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Traffic Safety and Public Health: State Legislative Action 2009

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Summary

Occupant Protection. More than 100 occupant protection bills were debated in statehouses across the country in 2009. These proposals included efforts to enact primary enforcement of existing seat belt laws to changing the requirements for child restraint use and passenger use of pickup truck cargo areas.

Impaired Driving Issues. In 2009, lawmakers in 46 states introduced 229 bills related to impaired driving. They considered legislation ranging from stricter penalties for high blood alcohol concentration (BAC) to ignition interlocks, breath tests and treatment.

Distracted Driving. In 2009, 46 states considered nearly 200 bills related to distracted driving. Many considered prohibiting drivers from texting while driving, and 12 states passed such legislation in 2009.

Driver's Licensing. State legislatures debated more than 200 bills regarding driver's licensing issues, including REAL ID compliance, unlicensed driving, and licensing requirements for teens and older drivers.

Aggressive Driving. Hand gestures, shouting, speeding, tailgating, weaving in and out of traffic, driving on the shoulder, or any combination of these activities may fall within the definition of aggressive driving. In 2009, 13 states debated legislation related to aggressive driving.

Speed Limits. Legislators in 29 states considered bills regarding speed in 2009. Some proposals would have increased fines for speeding, while others involved setting highway speed limits and punishing speeders.

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Automated Enforcement. During the 2009 legislative session, Legislators in 30 states debated bills regarding automated enforcement. Some bills delegated powers to municipalities or counties to use red light cameras, while other banned red light camera use completely.

Motorcycle Safety. State legislators debated 118 bills in 2009 states relating to motorcycle safety were considered in 2009. Most of these bills related to motorcycle helmet requirements or rider training requirements.

School Bus Safety Legislators in 33 states debated more than 100 bills regarding to school bus safety. Many dealt with licensing of school bus drivers, and some prohibited a school bus driver from using a cellular phone while operating the bus. Others require students to wear a seat belt while the bus is in motion.

Pedestrian and Bicycle Safety. Many people engage in walking, running and bicycling to maintain physical fitness and a healthy lifestyle but for many, safety is a major concern. Legislatures in 440 states considered pedestrian, bicycle and low speed vehicle safety bills.

Introduction

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

Occupant Protection

Seat belts have prevented thousands of injuries.

In 2008, approximately 37,000 people were killed in motor vehicle crashes. While fatal car wrecks are the leading cause of death for Americans between the ages of 2 and 34, the numbers are declining. The number of fatalities in 2008 was down about 10 percent from 2007, and early reports show this trend is likely to continue through 2009. While this is good news, about 102 people still die on the nation's highways every day.

Seat belt use is one way to reduce this tragic toll. Statistics show that seat belts save approximately 15,000 lives each year and have prevented hundreds of thousands of injuries. Getting people to buckle up isn't always easy, however.

Seat belt laws can encourage drivers and passengers to buckle up. Every state except New Hampshire has an adult safety belt law. Many cover front-seat occupants only, although laws in 22 states and the District of Columbia cover all occupants, regardless of where they are sitting.

Studies have shown that one way to increase seat belt use is to enact and enforce primary seat belt laws. Primary laws allow police officers to stop motorists solely for violating the seat belt law. Thirty states plus the District of Columbia have primary enforcement seat

belt laws. Nineteen states have secondary seat belt laws that require police to stop the vehicle for other reasons before they can cite the driver for failure to use a seat belt. States with primary laws average, a 15 percent higher seat belt use rate than those with secondary laws.

During the 2009 state legislative sessions, at least 11 states considered bills to strengthen seat belt laws. Arkansas, Colorado, Florida, Minnesota, Montana, Nevada, Ohio, South Dakota, Virginia, West Virginia and Wisconsin debated legislation that would have allowed for primary enforcement of the seat belt law. Arkansas, Florida and Wisconsin passed primary enforcement laws. (See Appendix B for safety belt law information.)

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

Child Passenger Protection

Motor vehicle crashes are the leading cause of death for children between the ages of 2 and 14. The most effective way to keep children safe in cars is to ensure proper use of appropriate child restraint systems in the back seat. Although 1,347 children under age 14 were killed in car wrecks in 2008, it is estimated that, if child restraint use was at 100 percent, the lives of 323 children under age 5 could be saved.

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 Colorado, Nebraska, Ohio and Pennsylvania.

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

Traffic safety groups recommend that children age 12 and younger ride in the back seat. Laws in California, Delaware, Georgia, Maine, Michigan, New Jersey, New Mexico, North Carolina, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, Washington, Wisconsin and Wyoming require children of a certain age to ride restrained in the back seat (when a rear seat is available, in most cases).

Traffic safety groups recommend children age 12 and younger ride in the back seat.

In 2009, 26 states debated child passenger protection legislation. Alaska, Indiana, Michigan, Minnesota, New York, Ohio, Oregon, Rhode Island and Texas passed bills strengthening current child passenger laws. Most added new booster seat provisions, while others increased penalties for violating current law. Under the new law in Michigan, children under age 3 must be seated in the rear seat if one is available. The Indiana legislature eliminated an exemption from the child restraint law for out-of-state visitors. (See Appendices C and D for child passenger protection laws.)

Pickup Trucks

As the use of pickup trucks continues to rise, so does passenger use of cargo areas. Studies have shown that passengers seated in the back of pickup trucks are at an increased risk to be thrown from the vehicle in the event of a crash, even at low speeds. According to a 2007 article in the *Journal of Neurosurgery: Pediatrics*, researchers identified 73 pediatric patients with injuries related to riding in the cargo areas of trucks; 53 of these were children (73 percent) who had sustained neurological injuries, including isolated head injuries, spinal injuries and peripheral nerve damage.

Some state occupant protection laws exempt pickup trucks, so it is not against the law for passengers to ride in the back of these vehicles. Most state child passenger protection laws prevent young children from riding unrestrained and, therefore, would make it illegal for children to ride in the back of pickup trucks. During the 2009 state legislative sessions, Arizona, Florida, Georgia, Hawaii, Maryland and Wisconsin considered legislation to regulate passenger use of pickup truck cargo areas. Florida passed a law requiring all pickup truck passengers to use a seat belt. (See Appendix E for laws relating to cargo areas in pickup truck laws.)

Impaired Driving

Impaired driving is a serious traffic safety issue for states.

In 2008, 11,773 people were killed in alcohol-impaired traffic crashes. Although this is down slightly from 2007, the number of alcohol-impaired traffic deaths has remained essentially stable for the past 10 years. Impaired driving continues to be a serious traffic safety and public health issue for states (Table 1). According to AAA, alcohol is a factor in about 40 percent of traffic fatalities each year, and nearly 1.5 million people are arrested annually for driving under the influence of alcohol or drugs.

State/ Jurisdiction	Total Traffic Fatalities	Alcohol-Impaired Driving Fatalities (BAC \geq .08)	Percentage Alcohol-Impaired
Alabama	966	315	33%
Alaska	62	21	33
Arizona	937	266	28
Arkansas	600	171	28
California	3,434	1,029	30
Colorado	548	173	32
Connecticut	264	86	32
Delaware	121	45	37
Florida	2,978	875	29
Georgia	1,493	416	28

State/ Jurisdiction	Total Traffic Fatalities	Alcohol-Impaired Driving Fatalities (BAC \geq .08)	Percentage Alcohol-Impaired
Hawaii	107	42	39
Idaho	232	78	34
Illinois	1,043	362	35
Indiana	814	208	26
Iowa	412	89	22
Kansas	385	145	38
Kentucky	826	200	24
Louisiana	912	338	37
Maine	155	43	28
Maryland	591	152	26
Massachusetts	363	124	34
Michigan	980	282	29
Minnesota	456	135	30
Mississippi	783	266	34
Missouri	960	310	32
Montana	229	91	38.3
Nebraska	208	55	30.1
Nevada	324	107	31.6
New Hampshire	139	45	26.4
New Jersey	590	154	27.5
New Mexico	366	105	29
New York	1,231	341	28
North Carolina	1,433	423	30
North Dakota	104	47	46
Ohio	1,190	356	30
Oklahoma	749	244	33
Oregon	416	136	33
Pennsylvania	1468	496	34
Rhode Island	65	25	38
South Carolina	920	403	44
South Dakota	119	34	29
Tennessee	1,035	327	32
Texas	3,382	1,269	38
Utah	275	46	17
Vermont	73	12	16
Virginia	824	294	36
Washington	521	182	35
West Virginia	380	128	34
Wisconsin	605	208	34
Wyoming	159	67	42
District of Columbia	34	9	26
United States	37,261	11,773	32

Source: NHTSA, 2009.

In 2009, lawmakers in 46 states introduced 229 bills related to impaired driving. The ultimate goal of these laws is to reduce the incidence of impaired driving and keep the roads as safe as possible. Lawmakers considered legislation ranging from stricter penalties for high blood alcohol concentration (BAC) to ignition interlocks, breath tests and

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treatment. Twenty-five states enacted laws related to impaired driving during the 2009 legislative session.

High BAC

Forty-six states have high BAC laws with sanctions for those with higher BACs.

In 2008, 24 percent of all alcohol-related fatalities involved a driver with a BAC of .15 or higher. To address this problem, 43 states and the District of Columbia have enacted high BAC laws with enhanced sanctions for offenders with higher BACs. The sanctions, which vary from state to state, include longer license suspension, longer terms of imprisonment, additional fines, installation of ignition interlocks, vehicle sanctions or treatment for abuse. The BAC levels at which these sanctions are applied vary as well, ranging from .15 to .20 (Table 2). NHTSA recommends that the enhanced penalties for first-time high-BAC offenders should be comparable to those for repeat offenders.

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

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

Source: NHTSA 2008, NCSL 2009.
For more information see www.ncsl.org/default.aspx?tabid=13557.

Oregon and Wyoming passed laws in 2009 related to high BAC. The Oregon law states that, in addition to any other fines a driver may face in a driving under the influence case, a person whose blood alcohol level was .15 or over must pay an additional \$2,000 in fines. Wyoming's 2009 law requires anyone convicted of driving under the influence with a blood alcohol level of .15 or over to install an ignition interlock device for six months.

Kentucky introduced, but did not pass, a bill that would have lowered the state's high BAC threshold from .18 to .15. Alabama considered becoming the 44th state to have increased penalties for high BAC offenders. SB 10 provided for increased penalties for offenders with .15 BAC, but the measure failed to pass before adjournment. New Jersey and Vermont considered similar measures in 2009.

Ignition Interlock

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

As of November 2009, eight additional states—Alaska, Arizona, Arkansas, Illinois, Louisiana, Nebraska, Utah and Washington—also require ignition interlock devices for all convicted drunk driving offenders. Colorado's ignition interlock law is not mandatory for first offenders, but provides strong incentives to have the devices installed. Thirty-two states considered some sort of ignition interlock legislation in 2009.

- Arkansas and Utah passed laws in 2009 that require all offenders, to install ignition interlock devices in their vehicles.
- Delaware passed SB177, which provides that offenders who choose to participate in the First Offense Election-Ignition Interlock diversion program must use an ignition interlock in their vehicle for six months. Drivers in this program are limited to driving to work, home, school, alcohol treatment programs and interlock service providers.
- Virginia modified its ignition interlock lock to make it a Class 1 misdemeanor if a person who is required to have an interlock installed operates a vehicle without one. Convicted drivers also are subject to license revocation.
- Under Wyoming law, if an offender fails to submit to chemical tests, he or she may be required to drive with an ignition interlock device.

The New Mexico Senate passed a joint memorial requesting the Department of Transportation Traffic Safety Bureau to convene a task force to study the effectiveness of the state's ignition interlock program. The task force was to report to the Legislature by Oct. 1, 2009.

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Repeat Offenders

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

- A driver's license suspension for not less than one year;
- Impoundment or immobilization of each of the individual's motor vehicles or installation of an ignition interlock system on each of the motor vehicles;
- Assessment of the individual's degree of abuse of alcohol and treatment as appropriate; and
- Thirty days' community service or not less than five days' imprisonment for a second offense and not less than 60 days' community service or not less than 10 days' imprisonment for third and subsequent offenses.

According to NHTSA, as of November 2009, 39 states and the District of Columbia comply with federal repeat offender requirements. New Jersey introduced, but did not pass, a 2009 bill that would have required a permanent license suspension for a third DUI offense.

Distracted Driving

Most experts agree that distracted driving is a significant traffic safety problem. According to a 2006 NHTSA study, 745,000 vehicles on the road at any given daylight moment are being driven by someone talking on a hand-held phone. As talking and texting on cellular phones becomes commonplace, more people are recognizing the dangers. A 2009 AAA Traffic Safety Culture Index showed that 80 percent of respondents rated distracted drivers as a very serious threat to their safety and that people today fear distracted drivers almost as much as drunk drivers.

Studies show drivers who text message while driving have a higher risk of accidents.

In 2009, the Virginia Tech Transportation Institute completed two large driving studies using cameras and other instruments in participants' personal vehicles. To provide a clear picture of distracted driving habits, the cameras observed drivers for a total of six million miles of driving. The research showed that drivers who text messaged while driving had over 20 times the risk of crash or near crash than a driver who was not using a phone. The study also revealed that drivers who text messaged while driving took their eyes off the road for 4.6 seconds over a 6-second interval. This equates to a driver traveling the length of a football field at 55 mph without looking at the road.

The study concluded that talking or listening on a cell phone slightly increased the risk of a crash or near crash but not to the same degree as text messaging while driving.

The prevalence of cellular phones, new research and publicized crashes has fueled many debates on the role of cell phones in driver distraction. Since 2000, legislatures in every state, Puerto Rico and the District of Columbia have considered legislation related to distracted driving or, more specifically, driver cell phone use. In 2009, legislators in 46 states considered 198 driver distraction bills.

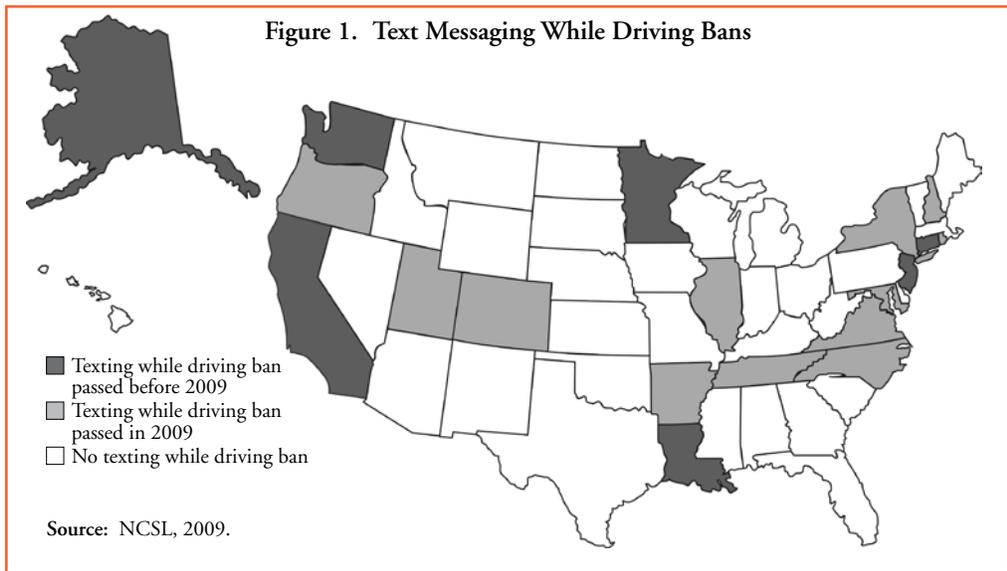
State distracted driver laws frequently are mislabeled as prohibitions on cell phones in the car. In fact, no state completely bans all phones for all drivers. Instead, state legislation usually addresses a range of issues, including particular wireless technologies and specific types of drivers. California, Connecticut, New York, New Jersey, Oregon, Washington and Washington, D.C., prohibit driver use of hand-held phones. Oregon’s law provides that anyone over age 18 can use a mobile communications device that has a hands-free accessory. Utah considers speaking on a cellular phone without a hands-free device to be an offense only if a driver is also committing another moving violation (other than speeding).

Six states and the District of Columbia prohibit driver use of hand-held phones.

Arkansas and Colorado enacted laws in 2009 that prohibit young drivers from using cellular phones while driving. Arkansas does not allow drivers with learner’s permits to use cellular phones, and Colorado does not allow anyone age 18 to use a wireless telephone while driving. (For more information on distracted driving laws, see www.ncsl.org/?tabid=17057).

Maine’s distracted driving law (Senate Bill 15) passed on June 19, 2009. The law provides that, in addition to any other traffic violation committed by a driver (i.e., red light running or causing an accident), the driver also can be cited for distracted driving if that is believed to be the underlying cause. The law also defines “operation of a motor vehicle while distracted” as the operation of a motor vehicle by a person who, while operating the vehicle, is engaged in an activity that is not necessary to the operation of the vehicle; and that actually impairs, or would reasonably be expected to impair, the ability of the person to safely operate the vehicle.

By far the most common driver distraction measure debated by legislatures in 2009 was prohibitions on texting while driving. As of November 2009, laws in 19 states—Alaska, Arkansas, California, Colorado, Connecticut, Illinois, Louisiana, Maryland, Minnesota, New Jersey, New Hampshire, New York, North Carolina, Oregon, Rhode Island, Tennessee, Utah, Virginia, and Washington—and the District of Columbia specifically ban text messaging while driving for all drivers. Legislation was passed in 11 states in 2009. In all, 27 states considered texting while driving bans in 2009.



Congress is considering legislation related to texting while driving. On July 29, 2009, Senator Chuck Schumer of New York introduced the “Avoiding Life-Endangering and Reckless Testing by Drivers Act” (ALERT Drivers Act). The bill would require states to enact a law that prohibits text messaging while driving by a certain date, or 25 percent of the state’s highway funds will be withheld. The Distracted Prevention Act (S. 1938) also has been introduced. The bill would provide grants to states that pass texting while driving bans.

Driver Licensing

REAL ID

In January 2008, the Department of Homeland Security issued the long-awaited final regulations on implementation of the REAL ID Act of 2005. States were required to certify compliance to DHS by May 11, 2008, or request an extension until Dec. 31, 2009. All 56 U.S. jurisdictions received an initial extension. To merit a second extension through May 11, 2011, states must demonstrate material compliance with REAL ID by meeting many or all of 18 benchmarks.

By Dec. 1, 2014, states must begin issuing REAL IDs to applicants born after Dec. 1, 1964.

By Dec. 1, 2014, states must begin issuing REAL IDs to applicants born after Dec. 1, 1964. The re-issuance process for all driver’s license and identification card holders is to be completed by Dec. 1, 2017. During any extension, the state’s non-REAL ID-compliant driver’s license and identification card will be recognized for federal purposes. States that choose not to comply or seek the second extension need not take action. After Dec. 31, 2009, however, their driver’s licenses and identification cards will not be recognized for federal purposes.

Legislators in 25 states had proposed 42 bills, resolutions or memorials related to REAL ID as of November 2009. Arizona, Minnesota, Missouri, Virginia and Utah passed legislation in opposition to the act. The Minnesota law prohibits the commissioner of public safety from taking any action to implement or to plan for implementation of the REAL ID Act.

Legislative activity was markedly lower in 2008 and 2009 than in previous years because of the recently released regulations. Arkansas, California, Delaware, Illinois, Maryland, Nebraska, Nevada, Oklahoma, Oregon, Tennessee, Utah, Virginia and Wyoming introduced legislation in 2009 that would comply with REAL ID. About half those states, however, also introduced conflicting bills indicating the state’s refusal to comply. (Further information about REAL ID is available on NCSL’s comprehensive website, www.ncsl.org/default.aspx?tabid=13577.)

Unlicensed Drivers

Unlicensed or improperly licensed drivers are involved in 20 percent of fatal motor vehicle crashes. These drivers are either driving without a license or have never been licensed. Some with suspended driver’s licenses have lost their license for non-driving-related reasons such as failure to appear or failure to pay. On the other hand, many drivers lose their licenses due to traffic-related offenses such as a DUI or an overall accumulation of points.

One problem is that a large number of drivers who have lost their license continue to drive. AAA estimates that 66 percent of drivers who have lost their license continue to drive. This problem is significant because many of these drivers have lost their license due to a serious traffic-related offense such as DUI and are considered to be dangerous drivers. Many are repeat offenders who have no respect for the penalties and fines for driving without a license. Others have lost their license for non-driving-related offenses and feel they have no choice but to drive for work or school.

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The scope of the problem is difficult to track since unlicensed drivers are discovered only after a traffic stop or a serious accident. Crash rates involving unlicensed drivers vary from state to state. According to AAA, these rates range from 6.1 percent in Maine to a high of 23.4 percent in New Mexico. In 2009, Alabama, Colorado, Georgia, Kansas, Minnesota, New Jersey, Ohio and Utah debated legislation regarding license suspension. In Colorado, legislators considered a proposal that would have allowed for vehicle impoundment as a penalty for unlicensed driving.

All states have sanctions associated with driving without a license. Most involve extended license suspension—usually another year—and fines. Fines for unlicensed driving typically range from \$500 to \$1,000. Some states have several possible penalties, depending on whether the violator is a repeat offender. In Kentucky, for example a driver convicted of unlicensed driving for a third time will face a felony charge and will be required to serve at least one year in prison and have his license revoked for an additional two years or for five years if the original license suspension was for driving under the influence. In addition to possible jail sentences, fines and longer license suspensions, some states allow vehicle seizure. In Alabama, if a driver is stopped and found to be driving without a license, police officers can immediately have the vehicle impounded.

Although many states have hardship licenses for drivers who have lost their licenses due to traffic-related offenses, they generally are not available to those who lose their license due to a non-driving-related offense.

Older Drivers

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

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

In 2009, 13 states and the District of Columbia debated legislation about insuring and licensing senior drivers. Arkansas passed a law appropriating funds to the University of

Arkansas Institute on Aging to purchase a driving simulator. It will be used to conduct memory and reflex tests and to teach defensive driving skills to older drivers. A bill under consideration in the Massachusetts legislature would require drivers over age 85 to take vision and road tests before a license can be reissued. As of November 2009, the bill was still under debate. North Carolina considered a similar measure, but it failed in committee.

There were 30 million licensed drivers age 65 and older in 2006, an 18-percent increase from 1996. With the larger older driving population, driver rehabilitation specialists have emerged to help older drivers adapt their vehicles to their medical needs. Older drivers can install steering adaptations, such as zero effort steering or foot steering, or electronic aids such as keyless ignitions or adaptive extension levers. In 2009, Indiana considered and passed a law regulating dealers who sell or install vehicle adaptive equipment. (Appendix F contains state licensing procedures for older drivers.)

Teen Drivers

Car crashes are the leading cause of death for teens. In 2008, 2,739 15- to 20-year-old drivers were killed, and an additional 228,000 were injured in motor vehicle crashes.

States have strengthened teen driving laws through various provisions.

During the last decade, state legislatures have passed hundreds of bills addressing teen drivers. As research continued through the mid-1990s and into the early 2000s, state legislatures acted to strengthen these laws by adding provisions to limit the number of teen passengers allowed in a car driven by a teen, restrict nighttime driving and prohibit cell phone use by teens who are learning to drive.

These laws have successfully reduced the number of teens killed and injured in teen-related crashes. Although progress has been made during the last 10 years, 78,000 people have been killed in crashes involving teen drivers.

This slow progress has led many insurance companies, traffic safety advocacy groups and other stakeholders to support the federal Stand Up Act, which would require states to pass uniform teen driving laws. Sponsored by Reps. Tim Bishop (D-N.Y.), Michael Castle (R-Del.) and Chris Van Hollen Jr. (D-Md.), the act would establish minimum federal requirements for state teen driving laws. States would have three years following passage of the act to implement the required provisions. States that do not comply within three years would lose highway construction program funds. If a noncompliant state decides to comply, the forfeited money would be returned so long as the state meets requirements within three years.

As with many issues, states across the country have adopted teen driving laws tailored to meet their unique needs. This approach has led to implementation of a variety of graduated drivers licensing laws across the country. In Idaho, for example, teens can enter the learner's permit stage when they reach 14 and six months and can drive restriction-free when they reach age 16. In Connecticut, teens enter the learner's phase when they reach age 16 and can drive restriction-free when they reach age 18.

In 2009 at least 38 states considered legislation to change current teen driving laws; changes were significant in Arkansas and Kansas. New Jersey law requiring teen drivers to have specially marked license plates is the first law of its kind in the United States. (Appendix G contains information about teen driving laws.)

Aggressive Driving

Most drivers recognize aggressive driving when they see it. Often, it covers a range of unsafe driving behavior—speeding, tailgating, weaving in and out of traffic, driving on the shoulder, running red lights, or any combination of these activities. Hand gestures, shouting and flashing high beams also fall within the definition of aggressive driving. Although it may be common on the highways, it is a serious traffic safety issue. A study by AAA found that aggressive driving was a factor in 56 percent of all fatal U.S. crashes from 2003 through 2007.

Aggressive driving covers a range of unsafe driving behavior.

Several states have passed laws to penalize aggressive drivers. The laws typically establish an aggressive driving offense and outline fines and penalties. Arizona, Delaware, Florida, Georgia, Indiana, Maryland, Nevada, North Carolina, Rhode Island and Virginia have aggressive driving laws. (Appendix H contains more information about state aggressive driving laws.) California and Utah have amended their reckless driving laws to make them similar to laws enacted in other states.

In 2009, Florida, Georgia, Indiana, Massachusetts, Maryland, Maine, Michigan, Minnesota, New Jersey, New York, Pennsylvania, Tennessee and Virginia debated legislation related to aggressive driving. The New York bill proposed a toll-free hotline and database for reporting aggressive driving incidents. The bill would have allowed tickets to be issued to drivers if 10 separate complaints were filed against an individual driver. Maine's bill defined road rage and provided that an offender would face license suspension for 90 days and a court-ordered anger management course. Neither bill passed.

Speed Limits

In 2008, speeding was a contributing factor in 31 percent of all fatal crashes, and 11,674 lives were lost in speeding-related crashes. NHTSA data shows speeding is the most common contributing factor and is involved in nearly one in three deadly crashes. On average, speed-related crashes cost society about \$40 billion annually.

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

In 2009, 29 states considered bills regarding speed. Some proposals would have increased fines for speeding, while others involved setting highway speed limits and punishing speeders. (Appendix I contains more information about speed limit laws.) Under a new law in Georgia, “super speeders”—drivers caught driving over 75 mph on a two-lane road or over 85 mph on any road—will pay an extra \$200 in addition to any other applicable fees. Wyoming increased fines from \$100 to \$300 for a vehicle over 26,000 lbs. driving six or more mph over the limit. New Hampshire, New York and Ohio considered legislation

that would have increased the maximum speed limit on state highways. None of these measures passed. The Connecticut legislature debated a bill to decrease the speed limit on state highways, but the bill did not pass.

Both Connecticut and Ohio introduced legislation related to illegal drag racing. Connecticut passed a bill that increases penalties for illegal drag racing by impounding for 30 days vehicles used for street racing. Ohio's bill would have defined "street racing manslaughter," but the bill did not pass out of committee.

Crash severity is directly related to speed.

Motor vehicle crashes involving speed can be especially violent given the physics involved. The faster the car is traveling, the longer it takes to stop. Speed also hinders the driver's ability to react to dangerous situations. According to a study completed by the Insurance Institute for Highway Safety (IIHS), crash severity is directly related to speed. If speed increases by 50 percent, the energy released in a crash more than doubles. This increased force can cause severe injuries and fatalities because passenger seat belts, air bags and child safety seats can be less effective at high rates of speed.

Automated Enforcement

Deliberately running a red light is a common and serious violation. According to the IIHS, in 2007 approximately 900 people were killed and about 153,000 were injured in crashes that involved a driver running a red light. Because law enforcement agencies struggle with limited resources, many municipal governments have turned to automated enforcement to control speed and reduce red light violations without diverting law enforcement resources from other areas. Red light cameras and photo radar allow local law enforcement agencies to enforce these 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. An IIHS study found that red light violations in Philadelphia were reduced by 36 percent following increased yellow light timing, and the addition of red light cameras reduced red light violations by 96 percent. Another IIHS study found that injury crashes at intersections in Oxnard, Calif., equipped with red light cameras were reduced by 29 percent.

City and local governments in Alabama, Arizona, California, Colorado, Delaware, Florida, Georgia, Illinois, Iowa, Louisiana, Maryland, Massachusetts, Missouri, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota,

Tennessee, Texas, Virginia, Washington and the District of Columbia use cameras. In most cases, state legislatures have passed enabling statutes that allow city and local governments to use the cameras. Although Iowa, Ohio and South Dakota do not have specific statutes, cameras are used in certain cities. (Appendix J contains more information about state automated enforcement laws.)

During 2009, legislators in 30 states debated bills regarding automated enforcement. As in years past, most bills delegated powers to municipalities or counties to use available technology to enforce red light and speed violations. Alabama passed a 2009 law authorizing the city of Montgomery to use automated enforcement for red light running. Montgomery and a few other municipalities had passed city ordinances approving red light cameras, but this bill ratified and validated the ordinances. Mississippi, Maine and Montana passed laws in 2009 prohibiting counties or municipalities from using automated enforcement. Mississippi's law specifically requires cities or counties currently using photo enforcement to remove it by October 2009. Montana's law provides an exception for photo enforcement of rail grade crossings, and Maine's law provides an exception for photo enforcement at toll booths.

Motorcycle Safety

Motorcycling has become an increasingly popular mode of transportation. According to the Motorcycle Industry Council, more than 1 million cycles were sold in the United States in 2008, a 30 percent increase over 2001, when only 850,000 were sold. The increased popularity of riding has resulted in increased injuries and fatalities. According to NHTSA, 96,000 motorcyclists were injured and 5,290 motorcyclists were killed in 2008, and motorcyclists accounted for 14 percent of all 2008 traffic fatalities. The continuing increase in motorcycle fatalities has led many organizations, safety groups, state legislatures and federal agencies to examine motorcycle safety in general, including safety equipment use and rider training and licensing requirements. During the 2009 legislative session, 36 states considered more than 100 bills related to motorcycle safety.

*Motorcyclists
accounted for
14 percent of
all 2008 traffic
fatalities.*

Helmets

NHTSA estimates that, from 1984 through 2006, motorcycle helmets saved the lives of 19,230 motorcyclists. Research has shown that helmets can decrease the severity of head injuries and the likelihood of death. NHTSA encourages motorcyclists to use helmets that meet Federal Motor Vehicle Safety Standard 218, which establishes the minimum level of protection a helmet must afford. Laws in 20 states and the District of Columbia require all motorcyclists to wear helmets. In 27 states, laws require only some motorcyclists—usually riders under age 21 or age 18—to wear helmets. Illinois, Iowa and New Hampshire do not have motorcycle helmet use laws. (Appendix K contains more information about state motorcycle helmet laws.)

In 2009, Hawaii, Maryland and Pennsylvania considered legislation that would have applied the helmet law to all riders instead of only those of a certain age. On the other hand, 14 of the 20 states that have universal helmet laws introduced legislation in 2008 to repeal them. Louisiana, Massachusetts, Michigan, Missouri, Nebraska, New York, Nevada, North Carolina, Oregon, Tennessee, Vermont, Virginia, Washington and West Virginia introduced legislation in the 2009 legislative session to have helmet laws apply

only to riders of a certain age, but none passed. Maine’s amended helmet law and now requires motorcyclists age 18 and younger to wear helmets; the statute previously required helmets for those age 17 and younger.

West Virginia introduced, but did not pass, a bill that would have provided an exemption to the helmet law if the motorcyclist met certain requirements. Under the bill, motorcyclists would have been able to operate a motorcycle without a helmet if they:

- Are at least 21 years of age;
- Have held a motorcycle operator’s license for at least two years;
- Have completed a motorcycle safety training course;
- Are covered by a health insurance plan providing at least \$10,000 in medical benefits for injuries incurred as a result of an accident while operating or riding on a motorcycle.

A University of Pittsburgh study concluded that motorcyclists in Pennsylvania suffered more head injury deaths and hospitalizations in the two years following repeal of its universal helmet law in 2003. The law currently requires helmet use for motorcyclists under age 21 or riders with less than two years of experience who have not taken safety courses. After accounting for increases in motorcycle registrations in the state, the study concluded helmet use by motorcyclists involved in crashes decreased from 82 percent with the universal helmet law to 58 percent in the two years after its repeal. Head injury deaths in Pennsylvania increased by 32 percent, and head injury-related hospitalizations increased by 42 percent in the two years after the repeal. Pennsylvania introduced a bill in 2009 to reinstate the universal helmet law; as of November 2009, the bill was pending in the House Transportation Committee.

Rider Training and Licensure

Rider education, training and licensing programs are important components of motorcycle safety.

The federal government supports comprehensive state motorcycle safety programs that include all-rider helmet use laws. (Research has shown that helmet use laws limited to only a specific segment of riders are ineffective and unenforceable.) Rider education, training and operator licensing programs are important components of motorcycle safety. Table 3 contains information about state motorcycle education and licensing requirements.

Table 3. Motorcycle Education and Licensing Requirements

State/ Jurisdiction	Mandatory Rider Education	Minimum Age for a License	Tests Required
Alabama	No	14	Knowledge
Alaska	No	16	Knowledge, motorcycle written and skills
Arizona	No	16	Vision, knowledge and skills
Arkansas	No	16	Vision, knowledge and skills
California	Yes (riders under age 21)	16	Vision, knowledge and skills
Colorado	Yes (riders under age 18)	16	Vision and knowledge
Connecticut	Yes (riders under age 21)	16	Vision, knowledge and skills
Delaware	Yes (riders under age 18)	17	Knowledge and skills
Florida	Yes (riders under age 21)	16	
Georgia	No	16	Vision, knowledge and road signs
Hawaii	No information provided	15 and six months	Vision, knowledge and skills

Idaho	Yes (riders under age 21)	15	Vision, knowledge and skills
Table 3. Motorcycle Education and Licensing Requirements (continued)			
State/ Jurisdiction	Mandatory Rider Education	Minimum Age for a License	Tests Required
Illinois	No information provided	No information provided	No information provided
Indiana	No	15	Vision, knowledge and skills
Iowa	Yes (riders under age 18)	16	
Kansas	No	16	Vision, knowledge and skills
Kentucky	No	18	Vision, knowledge and skills
Louisiana	No information provided	No information provided	No information provided
Maine	Yes (all riders)	16	Vision, knowledge and skills
Maryland	Yes (riders under age 18)	15 and nine months	Vision, knowledge, road signs and skills
Massachusetts	No information provided	16 and six months	Vision, skills and road signs
Michigan	Yes (riders under age 18)	16	Vision, knowledge and skills
Minnesota	Yes (riders under age 18)	16	Knowledge and skills
Mississippi	No information provided	No information provided	No information provided
Missouri	Yes (riders under age 16)	16	No information provided
Montana	No information provided	No information provided	Knowledge and skills
Nebraska	No	15	Vision, knowledge and skills
Nevada	No	16	Vision, knowledge and skills
New Hampshire	Yes (riders age 16 to 18)	16	Vision, knowledge and skills
New Jersey	No	17	Vision, knowledge and skills
New Mexico	No information provided	No information provided	No information provided
New York	No	16	Knowledge and skills
North Carolina	No information provided	18	No information provided
North Dakota	Yes (riders age 14 to 15)	14 and two months	Vision, knowledge and skills
Ohio	Yes (riders under age 18)	15 and six months	Vision, knowledge and skills
Oklahoma	No	14	Vision, knowledge and skills
Oregon	Yes (all riders)	16	No information provided
Pennsylvania	No information provided	16	No information provided
Rhode Island	Yes (all riders)	16	Vision, knowledge and skills
South Carolina	No information provided	15	Vision, knowledge and skills
South Dakota	No information provided	14	Vision, knowledge and skills
Tennessee	No	16	Vision, knowledge and skills
Texas	Yes (all riders)	15	Vision, knowledge and skills
Utah	No	16	Knowledge and skills

*In 2009,
eight states
introduced
bills related to
motorcycle pas-
senger age.*

Vermont	No information provided	16	No information provided
Table 3. Motorcycle Education and Licensing Requirements (continued)			
State/ Jurisdiction	Mandatory Rider Education	Minimum Age for a License	Tests Required
Virginia	No	16 and three months	Vision, knowledge and skills
Washington	No information provided	16	No information provided
West Virginia	No	16	Vision, knowledge and skills
Wisconsin	Yes (riders under age 18)	16	Knowledge and skills
Wyoming	No	15	Vision, knowledge and skills
Guam	No information provided	No information provided	No information provided

Source: Governor's Highway Safety Association, 2007 Motorcycle Survey. Updated by NCSL in 2009.

In 2009, Arkansas passed a law detailing the requirements for classroom driver training instruction for motorcycles. Five hours of classroom instruction on driving techniques are required, in addition to a minimum of 10 hours of actual motorcycle driving experience. Oregon and Texas passed laws in 2009 that requires anyone seeking a motorcycle endorsement on his or her license to complete a motorcycle rider education course.

Driving a Motorcycle with Children

In 2009, Iowa, Massachusetts, Missouri, New Jersey, New York, North Carolina, Texas and Washington introduced bills related to the age of motorcycle passengers. North Carolina's bill would prohibit riding a motorcycle with a passenger younger than age 16. Missouri and New York debated bills that would have set the limit at age 12 or 10, respectively. Texas was the only state in 2009 to pass a motorcycle passenger age restriction. Under the new law, motorcyclists are prohibited from carrying another person on the motorcycle who is younger than age 5. A violation is a misdemeanor punishable by a fine of no more than \$200.

School Bus Safety

In 2009 legislative sessions, 66 bills were considered regarding school bus safety.

Millions of children rely on school buses to transport them to and from school and school-related activities. This form of transportation is very safe. Since 1998, 1,564 people nationwide have died in school transportation-related crashes—an average of 142 per year—according to NHTSA. Most of the fatalities (72 percent) were people who were riding in another vehicle. Occupants of school transportation vehicles accounted for 8 percent of the fatalities. The remaining 20 percent of fatalities were bicyclists or pedestrians.

To keep school bus transportation as safe as possible, NHTSA has established 35 safety standards that apply to all school buses. The standards help to ensure that all school buses are structurally and mechanically safe. NHTSA also coordinates the recall of any school buses that are deemed to be unsafe. State legislatures can strengthen current NHTSA standards through statute. During the 2009 legislative sessions, 66 bills were considered regarding school bus safety.

Safety Belts on School Buses

The issue of occupant protection on school buses is still up for debate. There is no question that seat belts play an important role in keeping occupants safe in passenger vehicles. However, school buses are different by design and use a different kind of safety restraint system that studies have shown work well.

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

School bus compartmentalization provides crash protection.

According to a May 2002 NHTSA report, lap belts alone on school buses would have little benefit. Some crash tests revealed that the lap belts installed on school buses might even cause injuries. NHTSA reported that, although lap belts on large school buses may not be helpful, having three-point seat belts on smaller school buses would reduce injuries and keep passengers safe in roll-over accidents. Therefore, in 2008, NHTSA announced a rule change to FMVSS 222, which would require new school buses of 10,000 pounds or less to have lap-shoulder belts in lieu of the lap belts currently required. The rule also requires increasing the height of seat backs from 20 inches to 24 inches and allows states or local jurisdictions to decide whether to install seat belts on larger school buses (over 10,000 pounds). (For more information about the rule, go to www.nhtsa.gov/staticfiles/DOT/NHTSA/Rulemaking/Rules/Associated%20Files/SchoolBusBeltsFinal.pdf.)

Although compartmentalization is an effective occupant protection system for children in grades K-12, it is not effective for smaller children. Because the use of school buses to transport preschool-age children is increasing, NHTSA recommends that preschoolers riding on school buses be restrained in an appropriate child safety seat. New regulations from the Department of Health and Human Services govern buses and other vehicles used for Head Start programs.

States can pass laws to require seat belt installation and use. In 2009, 11 states considered legislation that would have required some form of seat belt use on school buses. Of those bills, five failed to become law and six are pending as of November 2009. California is currently the only state that requires all new school buses to have three-point belt systems.

Licensing School Bus Drivers

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

Although no states introduced bills relating to licensing requirements for school bus drivers in 2009, at least 18 states considered bills relating to school bus drivers. Indiana passed a bill that requires licensed physicians to certify that an individual is physically able to drive a school bus. Arkansas law now requires names of all new school bus drivers and teachers (and those being re-licensed) to be screened run through the state's child maltreatment central registry.

Illegally Passing School Buses

Many states are aware of the safety problem caused by motorists who illegally pass stopped school buses and have attempted to solve it with strict laws and public education campaigns. In 2009, Arkansas, Florida, Indiana, Maine, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Texas and Wisconsin debated proposals relating to illegally passing school buses. Florida passed legislation establishing an additional \$65 fine for motorists who illegally pass a school bus. In Indiana illegally passing a school bus is a Class B misdemeanor; it becomes a class A misdemeanor if bodily injury results from illegally passing the bus.

Other Issues

Colorado, Michigan and Missouri considered bills to prohibit school bus drivers from using cell phones while driving; bills in Colorado and Michigan passed. Laws in Arizona, Arkansas, California, Delaware, Illinois, Louisiana, Massachusetts, New Jersey, North Carolina, Rhode Island and Tennessee prohibit school bus drivers from talking on cell phones.

Twelve states prohibit school bus drivers from talking on cell phones.

States also considered bills relating to other school bus safety concerns. Bills in Arkansas, New Jersey New York, and North Carolina would have required video monitoring systems to be installed on school buses; the Arkansas and North Carolina bills were enacted, but the New Jersey and New York bills were under consideration at publication. North Carolina's law requires use of an automated camera or other video recording system to detect and prosecute those who illegally pass a school bus. The law also increases the penalty for causing the death of a child who was crossing in front of a school bus.

Pedestrian and Bicycle Safety

Many people engage in walking, running and bicycling to maintain physical fitness and a healthy lifestyle and safety is a major concern. According to NHTSA, 4,378 pedestrians were killed and 69,000 were injured in motor vehicle crashes in 2008. Bicycle injuries and fatalities have decreased in recent years; 716 bicyclists were killed in traffic safety accidents in 2008, a 6 percent decrease from the 760 fatalities in 1998. Some of this decrease can be attributed to new state bicycle safety laws.

In 2009, 40 states considered more than 100 bills regarding pedestrian and bicycle safety. Many addressed motorist responsibilities at crosswalks and on roadways. Other proposals considered ways to increase safety near schools.

Pedestrian Safety

In 2009, more than 30 pedestrian safety bills were considered by state legislatures. Maine passed a law that requires motorists to leave three feet distance when passing a pedestrian on a motorway.

With growing concern about gas prices and air pollution, hybrid and electric vehicles have become more popular. At low speeds and idling at intersections, hybrid engines are almost silent, which can be a hazard for pedestrians and bicyclists. The California Senate in 2009 recognized that crossing the street is especially dangerous for any pedestrian if cars can quickly approach in virtual silence. California passed a Joint Resolution urging Congress and the president to support research and develop minimum noise standards for new hybrid and electric motor vehicles. Hawaii considered a similar resolution. Maryland reactivated the Quiet Vehicles and Pedestrian Safety Task Force to study the effects of vehicle sound on pedestrian safety in 2009. The task force is expected to present its final findings to the governor and Legislature by December 2010.

Silent hybrid engines can be a hazard for pedestrians and bicyclists.

To keep child pedestrians safe, many communities have turned to “Safe Routes to School” programs, which encourage parents, teachers, students, community leaders, state and local governments, and law enforcement agencies to identify and establish safe pedestrian and bicycle routes to and from schools. The programs examine current traffic laws, speed limits, and law enforcement and education programs and make changes where necessary. The ultimate goals of these programs are to increase physical activity such as walking and biking and to maintain safety. State legislatures are increasingly considering some elements of Safe Routes to School” programs. The California Legislature introduced a bill in 2009 that would authorize school districts to establish and maintain “walking school buses,” defined “as a group of pupils walking to or from school with one or more supervising adults, for the purpose of ensuring the safe passage of pupils to and from school.” (For more information about state activity related to Safe Routes to School, see www.ncsl.org/programs/environ/healthycommunity/saferoutestoschool.htm.)

To see an interactive map of the federal funding allocated to states for Safe Routes to School Programs and the projects funded through the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU, Public Law 109-59), go to www.saferoutesinfo.org/contacts/index.cfm.

Bicycle Safety

Bike helmets, when worn properly, are 85 percent effective in preventing brain injuries, according to the Brain Injury Association of America. As of September of 2009, 22 states had laws that require bicycle riders of certain ages to wear helmets. Most require children under age 15 to wear helmets or protective headgear while riding. Several states considered legislation in 2009 that would require certain riders to wear helmets. New York introduced a bill that would require bicycle delivery people to wear helmets. Maryland considered increasing from 15 to 18 the age of mandatory helmet use. Vermont, which has no helmet law, introduced a 2009 bill that would require riders age 17 and younger to wear bicycle helmets. Table 4 contains information about state bicycle helmet laws.

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

Source: Insurance Institute for Highway Safety, 2009; National Conference of State Legislatures, 2009.

Thirteen states had "3-foot passing laws" as of November 2009.

Another bicycle safety law getting state attention is the "3-foot passing law." As of November 2009, Arizona, Arkansas, Colorado, Florida, Illinois, Louisiana, Maine, Minnesota, Oklahoma, Tennessee, Utah, West Virginia and Wisconsin had such laws.

Maine's law, enacted in 2007, states: "An operator of a motor vehicle that is passing a bicycle proceeding in the same direction shall exercise due care by leaving a distance between the motor vehicle and the bicycle of not less than three feet while the motor vehicle is passing the bicycle. A motor vehicle operator may pass a bicycle traveling in the same direction in a no passing zone only when it is safe to do so."

Louisiana's law, passed in 2009, includes provisions that require various state agencies to conduct public awareness campaigns about the new law and sharing the road with bicyclists.

The penalties for violating three-foot passing laws vary. In Florida, a violation is a non-criminal traffic infraction that carries a \$60 fine and three points on the driver's license. Louisiana law carries a maximum fine of \$250 for an offense. During the 2009 legislative

session, Arizona, Hawaii, Iowa, Maryland, New Jersey, North Carolina and Rhode Island considered, but did not pass, three-foot passing bills.

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

New York and Tennessee enacted laws in 2009 that require bicyclists riding at night to have a white light-emitting lamp on the bicycle front, and a red or amber light on the rear.

Low-Speed Vehicles and Golf Carts

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

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

LSVs are exempt from most federal safety standards that apply to motor vehicles, and they are not required to meet any criteria for vehicle crashworthiness. State legislatures can add additional safety requirements through statute. Forty-six states currently allow the use of LSVs on streets; however, all restrict them to highways with posted speed limits between 25 and 45 mph (Alabama, Arkansas and Wyoming do not specify a top speed limit). Some states allow municipalities to decide whether LSVs are allowed on streets and roads.

In 2009, 27 bills were introduced that would regulate or alter how LSVs are driven on state streets and roads. Colorado, for example enacted a law that creates a grant fund to help local governments install charging stations for electric vehicles. Idaho enacted a law that increases the allowable speed limits for LSVs from 25 mph to 45 mph.

Golf Carts

Golf carts are not considered LSVs unless they are modified to conform to FMSCA safety standards; however, 23 states allow their use on streets and roads with posted speed limits of 25 mph to 35 mph. Most states require the golf cart to be titled and registered and the driver to have a driver's license. In 2009, six bills were introduced that would have allowed municipalities or state and local parks to allow golf carts on local streets and roads.

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

Twenty-three states allow golf carts on certain streets and roads.

Links for Further Information

- AAA, www.aaapublicaffairs.com/main.asp
- AAA Foundation for Traffic Safety, www.aaafoundation.org
- American Institute for Public Safety, www.aipsnews.com
- American Motorcyclist Association, www.amadirectlink.com
- Cellular Telecommunications Industry Association, www.wow-com.com
- “Dr. Driving” (Professor Leon James), www.drdriving.com
- Federal Highway Administration, www.fwha.dot.gov
- Governors Highway Safety Association, www.ghsa.org
- Insurance Institute for Highway Safety, www.hwysafety.org
- Motorcycle Riders Foundation, www.mrf.org
- Motorcycle Safety Foundation, www.msf-usa.org
- NCSL/NHTSA Traffic Safety Legislative Tracking, www.nhtsa.dot.gov/ncsl/
- National Highway Traffic Safety Administration (NHTSA), www.nhtsa.dot.gov
- NHTSA Fact Sheets, www.nhtsa.dot.gov/people/injury/new-fact-sheet03/index.htm
- National Safety Council, www.nsc.org
- National Safe Kids, www.safekids.org
- National Transportation Safety Board, www.nts.gov
- The Partnership for Safe Driving, www.geocities.com/morganleepen/
- Traffic Injury Research Foundation, www.trafficinjuryresearch.com
- U.S Department of Transportation, www.dot.gov
- U.S. Government Accountability Office report on .08 BAC laws, www.gao.gov

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

New England Region

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Volpe National Transportation Systems Center
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Eastern Region

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Mid-Atlantic Region

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Southeast Region

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Atlanta Federal Center
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Atlanta, Ga. 30303
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Fax: (404) 562-3763
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Great Lakes Region

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South Central Region

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Rocky Mountain Region

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Appendix B. State Safety Belt Use Laws				
State/Jurisdiction	Primary Enforcement	Who Is Covered? in What Seats?	Maximum Fine First Offense?	Damages Reduced for Nonuse?
Alabama	Yes	Ages 15+ in front seat	\$25	No
Alaska	Yes	Ages 16+ in all seats	\$15	Yes
Arizona	No	Ages 5+ in front seat; ages 5 through 15 in all seats	\$10	Yes
Arkansas	Yes	Ages 15+ in front seat	\$25 ¹	No
California	Yes	Ages 16+ in all seats	\$20	Yes
Colorado	No	Ages 16+ in all seats	\$15	Yes ³
Connecticut	Yes	Ages 7+ in front seat	\$15	No
Delaware	Yes	Ages 16+ in all seats	\$25	No
Florida	Yes	Ages 6 to 18 in front seats; ages 18+ in front seat	\$30	Yes
Georgia	Yes	Ages 6 through 17 in all seats; ages 18+ in front seat	\$15 ³	No
Hawaii	Yes	Ages 4 through 17 in all seats; ages 18+ in front seat	\$92	No
Idaho	No	Ages 7+ in all seats	\$10	No
Illinois	Yes	Ages 16+ in front seat; ages 18 and under in all seats if driver is younger than age 18	\$25	No
Indiana	Yes	Ages 16+ in front seat and ages 8 to 16 in all seats	\$25	No
Iowa	Yes	Ages 11+ in front seat	\$25	Yes ³
Kansas	No (yes for children under age 18)	Ages 14 through 17 in all seats; ages 18+ in front seat	\$30	No
Kentucky	Yes	More than 40 inches in all seats	\$25	No
Louisiana	Yes	Ages 13+ in all seats	\$25	No
Maine	Yes	Ages 18+ in all seats	\$50	No
Maryland	Yes	Ages 16+ in front seat	\$25	No
Massachusetts	No	Ages 12+ in all seats	\$25 ⁴	No
Michigan	Yes	Ages 4+ in front seat; ages 4 through 15 in all seats	\$25	Yes ³
Minnesota	Yes	Ages 3 through 10 in all seats; ages 11+ in front seat	\$25	No
Mississippi	Yes	Ages 4 through 8 in all seats; ages 8+ in front seat	\$25	No
Missouri	No (yes for children under age 16)	Ages 4+ in front seat; ages 4 through 16 in all seats	\$10	Yes ³
Montana	No	Ages 6+ in all seats	\$20	No
Nebraska	No	Ages 18+ in front seat	\$25	Yes ³
Nevada	No	Ages 6+ or less than 60 lbs in all seats	\$25	No
New Hampshire	No law	No law	No law	No
New Jersey	Yes	Ages 8 and younger and more than 80 lbs; ages 8 through 17 in all seats; ages 18+ in front seat	\$20	No
New Mexico	Yes	Ages 18+ in all seats	\$25 ²	No
New York	Yes	Ages 16+ in front seats	\$50 ⁵	Yes
North Carolina	Yes (secondary for rear seat occupants)	Ages 16+ in front seat	\$25	No
North Dakota	No	Ages 18+ in front seat	\$20	Yes
Ohio	No	Ages 4 through 14 in all seats; ages 15+ in front seat	\$30 driver/\$20 passenger	Yes

Appendix B. State Safety Belt Use Laws (continued)				
State/Jurisdiction	Primary Enforcement	Who Is Covered? in What Seats?	Maximum Fine First Offense?	Damages Reduced for Nonuse?
Oklahoma	Yes	Ages 13+ in front seat	\$20	No
Oregon	Yes	Ages 16+ in all seats	\$90	Yes
Pennsylvania	No	Ages 8 through 17 in all seats; ages 18+ in front seat	\$10	No
Rhode Island	No (yes for children under age 18)	Ages 13+ in all seats	\$75	No
South Carolina	Yes ⁶	Ages 6+ in front seat; ages 6+ in rear seat with shoulder belt	\$25	No
South Dakota	No	Ages 18+ in front seat	\$20	No
Tennessee	Yes	Ages 16+ in front seat	\$50 ⁷	No
Texas	Yes	Ages 4 and younger and 36 inches or more; ages 5 through 16 in all seats; ages 17+ in front seat	\$200	No
Utah	No (yes for children under age 19)	Ages 16+ in all seats	\$45	No
Vermont	No	Ages 16+ in all seats	\$25	No
Virginia	No	Ages 16+ in front seat	\$25	No
Washington	Yes	Ages 16+ in all seats	\$37	No
West Virginia	No	Ages 8+ in front seats; ages 8 through 18 in all seats	\$25	Yes ³
Wisconsin	Yes	Ages 4+ in front seat; ages 4+ in rear seat with shoulder belt; ages 8+ in front seat	\$25	Yes ³
Wyoming	No	Ages 9+ in all seats	\$25 ⁸ driver/ \$10 passenger	No
District of Columbia	Yes	Ages 16+ in all seats	\$50 ²	No
Puerto Rico	Yes	Ages 4+ in back seat, or up to age 12 in front seat if there is no belt in the back seat; ages 13+ in all seats	\$50	No
U.S. Virgin Islands	No	Ages 5+ in all seats	\$100	No information

Notes

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

Source: Insurance Institute for Highway Safety, 2009; AAA, 2009.

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

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

Appendix C. State Laws on Child Restraint Use (continued)			
State/ Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Missouri	Ages 3 and younger must be in child restraint; all children who weigh less than 40 lbs. must be in a child restraint; ages 4 through 7 who weigh at least 40 lbs. but less than 80 lbs. and who are 4'9" or shorter must be in either a child restraint or booster seat; children ages 4 and older who weigh at least 80 lbs. or who are at least 4'9" tall must be in either a booster seat or safety belt	All children ages 8 through 16; all children ages 4 and older who weigh 80 lbs. or more or who are 4'9" tall or more; law states no preference for rear seat	\$50; \$10 for violations involving children taller than 4'9" or who weigh more than 80 lbs.
Montana	Younger than age 5 and less than 60 lbs.	Not permissible	\$100
Nebraska	Ages 5 and younger	Ages 6 through 17; ⁹ law states no preference for rear seat	\$25 ¹
Nevada	Ages 5 and younger and 60 lbs. or less	Not permissible	\$100 ¹⁰
New Hampshire	Ages 5 and younger and less than 55 inches	Ages 6 through 17; ages 6 and younger who are at least 55 inches tall; law states no preference for rear seat	\$25
New Jersey	Ages 7 and younger and less than 80 lbs. seated in rear seat if available	Not permissible	\$25
New Mexico	Younger than age 1 in a rear-facing infant seat, seated in the rear seat if available; children ages 1 through 4 or less than 40 lbs.; ages 5 through 6 or less than 60 lbs. in booster seat	Ages 7 through 17	\$25
New York	Ages 3 and younger unless a child weighs more than 40 pounds and is seated where there is no available lap/shoulder belt; ages 4 through 7 unless a child is seated where there is no available lap/shoulder belt. (effective 11/24/09)	Ages 8 through 15; children who weight 40 lbs. or more; children ages 4 through 6 in a seating position where there is no available lap/shoulder belt; law states no preference for rear seat (effective 11/24/09)	\$100 ¹
North Carolina	Ages 7 and younger and less than 80 lbs. ¹¹	Ages 8 through 15 and children 40 to 80 lbs. in seats without shoulder belts; law states no preference for rear seat	\$25 ¹
North Dakota	Ages 6 and younger and less than 57 inches or less than 80 lbs.	Ages 7 through 17; ages 6 and younger and at least 57 inches tall and at least 80 lbs.; ages 6 and younger and at least 40 lbs.; if there are no available lap/shoulder belt, can be restrained by lap belt only; law states no preference for rear seat	\$25 ¹
Ohio	Ages 3 and younger or less than 40 lbs.; ages 4 through 7 who weigh more than 40 lbs. and are shorter than 57 inches must be in booster seat (effective 10/7/09)	Ages 8 through 14; ¹² law states no preference for rear seat (effective 10/7/09)	\$75 ¹ (effective 10/7/09)

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

Appendix C. State Laws on Child Restraint Use (continued)			
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 12 and younger must be in rear seat if practical	Ages 8 through 15; ages 7 and younger and 4'9" or taller; children who weigh more than 40 lbs. in a seating position where only a lap belt is available	\$124
West Virginia	Ages 7 and younger and less than 4'9"	Ages 7 and younger and 4'9" and taller; law states no preference for rear seat	\$20
Wisconsin	Children younger than age 1 and all children who weigh less than 20 lbs. must be in a rear-facing infant seat; children ages 1 through 3 who weigh at least 20 lbs. but less than 40 lbs. are required to be in a forward-facing child safety seat; children ages 4 through 7 who weigh at least 40 lbs. but less than 80 lbs. and who are less than 57" tall must be in a booster seat; children age 3 and younger must be in a rear seat if available	Ages 8 and younger and more than 80 lbs. and 57" or taller	\$75
Wyoming	Ages 8 and younger; must be in rear seat if available	Not permissible	\$50
District of Columbia	Ages 7 and younger	Ages 8 through 15; law states no preference for rear seat	\$75 ¹
Puerto Rico	Ages 4 and younger	Ages 4 and older	\$100
U.S. Virgin Islands	Ages 5 and younger	Children ages 3 through 5 may be restrained by only a seatbelt if they are in the rear seat	\$100

Notes

1. This state assesses points for violations.
2. In California, children weighing more than 40 pounds can be belted without a booster seat if they are seated in the rear seat of a vehicle not equipped with lap/shoulder belts. The California rear seat requirement does not apply if there is no rear seat; the rear seats are side-facing jump seats; the rear seats are rear-facing seats; the child passenger restraint system cannot be installed properly in the rear seat; all rear seats are already occupied by children under age 12; or medical reasons necessitate that the child not ride in the rear seat. A child cannot ride in the front seat of a motor vehicle with an active passenger airbag if the child is under age 1, weighs less than 20 pounds, or is riding in a rear-facing child restraint system.
3. In Colorado, if a child age 4 to 5 and less than 55 inches is being transported in a vehicle equipped with a lap belt only, then the child must be restrained with the lap belt. The law is secondary for children ages 4 to 5 who must be in booster seats.
4. The fine in Connecticut is \$15 if the child is age 4 to 16 and 40 pounds or more. Connecticut also requires a child restraint education program for first or second violation.
5. In Delaware, children younger than age 12 /65 inches or less must be restrained in a rear seat if a vehicle has a passenger airbag unless the airbag has been either 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 /65 inches or less.
6. In Georgia, children weighing more than 40 pounds can be restrained in the back seat of a vehicle by a lap belt if the vehicle is not equipped with lap and shoulder belts or when the lap and shoulder belts are being used by other children who weigh more than 40 pounds.
7. Hawaii drivers are charged \$50 for a mandatory child restraint education program and \$10 for a surcharge that is deposited into a neurotrauma special fund.
8. In Indiana, children younger than age 8 must be restrained in adult belts if it's reasonably determined they cannot fit in child restraints. If the driver does not hold an Indiana driver's license, children under age 16 must be restrained by either a child restraint or a safety belt. Children weighing more than 40 pounds can be restrained by a lap belt if the vehicle is not equipped with lap and shoulder belts or if all lap and shoulder belts other than those in the front seat are being used to restrain other children who are younger than age 16.

9. Nebraska's law is secondary for those children who may be in safety belts and standard for those who must be in a child restraint device.

10. In Nevada, the minimum fine is \$100. An alternative to the fine is at least 10 hours but not more than 50 hours of community service.

11. In North Carolina, children younger than age 5 who weigh less than 40 pounds must be restrained in a child safety seat in the rear seat if the vehicle has a passenger airbag, unless the child restraint system is designed for use with airbags.

12. In Ohio, the law is secondary for children ages 4 through 14.

13. In Oklahoma, children weighing more than 40 pounds can be restrained in the back seat of a vehicle by a lap belt if the vehicle is not equipped with lap and shoulder belts or when the lap and shoulder belts are being used by other children who weigh more than 40 pounds.

14. In Pennsylvania, the law is secondary for children ages 4 through 7 who must be in booster seats.

15. Children at least age 4 but younger than age 8 can be belted if any licensed physician determines that use of child restraint system by a particular child would be impractical by reason of the child's weight, physical fitness or other medical reason, provided that any person transporting a child so exempted shall carry on his person or in the vehicle a signed written statement of the physician identifying the child so exempted and stating the grounds for the determination.

Source: Insurance Institute for Highway Safety, AAA and NCSL, 2009.

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

State/Jurisdiction	Those not Covered	State/Jurisdiction	Those not Covered
Alabama	Ages 15+ in rear seat	New Hampshire	All children covered
Alaska	All children covered	New Jersey	All children covered
Arizona	All children covered	New Mexico	All children covered
Arkansas	Ages 15+ in rear seat	New York	All children covered
California	All children covered	North Carolina	All children covered
Colorado	All children covered	North Dakota	All children covered
Connecticut	All children covered	Ohio	Ages 15+ in rear seat
Delaware	All children covered	Oklahoma	Ages 13+ in rear seat
Florida	All children covered	Oregon	All children covered
Georgia	All children covered	Pennsylvania	All children covered
Hawaii	All children covered	Rhode Island	Ages 6 and younger in front seat if vehicle does not have a rear seat
Idaho	All children covered	South Carolina	Ages 6+ in rear seat without shoulder belt
Illinois	All children covered ¹	South Dakota	All children covered
Indiana	All children covered ²	Tennessee	All children covered
Iowa	Ages 11+ in rear seat	Texas	All children covered
Kansas	All children covered	Utah	All children covered
Kentucky	All children covered	Vermont	All children covered
Louisiana	All children covered	Virginia	All children covered
Maine	All children covered	Washington	All children covered
Maryland	All children covered	West Virginia	All children covered
Massachusetts	All children covered	Wisconsin	All children covered
Michigan	All children covered	Wyoming	All children covered
Minnesota	All children covered	District of Columbia	All children covered
Mississippi	Ages 7+ in rear seat	Puerto Rico	All children covered ³
Missouri	All children covered	U.S. Virgin Islands	No information
Montana	All children covered		
Nebraska	All children covered		
Nevada	All children covered		

Notes

1. The Illinois law requires parents to provide child restraints to drivers who transport their children.

2. In Indiana, children younger than age 8 must be restrained in adult belts if it's reasonably determined they cannot fit in child restraints. If the driver does not hold an Indiana driver's license, then children under age 16 must be restrained by either a child restraint or a safety belt. Children weighing more than 40 pounds can be restrained by a lap belt if the vehicle is not equipped with lap and shoulder belts or if all lap and shoulder belts other than those in the front seat are being used to restrain other children who are younger than age 16.

3. Excepted from this provision are those children who suffer some sort of disability, duly certified by a physician that prevents them from traveling safely in safety belts or child restraints.

Source: Insurance Institute for Highway Safety and NCSL, 2009.

Appendix E. Restrictions on Riding in Cargo Areas of Pickup Trucks		
State/Jurisdiction	Restrictions in Cargo Areas	Gaps in Coverage
Alabama	✓	Anyone age 15 and older
Alaska	✗	
Arizona	✗	
Arkansas	✓ ¹	Employees on duty; people within bodies of trucks in a space intended for merchandise
California	✓	If the person is restrained by a federally approved restraint system; farmer-owned vehicle used exclusively within farming land or mile of highway between one part to another; parade if not more than 8 mph; emergency situations
Colorado	✓	Those sitting in the cargo area if it is fully or partially enclosed on all four sides
Connecticut	✓	Anyone age 16 and older; anyone age 15 and younger if belted; parades; farming operations; hayrides August through December
Delaware	✗	
Florida	✓ ¹	Anyone age 18 and older; anyone age 17 and younger in enclose cargo area; employees on duty; anyone riding within truck bodies in a space intended for merchandise.
Georgia	✓	Anyone age 18 and older; anyone age 17 and younger in pickup trucks with covered cargo areas; any pickup truck off the interstate
Hawaii	✓	People can ride in back of pickup trucks if there are no available seats in the cab and the side racks and tailgate are securely closed, the passengers are seated on the floor and do not attempt to unlatch cargo; parades, employees on duty and life-threatening emergencies exempt
Idaho	✗	
Illinois	✗	
Indiana	✓	Anyone age 16 and older
Iowa	✗	
Kansas	✓	Anyone age 14 and older; parades; employment; does not apply to vehicles not being operated in the state highway system or within the corporate limits of a city
Kentucky	✗	
Louisiana	✓	Anyone age 12 and older; parades moving less than 15 mph; emergencies if the child is with an adult in the cargo area; emergencies on interstate highway
Maine	✓	Anyone age 19 and older; agricultural workers and hunters age 18 and younger; parades; and those in original equipment manufacturer installed seats outside passenger compartment

Appendix E. Restrictions on Riding in Cargo Areas of Pickup Trucks (continued)		
State/Jurisdiction	Restrictions in Cargo Areas	Gaps in Coverage
Maryland	✓	Anyone age 16 and older; anyone age 15 and younger if the vehicle is traveling 25 mph or less; employees being transported to work sites or those engaged in farming operations; exceptions do not eliminate requirements to use child restraints or belts; inapplicable to pickup trucks with covered cargo areas
Massachusetts	✓	Anyone age 12 and older; anyone age 11 and younger if the vehicle is being driven less than 5 miles and less than 5 mph; parades; farming activities
Michigan	✓	Age 18 and older; those age 17 and younger if the vehicle is moving 15 mph or less; parades; military vehicles; emergency situations; farming; construction
Minnesota	✗	
Mississippi	✗	
Missouri	✓	Anyone age 18 and older; those age 17 and younger if the vehicle is not being operated on a highway that is part of the state or federal highway system or within the corporate limits of any city; exceptions for employment, agricultural activities, parades, where there is a device to keep the passenger from being thrown or falling out of the vehicle, special events, assisting people in a recreational activity, family- owned truck with insufficient room for all the passengers, inapplicable to pickup trucks with covered cargo areas
Montana	✗	
Nebraska	✓	Anyone age 18 or older; parades
Nevada	✓	Anyone age 18 or older; those younger than age 18 when the vehicle is used in farming or ranching or if vehicle is used in an authorized parade; vehicles operated on unpaved roads; those in riding areas enclosed by a camper shell
New Hampshire	✗	
New Jersey	✓	Employees engaged in their duties
New Mexico	✓	Anyone age 18 or older
New York	✓	Not applicable to trips of 5 miles or less; not applicable to trips of more than 5 miles if one-third or fewer of the passengers are standing or if suitable seats are securely attached and there are side rails and a tailgate; not applicable to trips of more than 5 miles if there are fewer than five people age 17 or younger in the cargo area or if at least one person age 18 or older is in the cargo area
North Carolina	✓	Anyone age 16 and older; those age 12 and younger if a supervising adult is present in cargo area; when the child is belted; emergencies; parades; vehicle being used in agriculture; vehicle operated in county with incorporated areas with population of 3,500 or less; vehicles with permanent overhead structures
North Dakota	✗	

Appendix E. Restrictions on Riding in Cargo Areas of Pickup Trucks (continued)		
State/Jurisdiction	Restrictions in Cargo Areas	Gaps in Coverage
Ohio	✓	Anyone age 16 and older; those age 15 and younger if the vehicle is driven less than 25 mph or if the person is belted and seated in an original equipment manufacturer seating position; emergencies; not applicable to pickup trucks with covered cargo areas
Oklahoma	✗	
Oregon	✓	Anyone age 18 or older; minors secured with a safety belt or harness; parades; minors seated on the floor of the open bed of a motor vehicle in which all available passenger seats are occupied by minors, the tailgate is securely closed and the minor is being transported either in the course and scope of employment or between a hunting camp and hunting site or between hunting sites during hunting season and the minor has a hunting license
Pennsylvania	✓	Anyone age 18 or older if the vehicle is traveling less than 35 mph; not applicable to occupants age 17 and younger if the cargo area is enclosed; parades; hunting and farm operations
Rhode Island	✓	Anyone age 16 or older; those age 15 and younger who are secured in the cargo area
South Carolina	✓	Anyone age 15 or older; those age 15 and younger when an adult is present; when the child is belted; parade; emergency situation; agricultural activities; hunting; vehicle has a secured metal tailgate and operated at less than 36 mph; vehicle operated in a county with incorporated areas with population of 3,500 or less
South Dakota	✗	
Tennessee	✓	Anyone age 12 or older; those ages 6 to 11 in a vehicle being operated off the interstate or state highway system; parades if vehicle is going less than 20 mph; agricultural activities; or on city or county roads unless prohibited by local ordinance or resolution
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 to marked roads or on county roads outside municipalities
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	✗	

Appendix E. Restrictions on Riding in Cargo Areas of Pickup Trucks (continued)		
State/Jurisdiction	Restrictions in Cargo Areas	Gaps in Coverage
District of Columbia	✓ ¹	Employees on duty; those riding within truck bodies in a space intended for materials
Puerto Rico	✓	No gaps in coverage
U.S. Virgin Islands	✗	
Total	34	

Key:

- ✓ Law
- ✗ No Law

Note

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

Source: AAA Public Affairs and NCSL, 2009.

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

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

Appendix F. Licensing Procedures for Older Drivers (continued)			
State/ Jurisdiction	Length of Renewal Cycle	Accelerated Renewal	Other Provisions
Virginia	Five years	None	Vision test required for people age 80 and older
Washington	Five years	None	No online renewals permitted after age 65; no online renewal permitted if medical condition exists that requires monitoring
West Virginia	Five years	None	None
Wisconsin	Eight years	None	None
Wyoming	Four years	None	None
District of Columbia	Five years	None	At age 70 or nearest renewal date thereafter, a vision test is required and a reaction test may be required; applicants must provide a statement from a practicing physician certifying the applicant to be physically and mentally competent to drive ⁷
Puerto Rico	Six years	None	None
U.S. Virgin Islands	Five years	No information	No information

Notes

1. In Arizona, the license is valid until age 65. Anyone age 65 and older who is renewing by mail must submit a vision test verification form, provided by the department, or verification of an examination of the applicant's eyesight. The vision test or examination must be conducted not more than three months before.

2. In Connecticut, people age 65 and older can choose a two-year or six-year renewal cycle. A personal appearance at renewal generally is required. Upon a showing of hardship, people age 65 and older can renew by mail.

3. In Florida, only two successive renewals can be made electronically or by mail, regardless of age.

4. Some states' licensing laws specifically prohibit licensing administrators from treating people differently solely by virtue of advanced age. Maryland law specifies that age alone is not grounds for reexamination of drivers; applicants for an initial license age 70 and older must provide proof of previous satisfactory operation of a vehicle or a physician's certificate of fitness. Massachusetts law prohibits discrimination by reason of age with regard to licensing. Minnesota and Nevada law specify that age alone is not a justification for reexamination. In Nevada, applicants for mail renewal age 70 and older must include a medical report.

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

6. License fee is reduced for drivers between the ages of 62 and 64 and is waived for drivers age 65 and older in Oklahoma; fees are reduced for drivers age 60 and older in Tennessee.

7. The District of Columbia specifically states that an applicant shall not be required to retake the written or road test based solely on advanced age.

Source: Insurance Institute for Highway Safety, AAA, and NCSL 2009.

Appendix G. Teen Driving Laws: 2009				
State/ Jurisdiction	Minimum Age for a Learner's Permit	Learner Stage with a Minimum Amount of Supervised Driving Required; # of Hours of Supervised Drive Time	Intermediate Stage with a Nighttime Driving Restriction; Time Nighttime Driving Restrictions Start	Intermediate Stage with Passenger Restrictions (family members excepted unless otherwise noted); What Those Restrictions Are
Alabama	15	30 hrs. (none with driver education)	Midnight-6 am	No more than three passengers
Alaska	14	40 hrs., 10 of which must be at night or in inclement weather	1 am-5 am	First six mo.: No passengers
Arizona	15, six mo.	30 hrs., 10 of which must be at night (none with driver education)	Midnight-5 am (secondary ¹)	First six mo.: No more than one passenger younger than age 18 (secondary ¹)
Arkansas	14	None	11 pm-4 am (eff. 7/30/09)	No more than one passenger (eff. 7/30/09)
California	15, six mo.	50 hrs., 10 of which must be at night	11 pm-5 am (secondary)	First 12 mo.: No passengers younger than age 20 (secondary)
Colorado	15	50 hrs., 10 of which must be at night	Midnight-5 am (secondary)	First six mo.: No passengers. Second six mo.: No more than one passenger (secondary)
Connecticut	16	40 hrs.	11 pm-5 am	First six mo.: No passenger other than parents or driving instructor; second six mo.: No passengers other than parents, driving instructor, or members of immediate family
Delaware	16	50 hrs., 10 of which must be at night	10 pm-6 am	No more than one passenger
Florida	15	50 hrs., 10 of which must be at night	11 pm-6 am (age 16); 1 am-5 am (age 17)	None
Georgia	15	40 hrs., six of which must be at night	Midnight-6 am (secondary)	First six mo.: No passengers; second six mo.: No more than one passenger younger than age 21. Thereafter, no more than three passengers (secondary)
Hawaii	15, six mo.	None	11 pm-5 am	No more than one passenger younger than age 18
Idaho	14, six mo.	50 hrs., 10 of which must be at night	Sunset to sunrise	First 6 mo: Licensees 16 and younger can have no more than 1 passenger younger than 17
Illinois	15	50 hr, 10 of which must be at night	Sun.-Thur.: 10 pm-6 am, Fri-Sat: 11 pm-6 am	First 12 mo.: No more than one passenger younger than age 20
Indiana	15, six mo. (eff. 7/1/10)	50 hrs., 10 of which must be at night (eff. 7/1/10)	First 180 days: 10 pm-5 am, then Sun.-Fri.: 11 pm-5 am, Sat.-Sun.: 1 am-5 am (eff. 7/1/09)	First 180 days: No passengers (eff. 7/1/09)
Iowa	14	20 hrs., two of which must be at night	12:30 am-5 am	None

Appendix G. Teen Driving Laws: 2009 (continued)				
State/ Jurisdiction	Minimum Age for a Learner's Permit	Learner Stage with a Minimum Amount of Supervised Driving Required; # of Hours of Supervised Drive Time	Intermediate Stage with a Nighttime Driving Restriction; Time Nighttime Driving Restrictions Start	Intermediate Stage with Passenger Restrictions (family members excepted unless otherwise noted); What Those Restrictions Are
Kansas	14	25 hrs. in learner phase; 25 hrs. before age 16; 10 of the 50 hrs. must be at night	9 pm-5 am (eff. 1/1/10)	First six mo.: No more than one passenger younger than age 18 (eff. 1/1/10)
Kentucky	16	60 hrs., 10 of which must be at night	Midnight-6 am	No more than one passenger younger than age 20 unless supervised by a driving instructor (secondary)
Louisiana	15	35 hrs.	11 pm-5 am	None
Maine	15	35 hrs., five of which must be at night	Midnight-5 am	First 180 days: No passengers
Maryland	15, nine mo.	60 hrs., 10 of which must be at night	Midnight-5 am	First five mo.: No passengers younger than age 18 (secondary)
Massachusetts	16	40 hrs.	12:30 am-5 am (secondary between 12:30 am-1:00 am and 4:00 am-5:00 am)	First six mo.: No passengers younger than age 18
Michigan	14, nine mo.	50 hrs., 10 of which must be at night	Midnight-5 am	None
Minnesota	15	30 hrs., 10 of which must be at night	First six mo.: Midnight-5 am	First 6 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 (eff. 7/1/09)	None
Missouri	15	40 hrs., 10 of which must be at night	1 am-5 am	First six mo.: No more than 1 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. ²	40 hrs., 10 of which must be at night (eff. 6/16/09)	1 am-5 am	First six mo.: No more than one passenger younger than age 25
New Jersey	16	None	Midnight-5 am (11 pm-5 am eff. 5/1/10)	No more than one passenger (household members excepted until 5/1/10, when the exception will be limited to the driver's dependents)
New Mexico	15	50 hrs., 10 of which must be at night	Midnight-5 am	No more than one passenger younger than age 21

Appendix G. Teen Driving Laws: 2009 (continued)				
State/ Jurisdiction	Minimum Age for a Learner's Permit	Learner Stage with a Minimum Amount of Supervised Driving Required; # of Hours of Supervised Drive Time	Intermediate Stage with a Nighttime Driving Restriction; Time Nighttime Driving Restrictions Start	Intermediate Stage with Passenger Restrictions (family members excepted unless otherwise noted); What Those Restrictions Are
New York	16	50 hrs., 15 of which must be at night (eff. 2/22/10)	9 pm-5 am	No more than one passenger younger than age 21 (eff. 2/22/10)
North Carolina	15	None	9 pm-5 am	No more than one passenger younger than age 2; if a family member younger than age 21 is already a passenger, then no other passengers younger than age 21 who are not family members
North Dakota	14	None	None	None
Ohio	15, 6 mo	50 hr, 10 of which must be at night	Midnight-6 am (age 16), 1 am-5 am (age 17) (secondary)	No more than one passenger
Oklahoma	15, six mo.	50 hrs., 10 of which must be at night (eff. 11/1/09)	10 pm-5 am (eff. 11/1/09)	No more than one passenger
Oregon	15	100 hrs. (50 hrs. with driver education)	Midnight-5 am	First six mo.: No passengers younger than age 20; Second six mo.
Pennsylvania	16	50 hrs.	11 pm-5 am	None
Rhode Island	16	50 hrs., 10 of which must be at night	1 am-5 am	First 12 mo.: No more than one passenger younger than age 21
South Carolina	15	40 hrs., 10 of which must be at night	6 pm-6 am EST, 8 pm-6 am EDT	No more than two passengers younger than age 21 (driving to and from school excepted)
South Dakota	14	none	10 pm-6 am	none
Tennessee	15	50 hrs., 10 of which must be at night	11 pm-6 am	No more than one passenger
Texas	15	None	Midnight-5 am	No more than one passenger younger than age 21 (secondary)
Utah	15	40 hrs., 10 of which must be at night	Midnight-5 am	First six mo.: No passengers (secondary)
Vermont	15	40 hrs., 10 of which must be at night	None	First three mo.: No passengers without exception; second three mo.: No passengers with family exception
Virginia	15, six mo.	45 hrs., 15 of which must be at night	Midnight-4 am (secondary)	First 12 mo.: No more than one passenger younger than age 18; thereafter, no more than three passengers younger than age 18 (secondary)
Washington	15	50 hrs., 10 of which must be at night	1 am-5 am (secondary)	First six mo.: No passengers younger than age 20; second six mo.: No more than three passengers younger than age 20 (secondary)

Appendix G. Teen Driving Laws: 2009 (continued)				
State/ Jurisdiction	Minimum Age for a Learner's Permit	Learner Stage with a Minimum Amount of Supervised Driving Required; # of Hours of Supervised Drive Time	Intermediate Stage with a Nighttime Driving Restriction; Time Nighttime Driving Restrictions Start	Intermediate Stage with Passenger Restrictions (family members excepted unless otherwise noted); What Those Restrictions Are
West Virginia	15	50 hrs., 10 of which must be at night (none with driver education) (eff. 7/10/09)	10 pm-5 am (eff. 7/10/09)	First six mo.: No passengers younger than age 20; second six mo.: No more than one passenger younger than age 20 (eff. 7/10/09)
Wisconsin	15, six mo.	30 hrs., 10 of which must be at night	Midnight-5 am	No more than one passenger
Wyoming	15	50 hrs., 10 of which must be at night	11 pm-5 am	No more than one passenger younger than age 18
District of Columbia	16	40 hrs. in learner's stage, 10 hrs. at night in intermediate stage	Sept-June: Sun.-Thur.: 11 pm-6 am, Sat.-Sun.: 12:01 am-6 am. Jul- Aug: 12:01 am-6 am	First six mo.: No passengers; thereafter, no more than two passengers.
Puerto Rico		X ³		
U.S. Virgin Islands ⁴	16	None	None	None

Notes

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

Source: NCSL and IIHS, 2009.

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

Appendix H. State Aggressive Driving Laws (continued)				
State/ Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
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 does or commits at least three of the following: (1) following a vehicle too closely, (2) unsafe operation of a vehicle, (3) overtaking another vehicle on the right by driving off the roadway, (4) unsafe stopping or slowing a vehicle, (5) unnecessary sounding of the horn, (6) failure to yield, (7) failure to obey a traffic control device (8) driving at an unsafe speed (9) repeatedly flashing the vehicle's headlights. A person who, with the intent to harass or intimidate a person in another vehicle, knowingly or intentionally engages in aggressive driving commits a Class A misdemeanor.	1 year	\$5,000	None
Maryland	A person is guilty of aggressive driving if the person commits three or more of the following offenses at the same time or during a single and continuous period of driving in violation of: Traffic lights with steady indication, overtaking and passing vehicles, passing on right, driving on laned roadways, following too closely, failure to yield right-of-way, exceeding a maximum speed limit or posted maximum speed limit.	None	None	None ⁵

Appendix H. State Aggressive Driving Laws (continued)				
State/ Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
Nevada	A person commits "Aggressive Driving" if, during a course of one (1) mile, they, in any sequence, do all of the following. 1) violate either (a) the basic speed rules, (b) the speed limit in a school zone, (c) the posted speed limit, or (d) the prohibition against driving >75 mph. 2) Commit two or more of the following offenses: (a) Failing to obey a traffic control device; (b) overtaking and passing another vehicle on the right by driving off the paved portion of the highway; (c) driving unsafely or improperly upon a highway that has marked lanes for traffic; (d) following another vehicle too closely; or, (e) failing to yield the right of way. 3) Create an immediate hazard, regardless of its duration, to another vehicle or to another person.	6 months ³	\$1,000 ³	30 days ² 1 year on 2 nd offense
New Jersey	New Jersey enforces against aggressive driving by charging under 39:4-97 (Careless Driving), 39-4-97.2 (Operating a vehicle in an Unsafe Manner) or any other statute at the discretion of the officer.	N/A	N/A	N/A
North Carolina	Any person who operates a motor vehicle on a street, highway or public vehicular area is guilty of aggressive driving if the person: (1) violates speed laws or speeding in school zone laws, and (2) drives carelessly and heedlessly in willful or wanton disregard of the rights or safety of others. For the purposes of this section only, in order to prove a violation of the aforementioned section, the State must show that the person committed two or more of the below specified offenses while in violation of the aforementioned section): (1) running through a red light, (2) running through a stop sign, (3) illegal passing (4) failing to yield right-of-way, (5) following too closely. A person convicted of aggressive driving is guilty of a Class 1 misdemeanor.	45 days ³	At the discretion of the court ³	None
Pennsylvania	Pennsylvania does not have an aggressive driving law per se. In 2006, the Pennsylvania House of Representatives passed a resolution to encourage drivers to drive courteously and defensively, not aggressively. The House also resolved to support measures that would promote safe driving practices in the Commonwealth.	N/A	N/A	N/A

Appendix H. State Aggressive Driving Laws (continued)				
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 ⁶
Utah	Reckless driving is defined as operating a vehicle either (1) “in willful or wanton disregard for the safety of persons or property” or (2) “while committing three or more moving traffic violations under Title 41, Chapter 6, Traffic Rules and Regulations, in a series of acts within a single continuous period of driving.”	6 months ¹	\$1,000 ¹	3 months ^{2,3}
Virginia	A person is guilty of aggressive driving if the person (i) violates one or more of the following: driving on right side of highways, failing to observe lanes marked for traffic, following too closely, not yielding or stopping before entering certain highways, evading traffic control devices, passing when overtaking a vehicle, passing on the right when overtaking a vehicle, not giving way to certain overtaking vehicles on divided highway, any provision of Article 8 (§ 46.2-870 et seq.) of Chapter 8 of Title 46.2 (Speed), or § 46.2-888 (Stopping on highways); and (ii) that person is a hazard to another person or commits an offense in clause (i) with the intent to harass, intimidate, injure or obstruct another person.	6 months	\$1,000	None ⁵

Notes

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

Source: NHTSA, Governor’s Highway Safety Association, and NCSL, 2009.

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

Appendix I. State Maximum Posted Speed Limit Laws (continued)				
State/Jurisdiction	Rural Interstates	Urban Interstates	Other Limited Access Roads	Other Roads
Virginia	65 ⁴	65 ⁴	65	55
Washington	70; trucks: 60	60	60	60
West Virginia	70	55	65	55
Wisconsin	65	65	65	55
Wyoming	75	60	65	65
District of Columbia	n/a	55	n/a	25
Puerto Rico	65	65	n/a	n/a
U.S. Virgin Islands	35; trucks: 30 ⁵	20; trucks: 10 ⁵	n/a	n/a

Key

n/a = not applicable

Notes

1. Effective 06/25/07, the speed limit increased to 70 mph on specific segments of highway upon the basis of an engineering and traffic investigation. On 07/10/07, highway officials increased the speed from 65 mph to 70 mph on Interstate 75 south of US 42, Interstate 71 west to the split to Louisville, and portions of Boone Carroll, Gallatin, and Grant counties.
2. In sections of I-10 and I-20 in rural west Texas, the speed limit for passenger cars and light trucks is 80 mph. For large trucks, it is 70 in the daytime and 65 at night.
3. Based on 2008 Utah House Bill 406, which became effective on May 5, 2008, portions of I-15 have a posted limit of 80 mph.
4. Effective 07/01/06, the posted limit on I-85 can be as high as 70 mph.
5. In the Virgin Islands, rural interstates were considered “public highways” and urban interstates were considered roads within town limits. The speed limit on Melvin H. Evans Highway on St. Croix are 55 mph for cars and 40 mph for trucks.

Source: Insurance Institute for Highway Safety, AAA and NCSL, 2009.

Appendix J. State Policies Regarding Use of Traffic Cameras		
State/Jurisdiction	Statute Cite	Policy
Alabama	2009 SB 59	Authorizes the City of Montgomery, Alabama, in Montgomery County to use automated traffic light enforcement in the City of Montgomery as a civil violation. \$100 maximum fine with a \$10 court fee.
Arizona	§28-654	Authorizes the use of cameras to enforce speed laws and red light violations. Requires signs where the enforcement is used. \$165 maximum fine, no points assessed.
Arkansas	§14-16-117	Use of photo radar by county or state government is prohibited except in school zones and at railroad crossings. Officer must be present and citation must be issued at time of the offense.
California	Vehicle Code §§210, 21455.5 and 21455.6, 40518-40521	Establishes conditions for the use of red light cameras and highway-rail crossing cameras by law enforcement agencies. \$100 maximum fine/1 license point.
Colorado	§42-4-110.5	Authorizes the use of photo radar to catch red light runners and speeders. \$75 maximum fine for red light violation, \$80 maximum for speeding, no points assessed. Conspicuous sign no less than 200 feet before the automated system must warn motorists of system.
Delaware	§4101 (d) Title 21	Authorizes a red light camera program throughout the state. \$50 maximum fine, no points assessed and offense is not to be used by insurers.
Georgia	§40-6-20	Authorizes the use of photo monitoring devices to detect red light violations. Devices shall not be used to produce any photograph, microphotograph, electronic image or videotape showing the identity of any person in a motor vehicle. \$70 maximum fine, no points assessed.
Illinois	625 Ill. Comp. Stat. Ann. 7/10, 5/11-306 (c) (5), 5/1-105.5, 625 Ill. Comp. Stat. Ann. 5/11-1201.1 through 1201.5, 625 Ill. Comp. Stat. Ann. 5/11-612	Permitted use statewide in construction zones or Illinois Toll Authority roads to enforce speed laws. Certain counties with local ordinances can use it to enforce red light violations. Any county or municipality can use cameras to enforce rail crossing violations in cooperation with IL-DOT and IL-CC, ordinance required. Local authorities are prohibited from using cameras for other speed offenses (unless an officer is present), statewide. \$250 maximum fine or 25 hours of community service. County or municipality may an automated railroad grade crossing enforcement system at any railroad grade crossing equipped with a crossing gate designated by local authorities.
Louisiana	R.S. 32:393(I)	Convictions resulting from camera enforcement cannot be reported for inclusion in driver record.
Maine	29-A MRSA § 2117	Prohibits both speed and red light cameras enforcement.
Maryland	Transportation Code §21-202.1,207	Authorizes the use of red light cameras statewide. \$100 maximum civil penalty. School zones and residential districts in Montgomery County are authorized to use photo enforcement for speed, \$40 maximum fine. Montgomery county and Prince George's county are authorized to use automated enforcement at rail road crossings.
Mississippi	2009 HB 1568	Prohibits all localities from using automated enforcement. Any county or municipality using automated recording equipment or system shall remove the equipment or system before October 1, 2009.
Montana	§61-8-203	Prohibits all localities from using automated enforcement. Cameras at railroad grade crossings excepted.

Appendix J. State Policies Regarding Use of Traffic Cameras (continued)		
State/Jurisdiction	Statute Cite	Policy
Nevada	§484.910	Prohibits use of camera equipment unless it is held by an officer or installed in a law enforcement vehicle or facility.
New Hampshire	§236:130	Automated enforcement is prohibited unless there is specific statutory authorization, effective 7/1/06. It is authorized for toll enforcement.
New Jersey	§39:4-103.1	Prohibits the use of camera radar by law enforcement officers or agencies. Local jurisdictions can apply to transportation commissioner to participate in a pilot program for red light enforcement after passing an ordinance. Vendor installing system must establish a public awareness campaign to notify the public of the intersection at which the system will be installed and of the date on which the system will be activated.
New Mexico	SB 861 (2007)	No state law authorizing photo radar use, but state law requires counties and municipalities using photo enforcement to post a warning sign and beacon.
New York	V&T §1111-a	Authorizes red light enforcement in cities with populations of more than 1 million people with a maximum of 100 intersections. \$50 maximum fine, no points assessed.
North Carolina	§160A-300.1	Authorizes certain cities to operate a red light camera program. \$75 maximum civil penalty.
Ohio	No specific statute	Red light cameras authorized by ordinance in Toledo and Dayton.
Oregon	§810.483 ORS and §810.434 ORS	Authorizes the use of photo radar in specific jurisdictions to detect speed violations. Allows use of red light cameras in cities with populations exceeding 30,000. \$300 maximum fine.
Pennsylvania	75 Pa. Cons. Stat. Ann. 3166	Authorizes the use of red light cameras in Philadelphia. \$100 maximum fine.
Rhode Island	Title 31, Chapter 41.2	Authorizes statewide use of red light cameras. \$75 maximum fine, not a criminal or record offense. Authorizes cameras for school bus safety enforcement. \$500 maximum fine.
South Dakota	No specific statute	Red light cameras authorized by ordinance in Sioux Falls.
Tennessee	§55-8-110	Photo enforcement authorized statewide for traffic violations. \$50 maximum fine, no points assessed. Appropriate signage must be located not less than 500 feet in advance of the intersection informing drivers as to the presence of surveillance cameras at the approaching intersection. Traffic surveillance cameras not allowed on interstate highways except for construction zones.
Texas	Transportation Code §707	Texas municipalities not allowed to use photo enforcement to enforce speed violations. Photo enforcement authorized statewide for red light violations, requires local ordinance. \$75 maximum fine, not a criminal or record offense.
Utah	§41-6-52.5	Limits the use of camera enforcement to school zones, areas with speed limits of 30 mph or less, when a police officer is present, when signs are posted giving notice to motorists of camera use, and when the citation is accompanied by the photograph produced by the camera radar.
Virginia	§46.2-833.1 §15.2-968.1	Authorizes counties, cities and towns to operate red light cameras at no more than one intersection for every 10,000 residents, requires local ordinance. Authorizes up to 10 camera sites in Washington DC metro area.

Appendix J. State Policies Regarding Use of Traffic Cameras (continued)		
State/Jurisdiction	Statute Cite	Policy
Washington	RCW 46.63	Cities and counties statewide are authorized to enforce, through photos, red light violations at two-arterial intersections, rail crossings, school speed zone violations. \$250 maximum fine.
West Virginia	§17C-6-7a	All photo enforcement is prohibited.
Wisconsin	§349.02	All photo enforcement is prohibited.
District of Columbia	DC Code §40-751	Authorizes an automated traffic enforcement program in the District of Columbia for all moving infractions. \$75 maximum fine, no points assessed.

Source: Insurance Institute for Highway Safety, NCSL 2009.

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

Notes

1. Alaska’s motorcycle helmet use law covers passengers of all ages, operators younger than age 18, and operators with instructional permits.
2. Florida law requires 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 medical insurance coverage.
3. Kentucky law requires 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 medical insurance coverage. Motorcycle helmet laws in Kentucky also cover operators with instructional/learner’s permits.
4. Motorcycle helmet laws in Maine cover operators with instructional/learner’s permits. Maine’s motorcycle helmet use law also covers passengers ages 17 and younger and passengers if their operators are required to wear a helmet.
5. Motorcycle helmet laws in Minnesota cover operators with instructional/learner’s permits.
6. North Dakota’s motorcycle helmet use law covers all passengers traveling with operators who are covered by the law.
7. Ohio’s motorcycle helmet use law covers all operators during the first year of licensure and all passengers of operators who are covered by the law.
8. Pennsylvania’s motorcycle helmet use law covers all operators during the first two years of licensure unless the operator has completed the safety course approved by PennDOT or the Motorcycle Safety Foundation.
9. Rhode Island’s motorcycle helmet use law covers all passengers (regardless of age) and all operators during the first year of licensure (regardless of age).
10. Texas exempts riders age 21 or older if they can either show proof they successfully completed a motorcycle operator training and safety course or proof of medical insurance coverage.
11. Motorcycle helmet laws in Wisconsin cover operators with instructional/learner’s permits.
12. Puerto Rico strengthened its motorcycle law in 2007. The law requires riders to wear helmets, boots, gloves and reflective gear while riding at night. The law also imposed new testing requirements.

Source: NCSL and the National Highway Traffic Safety Administration, Insurance Institute For Highway Safety, 2009.



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