode Island ⁸	65	55	55	55
South Carolina	70	70	60	55
South Dakota	80	80 ⁹	70	70
Tennessee	70	70	70	65
Texas	75; 80 or 85 on specified segments ¹⁰	75	75	75
Utah	75; 80 on specified segments ¹¹	65	75	65

Appendix G. State Maximum Posted Speed Limit Laws

State/Jurisdiction	Rural Interstates	Urban Interstates	Other Limited Access Roads	Other Roads
Vermont	65	55	50	50
Virginia	70	70	65	55
Washington	70; 75 on specified segments of road; ¹² trucks: 60	60	60	60
West Virginia ¹³	70	55	65	55
Wisconsin	70	70	70	55
Wyoming	75; 80 on specified segments of road ¹⁴	75; 80 on specified segments of road ¹⁴	70	70
District of Columbia	n/a	55	n/a	25
Guam ¹⁵	n/a	n/a	n/a	n/a
Puerto Rico	65	65	n/a	n/a
U.S. Virgin Islands	40	55	20	n/a

Key

n/a = not applicable

Notes

1. In Arkansas, the speed limit may be raised to 65 mph on particular two-lane or four-lane highways if based on traffic and engineering studies.
2. Georgia "Super Speeder Law" adds \$200 in state fees for any driver convicted of speeding at more than 75 mph on any two-lane roads or at more than 85 mph on multiple-lane roads anywhere in the state.
3. In Hawaii, the maximum speed limit is established by county ordinance or by the director of transportation.
4. In Idaho, the speed limit may be increased to 80 mph on specific segments of highway on the basis of an engineering and traffic investigation.
5. The Illinois law allows Cook, DuPage, Kane, Lake, Madison, McHenry, St. Clair and Will counties to opt out by adopting an ordinance that sets a lower maximum speed limit, empowering counties to make adjustments based on local needs. These counties have a maximum large truck speed limit of 60 mph outside urban districts and 55 mph inside urban districts.
6. In Kentucky, the speed limit may be increased to 70 mph on specific segments of highway upon the basis of an engineering and traffic investigation.
7. In 2013, New Hampshire House Bill 146 raised the speed limit from 65 mph to 70 mph on the portion of I-93 from mile marker 45 to the Vermont border.
8. Rhode Island speed limits are not set by law, but by the state traffic commission.
9. In South Dakota, the Transportation Commission may establish a maximum speed limit of less than 80 mph on any highway or portion of highway under the jurisdiction of the Department of Transportation, and any portion of highway under the jurisdiction of a state or federal agency.
10. On sections of I-10 and I-20 in rural west Texas, the speed limit for passenger cars and light trucks is 80 mph. Speed limits may be established not to exceed 85 mph if the highway is designed to accommodate the higher speed and it has been determined by a traffic and safety engineering study to be reasonable and safe. State Highway 130 (portions toll) has a posted limit of 85 mph, effective October 2012.
11. In Utah, the speed limit may be increased beyond 75 mph on any freeway or limited access highway on the basis of an engineering and traffic investigation, effective May 12, 2014. The highest posted limit in Utah is currently 80 mph.
12. In Washington, maximum speed limits on highways or portions of highways may be posted as high as 75 mph if based on a traffic and engineering study, effective August 2015.
13. West Virginia speed limits, in general, are not set by law, but by the commissioner of the Division of Highways.
14. In Wyoming, the speed limit may be increased to 80 mph on specific segments of highway on the basis of an engineering and traffic investigation.
15. Guam does not have any interstates. The maximum speed limits for cars and trucks are 35 mph in rural areas; 15 mph in residential areas; and 15 mph or 25 mph in school zones.

Sources: Insurance Institute for Highway Safety, AAA, and NCSL 2015.

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 the following occur: 1) If, during a "course of conduct," he or she violates either the Basic Speed Rule or the "Excessive Speed" law plus 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) his or her "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."	Six months ¹	\$2,500	30 days ²
California	California does not have a per se aggressive driving law. However, in addition to the usual criminal sanctions, the law provides licensing sanctions against a person who commits a criminal assault using a motor vehicle (commonly known as "road rage") against either another motor vehicle, an operator of a bicycle or a pedestrian.	Four years	\$10,000	Six months
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: 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 30 days for subsequent offenses within three years
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 and 6) violating traffic control and signal devices. ⁵	None	None	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
Indiana	A person engages in aggressive driving if, during one episode of continuous driving of a vehicle, the person 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 and 9) repeatedly flashing the vehicle's headlights.	One year	\$5,000	None

Appendix H. State Aggressive Driving Laws

State/ Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
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, and exceeding a maximum speed limit or posted maximum speed limit.	None	None	None ⁶
Nevada	A person commits "Aggressive Driving" if, during a course of one mile, he or she, in any sequence, does all of the following: 1) violates 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) Commits 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) Creates an immediate hazard, regardless of its duration, to another vehicle or to another person.	Six months ³	\$1,000 ³	30 days ² One year on second 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. Assault by auto or vessel is a crime of the third degree if the person purposely drives a vehicle in an aggressive manner directed at another vehicle and serious bodily injury results and is a crime of the fourth degree if the person purposely drives a vehicle in an aggressive manner directed at another vehicle and bodily injury results. For purposes of this paragraph, "driving a vehicle in an aggressive manner" shall include, but is not limited to, unexpectedly altering the speed of the vehicle, making improper or erratic traffic lane changes, disregarding traffic control devices, failing to yield the right of way or following another vehicle too closely.	None	\$150.00 \$50 minimum \$250 surcharge mandatory	None
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. 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 and 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
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.	None	None	None

Appendix H. State Aggressive Driving Laws

State/ Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
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 ⁷
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.”	Six months ¹	\$1,000 ¹	Three months ^{2,3}
Vermont	The statute prohibits following too closely, crowding and harassment. “The driver of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicles and the traffic upon, and the conditions of, the highway.”	None	None	None
Virginia	A person is guilty of aggressive driving if the person i) violates one or more of the following: driving on right side of high-ways, failing to observe lanes marked for traffic, following too closely, not yielding or stopping before entering certain high-ways, 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, speeding or dangerously 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.	Six months	\$1,000	Six months ⁶ 10 days man- datory

Notes

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

Sources: NHTSA, Governor's Highway Safety Association, and NCSL, 2015.

Appendix I. State Policies Regarding Use of Traffic Cameras

State/ Jurisdiction	Statute Citation	Policy
Alabama	SB 59 (2009) SB 411, SB 442, HB 511 (2011)	Authorizes the City of Montgomery, in Montgomery County, to use automated traffic light enforcement in the City of Montgomery as a civil violation. Maximum fine of \$100 with a \$10 court fee; no points assessed. Also authorizes the cities of Center Point, Midfield and Opelika to use automated traffic light enforcement.
Arizona	§§28-1201, et seq. (2014)	Authorizes use of cameras to enforce speed laws and red light violations. Requires signs where the enforcement is used. Maximum fine of \$165; two (red light) and three (speed) points assessed.
Arkansas	§27-52-110 (2014)	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 (West 2014)	Establishes conditions for use of red light cameras and highway-rail crossing cameras by law enforcement agencies. Requires signs where the enforcement is used. Maximum fine of \$100; one license point.
Colorado	§42-4-110.5 (2014)	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. Maximum fine of \$75 for red light violation, \$80 for speeding; no points assessed. ¹ Conspicuous sign no less than 200 feet before the automated system must warn motorists of system.
Delaware	Tit. 21 §4101(d) (2014)	Authorizes a red light camera program throughout the state. Maximum fine of \$110, no points assessed and offense cannot be used by insurers.
Florida	§§316.003, 316.007, 316.0083 (2014)	Authorizes use of cameras for red light violations. Maximum fine of \$158, no points assessed.
Georgia	§40-6-20 (2014)	Authorizes 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. Maximum fine of \$70, no points assessed. Not a moving violation; cannot be used by insurers.
Illinois	Ch. 625 §§7/10, 5/11-1201.1 through 1201.5, 5/11-612 (2014)	Use permitted 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. 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. Maximum fine of \$250 or 25 hours of community service for rail crossing or construction or toll road speeding; \$100 maximum fine or completion of a traffic education program for red light offenders; not a moving violation or recorded offense. Speeding in other areas, \$50 if 6-10 mph over the limit; \$100 if more than 10 mph over the limit.
Louisiana	Rev. Stat. §§32:393(I), 32:43 (West 2014)	Local municipal or parish authorities may not use automated speed enforcement on interstate highways except in DOT-approved construction zones when workers are present. Convictions resulting from camera enforcement cannot be reported for inclusion in driver record.
Maine	Tit. 29-A §2117 (2014)	Prohibits both speed and red light camera enforcement.
Maryland	Transportation Code §21-202.1 (2014)	Authorizes use of red light cameras statewide. Maximum civil penalty of \$100, no points assessed, not a moving violation and may not be used by insurers. 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, no points assessed. Montgomery County and Prince George's County can use automated enforcement at railroad crossings; \$100 maximum fine, no points.
Mississippi	HB 1568 (2009)	Prohibits all localities from using automated enforcement.
Montana	§61-8-203 (2013)	Prohibits all localities from using automated enforcement. Cameras at railroad grade crossings excepted.

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State/ Jurisdiction	Statute Citation	Policy
Nevada	§484a.600 (2014)	Prohibits use of camera equipment unless it is held by an officer or installed in a law enforcement vehicle or facility. Maximum fine of \$1,000 and up to four points.
New Hampshire	§236:130 (2014)	Automated enforcement is prohibited unless there is specific statutory authorization. It is authorized for toll enforcement.
New Jersey	§39:4-103.1 (2014)	Prohibits use of camera radar by law enforcement officers or agencies
New Mexico	SB 861 (2007) §66-7-103.1 (2014)	No state law authorizing photo radar use. NMDOT has banned red light cameras and mobile enforcement vans on state and federal roadways, but state law requires counties and municipalities using photo enforcement to post a warning sign and beacon.
New York	Veh & Traf §§1111-a, d, 1180-b (McKinney 2014)	Authorizes red light enforcement in cities with populations of more than 1 million with a maximum of 150 intersections. Maximum fine of \$50, no points assessed and may not be used by insurers. Authorizes speed cameras in school zones in cities with populations of more than 1 million. Maximum fine of \$50, no points assessed. Counties of Nassau and Suffolk, cities of Syracuse, Rochester and Buffalo, by local ordinance, up to 50 intersections; Yonkers, by local ordinance, up to 25 intersections; Mt. Vernon, by local ordinance, up to 12 intersections.
North Carolina	§160A-300.1 (2014)	Authorizes certain cities to operate a red light camera program. Maximum civil penalty of \$100, no points assessed.
Ohio ²	§4511.093, et seq. (Page 2014) SB 342 (2014)	Authorizes local authorities to operate traffic cameras but requires law enforcement officers be present at the location of the camera in order to issue a ticket.
Oregon	§§810.438, 810.434 (2013)	Authorizes use of photo radar in specific jurisdictions to detect speed violations; may not be used for more than four hours per day, per location. Allows use of red light cameras statewide.
Pennsylvania	Tit.75 §§3116, 3117 (2014)	Authorizes use of red light cameras in Philadelphia, Pittsburgh and municipalities where population exceeds 20,000; requires local ordinance. Maximum fine of \$100; not on operating record.
Rhode Island	§31-41.2-1, et seq. (2014) §31-51-2 (2014)	Authorizes statewide use of red light cameras. Maximum fine of \$75, not a criminal or record offense, and not to be used by insurers until there is a final adjudication of the violation. Authorizes cameras for school bus safety enforcement.
South Carolina	§56-5-70 (2014)	Photo enforcement prohibited with exceptions; 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	§§32-28-17, 32-28-21, 22	Red light cameras are prohibited, and the DMV does not provide to other states information used to collect fines from violations captured by red light and speed cameras
Tennessee	§55-8-198	Photo enforcement authorized statewide for traffic violations. Maximum fine of \$50, no points assessed. Appropriate signage must be located between 500 and 1,000 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 in construction zones.
Texas	Transportation Code §707.001, et seq. (Vernon 2014)	Texas municipalities not allowed to use photo enforcement to enforce speed violations. Photo enforcement authorized statewide for red light violations; requires local ordinance. Maximum fine of \$75, not a criminal or record offense.
Utah	§41-6a-608 (2014)	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 (2014)	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. Requires that traffic signals where red light cameras are operated have a yellow light phase that is at least three seconds long. Maximum fine of \$50; no points assessed and may not be used by insurers.

Appendix I. State Policies Regarding Use of Traffic Cameras

State/ Jurisdiction	Statute Citation	Policy
Washington	§46.63.170 (2014)	Cities and counties statewide are authorized to enforce, through photos, red light violations at two-arterial intersections, rail crossings and school speed zones. Local ordinances are required. Maximum fine of \$250; no record and no points assessed.
West Virginia	§17C-6-7a (2014)	All photo enforcement is prohibited.
Wisconsin	§349.02	Speed cameras are prohibited.
District of Columbia	DC Code §§50-2209.01, et seq.	Authorizes an automated traffic enforcement program in the District of Columbia for all moving infractions. For speed violations, \$50-\$300 maximum fine based on the miles per hour over the posted speed limit. Red light violations \$150 maximum fine. No points assessed.

Notes

1. Driver given only a warning for first photo radar offense if speed is within 10 mph of limit.
2. State courts in Missouri and Ohio found automated traffic enforcement to be unconstitutional.

Sources: Insurance Institute for Highway Safety and NCSL, 2015.

Appendix J. 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 ²	
Mississippi	Florida ³	
Missouri	Hawaii	
Nebraska	Idaho	
Nevada	Indiana	
New Jersey	Kansas	
New York	Kentucky ⁴	
North Carolina	Maine ⁵	
Oregon	Michigan ⁶	
Tennessee	Minnesota ⁷	
Vermont	Montana	
Virginia	New Mexico	
Washington	North Dakota ⁸	
West Virginia	Ohio ⁹	
District of Columbia	Oklahoma	
Puerto Rico ¹⁴	Pennsylvania ¹⁰	
American Samoa	Rhode Island ¹¹	
Guam	South Carolina	
Northern Marianas	South Dakota	
U.S. Virgin Islands	Texas ¹²	
	Utah	
	Wisconsin ¹³	
	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 Delaware, every motorcycle operator or rider age 19 and older must carry an approved helmet.

3. Florida 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 of coverage by a medical insurance policy.

4. Kentucky 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 of coverage by a medical insurance policy. Motorcycle helmet laws in Kentucky also cover operators with instructional/learner's permits.

5. 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.

6. Michigan law requires that all riders younger than age 21 years wear helmets, without exception. Those age 21 and older may ride without helmets only if they carry additional insurance and have passed a motorcycle safety course or have had their motorcycle endorsement for at least two years. Motorcycle passengers who want to exercise this option also must be age 21 or older and carry additional insurance.

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

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

9. 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.

10. Pennsylvania's motorcycle helmet use law covers all operators during the first two years of licensure unless the operator has completed the safety course approved by PennDOT or the Motorcycle Safety Foundation.

11. 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).

Appendix J. Motorcycle Helmet Use Requirements

12. 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 they have 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.

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

14. 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: National Highway Traffic Safety Administration, NCSL, and the Insurance Institute for Highway Safety, 2015.



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