



TRAFFIC SAFETY TRENDS STATE LEGISLATIVE ACTION 2012

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LEGISLATURES

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SUMMARY

Occupant Protection. Nearly 25 states considered bills to strengthen seat belt laws in 2012. These proposals included efforts to enact primary enforcement of existing seat belt laws and to change requirements for child restraint use.

Impaired Driving Issues. In 2012, lawmakers in 44 states introduced more than 400 bills related to impaired driving. They considered legislation related to stricter penalties for high blood alcohol concentration (BAC), ignition interlocks, breath testing procedures, treatment and drugged driving.

Distracted Driving. Since 2000, legislatures in every state, the District of Columbia and Puerto Rico have considered legislation related to distracted driving and driver cell phone use. In 2012, legislators in 36 states considered 165 driver distraction bills.

Driver Licensing. Each year, state legislatures debate hundreds of bills relating to various aspects of driver licensing, including REAL ID, unlicensed driving, older drivers and teen drivers. In 2012, states debated more than 400 bills relating to driver's licensing.

Speed Limits. In 2011, 23 states considered bills regarding speed, including increasing fines for speeding, setting speed limits, and punishing serious speeding offenders in school or work zones.

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

Automated Enforcement. Because law enforcement agencies struggle with limited resources, many municipal governments have turned to automated enforcement to control speed and reduce red light violations without diverting law enforcement resources from other areas. During 2012, legislators in 22 states debated more than 100 bills regarding automated enforcement.

Motorcycle Safety. During the 2012 legislative session, 40 states considered more than 180 bills related to motorcycle helmets or rider training.

School Bus Safety. In 2012, nearly 150 bills regarding school bus safety were considered in state legislatures across the country. Many dealt with penalties for drivers who illegally pass school buses and licensing procedures for school bus drivers.

Pedestrian and Bicycle Safety. Pedestrians and bicyclists are among the most vulnerable users of roadways. In 2012, 39 states considered more than 200 bills regarding pedestrian and bicycle safety. The most prevalent approaches in 2012 included increased fines for injuring or killing a vulnerable user, education requirements for motorists on interacting with pedestrians and bicyclists, strategies to increase safety near schools and safe bicycle passing laws.

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Low- and Medium-Speed Vehicles. Low-speed vehicles (LSVs) and golf carts operating on roadways, bike paths and sidewalks may pose certain safety risks. It may be difficult for operators of larger vehicles to see such small vehicles on a roadway, and golf carts operated on sidewalks and bike paths risk collisions with pedestrians and bicyclists. In 2012, 25 states introduced bills pertaining to low- and medium-speed vehicles.

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 ([Appendix A](#) contains 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.

Federal Update

On July 6, 2012, the Moving Ahead for Progress in the 21st Century Act (MAP-21) was passed by Congress and signed into law by the president. Map-21 is the first long-term surface transportation reauthorization enacted since 2005. The [bill](#) provides funding for surface transportation programs at more than \$105 billion for fiscal years (FY) 2013 and 2014. Included in Map-21 is section 31105 on the National Safety Priority Programs, which aims to advance a number of traffic safety-related programs by providing grants to states if they adopt, or have adopted, certain provisions. Grants are available for programs that involve occupant protection, traffic system improvements, impaired driving, distracted driving, motorcyclist safety and graduated driver's licenses. More information about specific MAP-21 provisions can be found in the corresponding issue areas.

OCCUPANT PROTECTION

Motor vehicle crashes remain the leading cause of death for Americans between the ages of 3 and 34. In 2011, more than 32,000 people died in crashes, and 52 percent of those killed were not wearing a seat belt. Approximately 2.22 million people were injured in motor vehicle crashes in 2011. The annual economic cost of motor vehicle crashes nationwide is estimated at approximately \$230 billion; \$32 billion is spent on medical costs alone. Research has found that lap/shoulder seat belts, when used, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent and the risk of moderate-to-critical injury by 50 percent. For light-truck occupants, seat belts reduce the risk of fatal injury by 60 percent and moderate-to-critical injury by 65 percent.

Increasing seat belt use is one way to reduce this tragic and expensive toll. NHTSA estimates that seat belts saved approximately 12,546 lives in 2010 and have prevented hundreds of thousands of injuries. Getting people to buckle up isn't always easy, however, and seat belt use varies widely in the states—from 73.2 percent in Massachusetts to 97.5 percent in Washington in 2011.

Seat belt laws and enforcement can encourage drivers and passengers to buckle up. Every state except New Hampshire has an adult safety belt law. Many cover front-seat occupants only, although laws in 26 states and the District of Columbia cover those in both the front and rear seats.

One way to increase seat belt use is to enact and enforce a primary belt law. Primary laws allow police officers to stop motorists solely for violating the seat belt law. Thirty-two states and the District of Columbia have primary enforcement seat belt laws. Seventeen states have secondary seat belt laws that require police to stop the vehicle for other reasons before they can cite the driver for failure to use a seat belt. States with primary laws average higher seat belt use than those with secondary laws (88 percent in 2010 compared to 76 percent).

During the 2012 state legislative sessions, 23 states considered bills related to seat belts. Louisiana amended its seat belt law, prohibiting drivers from transporting more people than there are safety belts in the vehicles. Missouri considered increasing the fine for failure to wear a seat belt from \$10 to \$50, but the bill did not pass out of the Senate Transportation Committee. Massachusetts and West Virginia considered, but did not pass, primary seat belt laws in 2012. (See [Appendix B](#) for safety belt law information.)

One common concern about enacting a primary belt law is the fear that such a law would be unequally enforced in regard to minorities. A recent study by the University of Michigan, however, did not show a link between Michigan's primary law and an increase in harassment. NHTSA recently published a study of 13 states that had changed their seat belt laws from primary to secondary since 2000. It found that, although minority groups thought their chances of getting a seat belt ticket were higher than whites, the data revealed no differences in ticketing by race. The number of citations for non-use of seat belts increased substantially in every state that switched to a primary law, and increases occurred in all groups. The percentage of citations received by each group changed very little, however. 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

Nearly 1,000 children younger than age 13 died in motor vehicle crashes in 2010. Crashes are a leading cause of death for children ages 4 through 14. The most effective way to keep children safe in cars is to ensure that they are properly restrained in appropriate child restraint systems in the back seat. NHTSA estimates child safety seats reduce the risk of fatal injury by 71 percent for infants and by 54 percent for toddlers in passenger cars.

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

NHTSA recommends keeping a child in a forward-facing car seat with a harness until he or she reaches the top height or weight limit allowed by the car seat's manufacturer. Once children outgrow their front-facing seats,, 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.)

Traffic crashes are the leading cause of death for children partly because some children ride unbuckled or improperly secured. From June to August of 2011, NHTSA conducted a national survey of child restraint systems, which included observations and interviews by certified child passenger safety technicians (CPSTs) of the restraint systems of child passengers from birth to age 8. The CPSTs found that the most common child restraint installation mistakes were loose harness straps, improper chest clip position, and improper lap belt placement. All these mistakes can lead to excessive exertion in a crash, as well as abdominal injuries and increased risk of ejection from the vehicle.

In 2012, 24 states and Puerto Rico debated child passenger protection legislation. Puerto Rico enacted legislation this year that requires every child between the ages of 4 and 9 or who are less than 4' 9" tall to be secured in a booster seat. The Commission of Traffic Safety is directed to conduct an educational campaign to inform parents and caregivers about the benefits of booster seats.

Arizona amended its child passenger restraint law this year to require children age 8 and younger to be secured in a restraint, most likely a booster seat. Maryland passed a similar law this year. Maryland also considered in-

creasing the fine for failing to secure a child in a safety seat from \$25 to \$75, but the measure did not pass. (See [Appendix C](#) for child passenger protection laws.)

Smoking in Cars with Children

In addition to keeping children properly restrained in vehicles, states also have been interested in keeping children safe from harmful tobacco smoke. In Arkansas, California, Louisiana and Maine statutes prohibit adult drivers and passengers from smoking while in a motor vehicle with a child. In 2012, Maryland, Massachusetts and New York considered, but did not pass, legislation prohibiting operators of motor vehicles from smoking tobacco with children present.

Pickup Trucks

According to the Alliance of Automobile Manufacturers, consumer demand for light trucks in 2011 increased by more than 12 percent from 2010. As the use of pickup trucks continues to rise, so does passenger use of cargo areas. According to NHTSA, nearly 200 people each year die as a result of riding in pickup truck cargo areas. Studies have shown that passengers seated in the back of pickup trucks are at an increased risk to be thrown from the vehicle in the event of a crash, even at low speeds. According to a 2007 article in the *Journal of Neurosurgery: Pediatrics*, researchers identified 73 pediatric patients with injuries related to riding in the cargo areas of trucks; 53 of these were children (73 percent) who had sustained neurological injuries, including isolated head injuries, spinal injuries and peripheral nerve damage.

Laws in 30 states and the District of Columbia relate to passengers riding in pickup truck cargo areas. 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 2012 state legislative session, both Arizona and Mississippi considered, but did not pass, laws that would prohibit drivers from carrying passengers in the cargo area of pick-up trucks. Both bills provided for exceptions in the case of organized parades. (See [Appendix D](#) for pick-up truck restrictions.)

IMPAIRED DRIVING

In 2011, 9,878 people were killed in alcohol-impaired traffic crashes, equating to one person killed every 53 minutes. According to NHTSA, alcohol-impaired motor vehicle crashes cost more than an estimated \$37 billion annually. The most frequently recorded blood alcohol concentration (BAC) among all drinking drivers in fatal crashes in 2011 was .16, more than twice the legal limit in every state. Impaired driving, especially with high BAC, continues to be a serious traffic safety and public health issue for states (see Table 1).

State/ Jurisdiction	Total Traffic Fatalities	Alcohol-Impaired Driving Fatalities (BAC ≥.08)	Percentage of Alcohol-Impaired Fatalities with BAC over .08
Alabama	894	259	29%
Alaska	72	21	28
Arizona	825	215	26
Arkansas	549	156	28
California	2,791	774	28
Colorado	447	161	36
Connecticut	220	92	42
Delaware	99	41	41
Florida	2,398	716	30

In 2012, lawmakers in 44 states introduced 400 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 impaired drivers to ignition interlocks, breath tests and treatment. Thirty-two states enacted laws related to impaired driving during the 2012 legislative session.

Table 1. 2011 Alcohol-Impaired Traffic Fatalities for High BAC Drivers

State/ Jurisdiction	Total Traffic Fatalities	Alcohol-Impaired Driving Fatalities (BAC \geq .08)	Percentage of Alcohol-Impaired Fatalities with BAC over .08
Georgia	1,223	277	23
Hawaii	100	44	44
Idaho	167	50	30
Illinois	918	278	30
Indiana	750	207	28
Iowa	360	83	23
Kansas	386	108	28
Kentucky	721	171	24
Louisiana	675	226	33
Maine	136	23	17
Maryland	485	162	33
Massachusetts	337	114	34
Michigan	889	255	29
Minnesota	368	109	30
Mississippi	630	149	24
Missouri	784	258	33
Montana	209	81	39
Nebraska	181	45	25
Nevada	246	48	19
New Hampshire	90	27	30
New Jersey	627	193	31
New Mexico	353	105	30
New York	1,169	315	27
North Carolina	1,227	365	30
North Dakota	148	64	43
Ohio	1,016	316	31
Oklahoma	696	220	32
Oregon	331	97	32
Pennsylvania	1,286	407	29
Rhode Island	66	24	37
South Carolina	828	315	38
South Dakota	111	33	29
Tennessee	946	297	27
Texas	3,016	1,213	40
Utah	240	53	22
Vermont	55	18	22
Virginia	764	224	29
Washington	457	156	34
West Virginia	337	90	27
Wisconsin	582	196	34
Wyoming	135	38	28
District of Columbia	27	8	30
United States	32,367	9,878	31
Puerto Rico	359	101	28

Source: NHTSA, 2012.

High BAC

NHTSA estimates that more than 70 percent of drunk driving deaths involve drivers with a BAC of .15 or higher. Forty-eight states and the District of Columbia have enacted high-BAC laws with enhanced sanctions for offenders with higher BACs. The sanctions, which vary from state to state, include longer license suspension, longer terms of imprisonment, additional fines, installation of ignition interlocks, vehicle sanctions or treatment for abuse. The BAC levels at which these sanctions are applied vary as well, ranging from .15 to .20 (see Table 2). NHTSA recommends that the enhanced penalties for first-time high-BAC offenders should be comparable to those for repeat offenders. Louisiana, Maryland and New Jersey considered, but did not pass, more severe penalties for high BAC drivers in 2012.

Ignition Interlock

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

State/ Jurisdiction	BAC
Alabama	.15
Alaska	.15 (at judge's discretion)
Arizona	.15 and .20
Arkansas	.15
California	.15
Colorado	.17
Connecticut	.16
Delaware	.16
Florida	.2
Georgia	.15
Hawaii	.15
Idaho	.20
Illinois	.16
Indiana	.15
Iowa	.15
Kansas	.15
Kentucky	.18
Louisiana	.15,.20
Maine	.15
Maryland	.15
Massachusetts	.20 (applies to ages 17-21)
Michigan	.17
Minnesota	.20
Mississippi	No increased penalties
Missouri	.15
Montana	.16
Nebraska	.15

State/ Jurisdiction	BAC
Nevada	.18
New Hampshire	.16
New Jersey	.10
New Mexico	.16
New York	.18
North Carolina	.15
North Dakota	.18
Ohio	.17
Oklahoma	.15
Oregon	.15
Pennsylvania	.16
Rhode Island	.15
South Carolina	.15
South Dakota	.17
Tennessee	.20
Texas	.15
Utah	.16
Vermont	No increased penalties
Virginia	.15, .20
Washington	.15
West Virginia	.15
Wisconsin	.17, .20 and .25
Wyoming	.15
District of Co-lumbia	.20, .25

Source: NHTSA 2011, GHSA 2012.

for all convicted drunk drivers, including first-time offenders. As of December 2012, 13 additional states—Alaska, Arizona, Arkansas, Connecticut, Hawaii, Kansas, Louisiana, Nebraska, New York, Oregon Utah, Virginia and Washington—also require ignition interlock devices for all convicted drunk driving offenders. Virginia passed its requirement in 2012. Illinois and Colorado ignition interlock laws are not mandatory for first-time offenders, but they provide strong incentives to have the devices installed. Oregon law requires installation of interlocks after an offender's driver's license is reinstated. California currently has a pilot program in four counties, including Los Angeles, which requires all convicted drunk drivers to install ignition interlock devices. Thirty-five states considered some sort of ignition interlock legislation in 2012. Missouri passed a measure allowing a first-time DUI offender who chooses to install an ignition interlock to install the device after a 15-day hard suspension,

followed by 75 days with the device. The offender's license will be reinstated if the monthly monitoring shows no presence of alcohol or other violations during the 75 days. Oregon now requires offenders convicted of a DUI resulting in vehicular homicide to install an ignition interlock for five years after their driving privileges have been restored. Michigan passed legislation providing restricted driver's licenses to a DWI court participant if an ignition interlock is installed in his or her vehicle. The law provides an incentive for drivers to choose to enter DWI court by offering a chance to more quickly receive a restricted driver's license. The law also allows participants to drive not only to work, school and treatment under their restricted licenses, but also to court-ordered hearings, probation meetings, drug and alcohol testing, self-help group meetings and any court-ordered community service.

MAP-21 Ignition Interlock Provisions

MAP-21 changed the state requirements related to repeat drunk driving offenders (offenders convicted of a second or subsequent DUI), allowing states more flexibility as long as they require offenders to install ignition interlock devices in their vehicles. The law also sets up a discretionary grant program that allows the secretary of the U.S. Department of Transportation to provide additional funds to states that adopt alcohol ignition interlock laws. For more information on ignition interlock provisions in MAP-21, see www.ncsl.org/issues-research/transport/ignition-interlock-provisions-in-map21.aspx.

Other DUI Legislation in 2012

Mississippi and Washington enacted laws with increased penalties for driving under the influence with a child in the vehicle. Mississippi law states the charge will not be merged with other offenses, and violators will be charged with a misdemeanor and fined up to \$1,000. Washington has a similar fine and requires use of ignition interlock devices for an additional six months. Both states have higher penalties for subsequent offenses. In Kansas, it is now a non-person misdemeanor with a possible fine of \$1,250 and 90 days' jail time to refuse to submit to an alcohol test when directed by police. For more information about state DUI laws, visit www.ncsl.org/issues-research/transport/alcohol-impaired-driving.aspx.

Repeat Offenders

One-third of all driving while intoxicated (DWI) or driving under the influence (DUI) arrests each year involve repeat offenders. Louisiana now requires people who commit two DUI offenses in one year to serve 30 days in jail with no suspended sentence and participate in a substance abuse program. Also in 2012, Wyoming increased the jail time for a fourth DUI offense from no more than two years to no more than seven years.

Drugged Driving

In addition to alcohol-impaired driving, drugged driving is implicated in an increasing number of crashes and fatalities. A National Highway Traffic Safety Administration study estimates that approximately 18 percent of all fatally injured drivers tested positive for some sort of drugs in 2009 (drugs were found in the driver's system.) In a 2007 roadside survey, more than 16 percent of weekend, nighttime drivers test positive for illegal, prescription or over-the-counter medications, and 11 percent tested positive for illicit drugs. The California Office of Traffic Safety recently released survey results showing that, of 1,300 drivers voluntarily tested, 14 percent tested positive for illegal or prescription drugs, and 7.3 percent tested positive for alcohol in their system.

State legislatures are considering measures addressing impaired driving that specifically involve illegal substances or prescription drugs. Arizona, Delaware, Georgia, Illinois, Indiana, Iowa, Michigan Minnesota, Nevada, North Carolina, Ohio, Pennsylvania, Rhode Island, South Dakota, Utah, Virginia and Wisconsin have per se laws that make it illegal for drivers to have any prohibited drug or substance in their bodies while driving. In these states, it is not necessary to prove the drug impaired the driver's ability to operate a motor vehicle; the presence of the drug in the body is enough for a conviction. Not all per se laws are the same, however. Minnesota's law exempts marijuana from the per se statute, and Nevada and Ohio establish a threshold of 2 nanograms of illegal

substances per milliliter of blood, which is similar to the .08 BAC limit for alcohol. Pennsylvania establishes the threshold at 5 nanograms. In November, Washington citizens passed Initiative 502, which provides for a 5 nanogram threshold for marijuana for drivers in the state. In 2012, legislatures in California, New Jersey, New York and Tennessee introduced, but did not pass, drugged driving per se laws.

DISTRACTED DRIVING

In December 2011, NHTSA released a new measure of fatalities in their Fatality Analysis Reporting System, called “distraction-affected crashes,” designed to collect more specific data on crashes and to separate driver distraction from other issues. NHTSA reports that 9 percent of fatal crashes and 18 percent of injury crashes in 2010 were reported as distraction-affected crashes. Not all these crashes involved use of cell phones, but observational surveys reveal that more than 100,000 drivers are texting at any given daylight moment, and more than 600,000 drivers are holding phones to their ears while driving.

According to the CTIA-The Wireless Association, in 2011, American consumers sent and received an average of 6.3 text messages per day. Some of these messages are sent from moving vehicles, which is why most experts agree that distracted driving is a significant traffic safety problem. In 2009, Virginia Tech Transportation Institute research showed that drivers who text messaged while driving had more than 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.

State Legislation

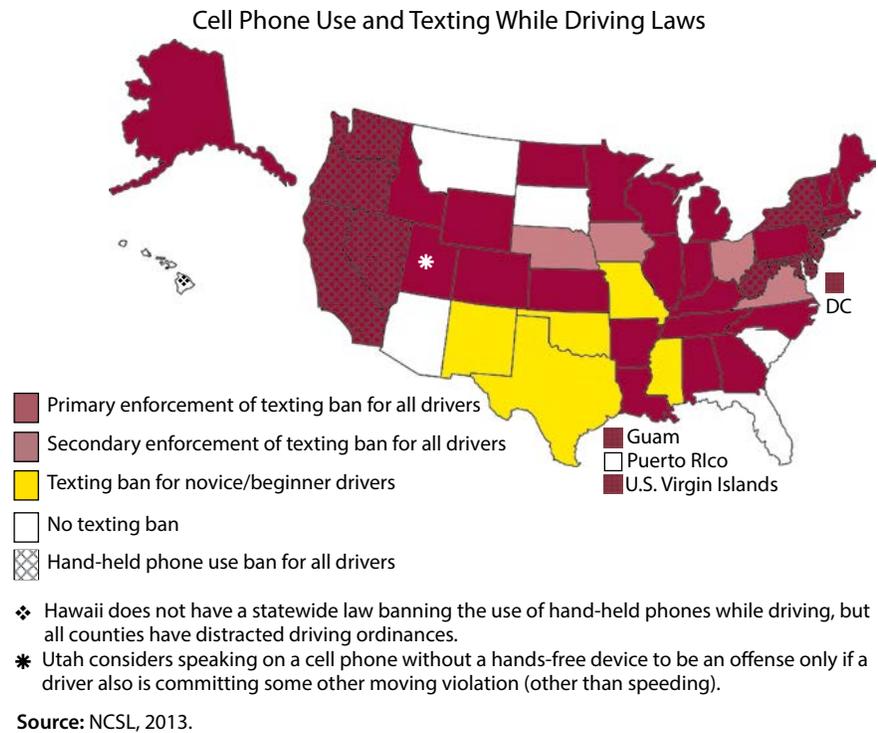
The prevalence of cellular phones, new research, and publicized crashes has jumpstarted debate on the role cell phones play in driver distraction. Since 2000, legislatures in every state, the District of Columbia and Puerto Rico have considered legislation related to distracted driving or, more specifically, to driver cell phone use. In 2012, legislators in 36 states considered approximately 165 driver distraction bills.

No state completely bans all phones for all drivers. State legislation usually addresses a range of issues, including particular wireless technologies and specific types of drivers. Ten states—California, Connecticut, Delaware, Maryland, Nevada, New York, New Jersey, Oregon, Washington and West Virginia—and the District of Columbia prohibit driver use of hand-held devices. West Virginia’s new law, passed in 2012, provides that violators of the hand-held ban will be guilty of a traffic infraction and pay a \$100 fine with the law secondarily enforced.

The most common driver distraction measure debated by legislatures this year was prohibiting texting while driving. As of December of 2012, laws in 39 states—Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Idaho, Illinois, Indiana, Iowa, , Kansas, Kentucky, Louisiana , Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, Nevada, New Jersey, New Hampshire, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Utah, Vermont, Virginia, and Washington, West Virginia, Wisconsin and Wyoming—and the District of Columbia specifically ban text messaging while driving for all drivers. Alabama, Idaho, Ohio and West Virginia passed texting while driving prohibitions in 2012, and many states made changes to their laws.

Penalties for violating texting bans vary among the states. In Maryland, texting while driving is a misdemeanor carrying a fine of not more than \$175, while in California, the traffic infraction carries a \$20 fine. Violators in Nebraska will have points assessed against their license and a \$200 fine, while in North Carolina; the statute specifically prohibits points from being assessed against a person’s license. The California Legislature passed a measure to increase penalties for second or subsequent violators of the cell phone ban, but the governor vetoed the bill.

A few states amended their texting while driving laws to include new technology. California and Wisconsin amended laws to allow a person to send a text while driving, if the person used voice-operated, hands-free technology to dictate, send or listen to a text-based communication. Utah passed a similar law, providing that a person is not prohibited from using a hand-held device while driving if he or she is making or receiving a call, using the device for navigation, or using voice-operated technology. Alaska, on the other hand, expanded its prohibition on using certain devices while driving to "... cellular telephone[s], personal data assistant, computer, or any other similar means capable of providing a visual display that is in the view of the driver."



New Jersey enacted a law this year related to distracted driving and vehicular homicide. Under the law, if a person causes an accident that involves serious injury or death, proof that the person was using a hand-held device while driving would give rise to the presumption that the person engaged in "reckless driving." Prosecutors can charge an offender with vehicular homicide when such an accident occurs from reckless driving. For more information on distracted driving laws, see www.ncsl.org/issues-research/transport/spotlight-distracted-driving.aspx.

Federal Action

In June 2012, U.S. Department of Transportation Secretary Ray LaHood released "Blueprint for Ending Distracted Driving," which offers a comprehensive strategy to address the practice of using hand-held cell phones behind the wheel. Secretary LaHood also announced \$2.4 million in federal support for pilot enforcement campaigns in California and Delaware — "Phone in One Hand, Ticket in the Other" — to reduce distracted driving.

Map-21 also contains incentive grant provisions for states if they pass distracted driving laws that meet MAP-21 criteria. To be eligible for the distracted driving grants under MAP-21, states must have enacted and be enforcing:

- Primary texting while driving prohibition with minimum fine for first violation and increased fines for subsequent offenses.
- A primary prohibition on youth under age 18 from using cell phones while driving and require distracted driving issues to be tested as a part of the state's driver's license exam.

States that are ineligible for the Distracted Driving Grant described above can qualify for a texting-ban grant if they enact primary texting bans before July 6, 2013. This grant is offered only for FY 2013.

DRIVER LICENSING

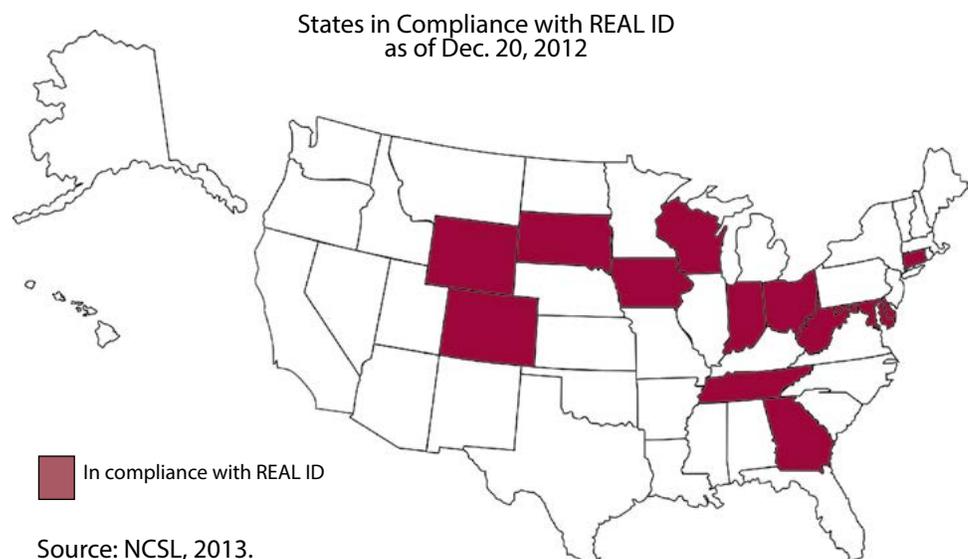
The states, the District of Columbia and the U.S. territories license more than 211 million drivers who represent roughly 88 percent of those eligible to drive. States have administered their driver's licensing systems since 1903, when Massachusetts and Missouri enacted the first state driver's licensing laws. Since 1959, all states have required an examination to test driving skills and traffic safety knowledge before a license is issued. Testing drivers and issuing licenses, however, no longer is the sole concern of state licensing agencies. Because the driver's license now serves a role beyond traffic safety—where both government and private entities rely on it for personal identification—state legislatures and driver's license agencies are concerned about the safety and security of using the license as an identifier. Each year, state legislatures debate hundreds of bills related to various aspects of driver's licensing, including REAL ID, unlicensed driving, teen drivers and older drivers.

REAL ID

On December 20, the Department of Homeland Security [announced](#) that it had sent individual letters to each state's governor's office regarding their state's status in meeting the standards of the REAL ID Act of 2005. The announcement noted that 13 states—including [Colorado](#), [Connecticut](#), [Delaware](#), [Georgia](#), [Iowa](#), [Indiana](#), [Maryland](#), [Ohio](#), [South Dakota](#), [Tennessee](#), [West Virginia](#), [Wisconsin](#) and [Wyoming](#)—were found to have met these standards. DHS also announced that, beginning on Jan. 15, 2013, those states that are not in compliance with the REAL ID standards will receive a temporary deferment of enforcement of at least six months, during which time federal agencies will continue to accept state-issued driver's licenses and identification cards from those states for boarding commercial aircraft and other official purposes. Following this minimum six-month non-enforcement period, DHS will announce, no later than the fall of 2013, a schedule for phased-in enforcement.

At the state level in 2012, legislators in Florida, Hawaii, Illinois, Oklahoma, Pennsylvania and Wyoming debated legislation related to REAL ID. Hawaii enacted legislation moving toward REAL ID compliance by consolidating the driver's license and civil identification programs for the state, under the director of transportation. Formerly, issuance of driver's licenses was delegated to the counties, and issuance of identification cards was a function delegated to the state. In May 2012, Pennsylvania enacted legislation prohibiting the governor, the Department of Transportation, and any other agency in the Commonwealth from participating in REAL ID.

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



Source: NCSL, 2013.

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 were required to demonstrate material compliance with REAL ID by meeting many or all of 18 benchmarks. On March 4, 2011, U.S. Department of Homeland Security Secretary Janet Napolitano extended the May 10, 2011, deadline by 20 months to Jan. 15, 2013 for states to be in full compliance with the REAL ID. According to an official report from the Department of Homeland Security on December 20, 2012, thirteen states meet or all 18 material compliance benchmarks of the REAL ID act. Beginning Jan. 15, 2013, states not found to meet the standards will receive a temporary deferment. For more information on REAL ID, see www.ncsl.org/issues-research/transport/count-down-to-real-id.aspx.

Military Designation on Driver's Licenses

Men and women on active duty have military ID cards to prove their status, but veterans must carry the comparatively large Certificate of Release or Discharge from Active Duty—referred to as a DD214—to prove their military experience. To make it easier and more convenient for veterans to verify their service, 28 state legislatures have passed measures to allow a military designation on driver's licenses. In Massachusetts, the Registry of Motor Vehicles (without legislative action) began issuing licenses this year with a veteran designation. Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, New Hampshire, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah and West Virginia allow a military designation on driver's licenses. Most made the change in the past three years. In Arkansas, for example, a bold, red "VETERAN" appears below the driver's photo. On Maine licenses, along with the iconic moose, veterans are photographed in front of a blue backdrop with white stars.

License Suspension for Non-Driving Offenses

At least four states in 2012 considered measures that would suspend a driver's license as a punishment for a non-driving offense, and one state passed legislation to help those with suspended licenses. Michigan passed a measure that requires the secretary of state to revoke the driver's license of a person who has three unpaid parking tickets and fails to respond to a notice within seven days. In May 2012, New Hampshire enacted legislation authorizing driver's license suspension for serious boating offenses, including recklessly operating a boat that results an accident and causes serious property damage, injury or death. New Mexico introduced a bill that would suspend driving privileges for a person convicted of the manufacture or distribution of controlled substances, and New York introduced a measure revoking driver's licenses from those in arrears on child support. On the other side of the spectrum, Vermont passed a law this year that provides for those with suspended licenses for non-driving offenses to take part in a diversion program so they can continue driving legally while on a plan to pay fines and fees.

Unlicensed Drivers

Twenty percent of fatal motor vehicle crashes involve unlicensed drivers who either are driving with a suspended or revoked license or have never been licensed. Many drivers who lose their license due to a traffic-related offense such as a DUI or to a non-traffic-related offense—such as failure to appear, poor school attendance or child support enforcement—continue to drive. AAA estimates that 66 percent of those who have lost their license continue to drive. This is a significant problem because many drivers lost their license as the result of a serious traffic-related offense and are considered dangerous drivers. AAA also reports that unlicensed drivers are almost five times more likely to be in a fatal crash than are validly licensed drivers. This issue is difficult to track, since unlicensed drivers usually are identified only after a traffic stop or serious accident occurs. Crash rates involving unlicensed drivers vary from state to state. According to AAA, the rates range from 6.1 percent in Maine to a high of 23.4 percent in New Mexico. Information on penalties for unlicensed drivers can be found at www.ncsl.org/issues-research/transport/driving-while-revoked-suspended-or-otherwise-unli.aspx.

Teen Drivers

Motor vehicle crashes, a leading cause of death for teens, killed more than 1,963 young drivers (ages 15 to 20) in 2010. During the same period, more than 187,000 teens were injured. Although young driver fatalities and injuries decreased from 2009 to 2010, teen driving remains a top traffic safety issue. According to a [report](#) released by the Children's Hospital of Philadelphia, among the more than 55,000 teen drivers and their passengers seriously injured each year in 2009 and 2010, 30 percent suffered head injuries, including concussion, skull fractures and traumatic brain injuries (TBI). Injury and fatality rates are high for teens because they are more likely to engage in risky behavior such as speeding, driving under the influence, running red lights and not wearing safety belts, all of which contribute to high fatality and injury rates.

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

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

All states have at least one of the GDL components. ([Appendix E](#) contains information about teen driving restrictions.) Recently, states have amended existing GDL laws by adding passenger restrictions, nighttime restrictions and mandatory minimum holding periods for learner's permits. In 2012, 37 states considered more than 90 bills to modify state GDL laws. Maine enacted a bill that increased the period of time a young driver must hold an intermediate license from six months to nine months. In the same measure, the Legislature increased fines for license suspension for violating GDL provisions such as passenger restrictions. New Jersey considered lengthening the time a young driver must drive with a supervising driver from six months to one year.

State legislators in 2012 also addressed teen alcohol and drug use. Indiana enacted a one-year license suspension for young people convicted of purchasing alcohol with a false or altered driver's license. Massachusetts considered a similar measure that would have required a young driver who was convicted of a drug or alcohol offense to forfeit his or her GDL, attend a substance abuse program, and pay a fine of no less than \$1,000.

Teens and Mobile Phones

NHTSA reports that 11 percent of teen drivers age 15 to 19 involved in fatal crashes in 2010 were distracted at the time of the crash. Because young drivers are two to three times more likely than older drivers to send a text or email while driving, many states have passed legislation prohibiting teens from using their phones while driving. Laws in 32 states and the District of Columbia prohibit the use of cell phones by younger drivers. Some states restrict drivers who hold only an instructional or learner's permit from using any type of wireless communications device while operating a motor vehicle, Wisconsin passed such legislation this year. Others, including Colorado, Connecticut Georgia, Illinois, Indiana, Kentucky, Maine, Massachusetts, North Carolina, North Dakota, Oregon, Road Island and Vermont, prohibit anyone under age 18 from driving while using a cellular

phone. Many states provide for exceptions in emergency situations. Arizona and Florida considered measures to prohibit cellular phone use while driving for teens, but the measures did not pass.

MAP-21 and GDLs

MAP-21 authorizes grants for states that implement multi-stage licensing systems that require novice drivers younger than age 21 to comply with requirements before receiving an unrestricted license. States are qualified for the grant if their GDL law includes:

- A learner's permit stage of at least six months duration that prohibits the driver from using a cellular phone or communications device in a non-emergency situation and remains in effect until the driver reaches age 16 and enters the intermediate stage or reaches age 18.
- An intermediate stage that commences immediately after expiration of the learner's permit stage, is at least six months long, prohibits the driver from using a cellular phone or any communications device in a non-emergency situation, restricts driving at night, prohibits the driver from operating a motor vehicle with more than one non-familial passenger younger than age 21 unless a licensed driver who is at least age 21 is in the motor vehicle; and remains in effect until the driver reaches age 18.
- Any other requirement prescribed by the secretary of transportation. (Federal [rulemaking](#) is pending as of January 2013)

Older Drivers

In 2010, 13 percent of the total U.S. resident population—approximately 40 million people—were age 65 and older. This age group increased by about 2 percent each year from 2001 to 2009. According to NHTSA, it is estimated that, by 2020, more than 40 million licensed drivers will be age 65 and older. In 2010, 5,484 people age 65 and older were killed and 189,000 were injured in traffic crashes. Compared to 2009, fatalities among people age 65 and older increased by 3 percent. Older drivers are considered safer drivers because they use seat-belts, rarely speed and are the least likely to drive while impaired. The CDC notes, however, that age-related decline in vision, hearing, and cognitive functioning, along with physical changes (such as arthritis or reduced muscle strength), may affect older adults' driving abilities.

In 2012, 27 states debated legislation about insuring and licensing senior drivers. Alabama passed legislation this year that allows drivers over age 55 to be eligible for insurance premium reductions if they take a six-hour classroom or online accident prevention course. Rhode Island made similar changes to its law, allowing drivers to take accident prevention courses online. Six states—Delaware, Maryland, Missouri, New Jersey, New York and Tennessee—introduced legislation establish a “Yellow Dot” program in their departments of transportation. When people of any age, including seniors, sign up for the program, they are issued a bright yellow circle decal to be put on the back windshield. The yellow dot alerts police officers and other first responders to look for a “Yellow Dot” folder in the glove compartment. The folder contains a photo and detailed medical information such as prescriptions, drug allergies, surgeries, presence of pacemakers, or other information that could affect emergency treatment. Tennessee was the only state to pass a “Yellow Dot: measure in 2012 and the department of transportation is authorized to establish a statewide program. ([Appendix F](#) contains information about state licensing procedures for older drivers.)

SPEEDING

NHTSA considers a crash to be speeding-related if the driver is charged with a speeding-related offense or if an officer indicates that racing, driving too fast for conditions or exceeding the posted speed limit was a contributing factor in the crash. In 2010, speeding was a contributing factor in one-third of all fatal crashes. Although speeding-related fatalities decreased from 2009 to 2010, the estimated economic costs to society of such crashes are more than \$40 billion annually.

The Governors Highway Safety Association's newly released study, "[Survey of the States: Speeding and Aggressive Driving](#)," surveyed highway safety offices in all 50 states and Guam about the problem of speeding and aggressive driving. State highway office responses to a question about the largest obstacles to addressing speeding, revealed that 78 percent of respondents cited "public indifference to speeding." The responses also noted that a major challenge is a reduced number of state and local law enforcement personnel available to conduct speeding and aggressive driving enforcement efforts; 35 states reported overall decreases in enforcement personnel.

In 1995, Congress repealed the maximum speed limit of 55 mph that was established in the early 1970s; since then states have been given more power to set maximum speed limits. Since then, 35 states have raised speed limits to 70 mph or higher on certain roads, and in seven states—Kansas, Kentucky, Maine, Ohio, Pennsylvania, Texas, and Virginia—speed limits are as high as 85 mph on some roadways.

In 2012, 20 states considered bills regarding speed, and a handful enacted changes to their speed laws. Idaho removed provisions from its statutes that allowed local authorities to alter speed limits on state highways that pass through municipalities. The new law requires any alteration of speed limits to be based upon traffic engineering studies approved by and in consultation with the DOT. Illinois passed SB 2888, which prohibits courts from granting supervision (a deferred sentence) to any defendant charged with operating a vehicle on a highway at a speed greater than 30 mph over the posted speed limit or in excess of 25 mph in an urban district.

Two states considered, but did not pass, increasing the state's maximum speed limits. Ohio considered increasing the speed limit on interstate freeways from 65mph to 70 mph for all vehicles and Wyoming considered a bill that would allow speed limits up to 80 mph on interstate highways. ([Appendix G](#) contains more information about speed limit laws.)

AGGRESSIVE DRIVING

Aggressive driving behaviors include running stop signs or red lights, speeding, illegal driving on the shoulder, preventing others from passing, or any combination of these activities. NHTSA, in cooperation with law enforcement agencies, defines aggressive driving as occurring when "an individual commits a combination of moving traffic offenses so as to endanger other persons or property." In a 2011 AAA survey, nearly 90 percent of drivers viewed aggressive driving as a very serious or a somewhat serious threat to their safety.

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 amended their reckless driving laws to make them similar to laws enacted in other states. In the 2012 Governor's Highway Safety Association state survey, seven states reported they had used state funding to pay for officer overtime for aggressive driving enforcement.

Sixteen bills were introduced in 2012 related to aggressive driving. Florida introduced a bill that would have increased fines for drivers convicted of aggressive driving. The bill passed the Senate, but did not pass out of House committees. New Jersey passed Senate Bill 1468, Jessica Roger's Law, related to aggressive driving. The law expands the "assault by auto or vessel" statute and makes it a third-degree crime if a person purposely drives a vehicle in an aggressive manner and causes serious bodily injury. The law defines an aggressive manner to include "unexpectedly altering the speed of the vehicle, making improper or erratic traffic lane changes, disregarding traffic control devices, failing to yield the right of way, or following another vehicle too closely."

AUTOMATED ENFORCEMENT

Deliberately running a red light is a common and serious violation. According to the Fatality Analysis Reporting System, in 2009 approximately 113,000 people were injured and 676 were killed in crashes that involved a driver running a red light. Nearly two-thirds of those who died were people other than the red light running drivers—occupants of other vehicles, passengers in the red light runners' vehicles, bicyclists or pedestrians.

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. Data from Philadelphia shows that intersection crashes caused by red light running fell by an average of 48 percent within the first 12 months of enforcement. In the 10 intersections studied in [Philadelphia](#), the total numbers of crashes declined by 24 percent in the three years after the red light cameras were installed. A recent study from the Insurance Institute of Highway Safety found that automated enforcement may not only reduce crashes, but also fatalities. Researchers found that, in the 14 cities that had and used red light cameras during the years 2004 through 2008, the combined per capita rate of fatal red light running crashes fell 35 percent compared to 1992 through 1996 (the years the cities did not have cameras.)

The effectiveness of red light cameras in reducing crashes has been questioned in recent years. A 2005 study from the [Federal Highway Administration](#) pointed out that, although injuries from right-angle crashes decreased at intersections with red light cameras, injuries from rear-end collisions increased. The study concluded, however, that the rear-end crashes did not negate the benefits of preventing the right angle crashes.

City and local governments in Alabama, Arizona, California, Colorado, Delaware, Florida, Georgia, Illinois, Iowa, Louisiana, Maryland, Missouri, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, 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 and Ohio do not have specific statutes, cameras are used in certain cities. Some states prohibit automated enforcement use together. Arkansas, New Jersey and Wisconsin laws prohibit photo radar enforcement; and Maine, Mississippi, Montana, Nevada, New Hampshire, South Carolina and West Virginia statutes prohibit use of red light cameras to issue citations to motorists. ([Appendix I](#) contains more information about state automated enforcement laws.)

In 2012, 22 states considered more than 100 bills related to red light and speed cameras. Neither Connecticut nor Massachusetts have enacted automated enforcement legislation, but both considered measures in 2012. Delaware, Hawaii, and New York considered legislation that would allow municipalities to use traffic cameras

for speed enforcement. The bills in Delaware, Hawaii and New York did not pass. On the other side of the spectrum, Louisiana introduced legislation to prohibit use of speed cameras in the state, and New Jersey introduced similar legislation prohibiting red light cameras.

In 2012, California passed Senate Bill 1303, which requires intersections that use automated traffic enforcement to have signs posted within 200 feet of the intersection to warn drivers that cameras are in use. The law also prohibits a government agency from taking into account revenue generation when they consider installing automated traffic enforcement systems. Illinois enacted legislation this year that allows for automated speed enforcement in school safety zones. The law provides that motorists who speed more than 10 mph over the limit in a school safety zone will be fined no more than \$100. The law allows school programs to receive proceeds from the speed enforcement program. Mississippi, which prohibits red light enforcement statewide, passed a law in 2012 that prohibits red light camera citations from other states from being placed on a driver's Mississippi traffic record or reported to Mississippi insurance companies.

Under the new federal transportation reauthorization, MAP-21, the federal government prohibits states from using funds apportioned under the Highway Safety program to purchase, operate or maintain an automated traffic enforcement system.

MOTORCYCLE SAFETY

The number of motorcyclists on American roads increased almost 100 percent between 1991 and 2010. While passenger vehicle deaths have decreased over this period, motorcyclist fatalities have increased by 60 percent since 1991. According to the most recent NHTSA data, in 2011 motorcyclist deaths increased 2.1 percent from 2010, totaling 4,612 deaths, although injuries declined slightly. One troubling trend is that motorcyclists were the only group of drivers to see an increase in alcohol-related fatal crashes, a jump of 8.6 percent from 2010.

NHTSA awarded almost \$46 million in motorcycle safety grants to states from 2006 to 2012, but Congress allows these funds to be used only for motorcyclist training and motorist awareness. A new report from the Government Accountability Office (GAO) notes that NHTSA is interested in funding research on increasing motorcycle helmet use in states without a universal helmet law, improving enforcement and other strategies. The GAO report asks that Congress expand the strategies eligible for motorcyclist safety grants and recommends "that NHTSA identify research priorities for motorcycle safety that address gaps in knowledge about the effectiveness of state strategies, particularly those strategies it has identified as high priority or promising."

With the increase in new and returning riders coupled with a continued rise in deaths, federal and state governments are focusing on implementing proven laws and strategies that increase motorcyclist safety. State legislatures continue to use their flexibility to create laws, programming and strategies to support safety for motorcyclists and their passengers. Common state legislative approaches include motorcycle helmet laws and licensing and education.

Motorcycle Helmet Laws

Motorcycle helmet requirements for operators and passengers continue to be an important issue in state legislatures; some states seek to dilute or eliminate helmet laws, citing personal liberty concerns and a need to focus on safety education. Motorcycle helmet laws have been proven to save lives. A 2012 CDC study found that 700 more lives could have been saved in 2010 alone if helmet use were universal. Helmet use is much higher in states that have universal helmet laws (only 12 percent of riders do not wear helmets), compared to states with partial helmet laws (64 percent of riders do not wear helmets) and states with no helmet laws (79 percent of riders do not use helmets), according to a CDC analysis of fatal crashes.

Efforts to Strengthen Motorcycle Helmet Laws

Three states (Illinois, Iowa and New Hampshire) currently have no motorcycle helmet requirements, but two of them did propose bills to create helmet requirements in 2012, although they were unsuccessful. Illinois HB 285 would have required every operator and passenger age 26 or younger on a motorcycle to wear a helmet that met federal safety standards, while HB 290 would have required helmet use for operators and passengers of all ages. In Iowa, legislation would have required operators and passengers under age 18 to wear a helmet. South Carolina, which currently requires only those 20 and younger to wear helmets, introduced unsuccessful legislation to require helmet use by all motorcycle riders. (See [Appendix J](#) for motorcycle helmet law information.)

Efforts to Weaken Motorcycle Helmet Laws

Seven states—Arkansas, Florida, Kentucky, Louisiana, Michigan, Pennsylvania and Texas—have weakened their universal motorcycle helmet use laws since the federal sanctions for such laws were lifted in 1995; Michigan passed its legislation in 2012.

Michigan SB 291 now allows motorcycle riders over age 21 to ride without a helmet, provided they have \$20,000 per passenger in first-party medical benefits payable in the event they are involved in a motorcycle accident. Riders also must have had their motorcycle endorsement for at least two years or passed a safety course. A report by the University of Michigan Transportation Research Institute, released just before the bill passed, projected that, had helmet law been repealed in 2009, it would have led to a reduction in helmet use from 98 percent to 50 percent, a 45 percent increase in fatalities, and a jump in average cost per-crash of 48 percent, to \$317,031. Legislation similar to Michigan's was introduced but did not pass in Minnesota, Oklahoma and Tennessee.

Other legislatures attempted unsuccessfully to weaken their helmet laws. Washington legislation attempted to remove requirement to wear a helmet for all riders and passengers. Massachusetts, Missouri, New York and Tennessee sought unsuccessfully to require helmet use only for motorcycle operators or passengers under age 21, while North Carolina legislation would have required helmets only for those under age 18.

Licensing and Education

State legislatures enacted varied legislation regarding licensing and education in 2012. Washington clarified that the Department of Licensing may not issue more than three motorcycle instruction permits to an individual within a three-year period. North Carolina enacted legislation that requires anyone under age 18 to pass a knowledge and road test or pass an approved safety course before obtaining a motorcycle endorsement. The Oklahoma Legislature clarified that the written and driving examinations for a motorcycle license may be waived for anyone who has successfully completed a rider course approved by the Department of Public Safety.

A few state legislatures took steps to harmonize military motorcycle safety training with state laws. In North Carolina, for example, members of the military who have taken a comparable federal motorcycle safety course can receive an insurance discount similar to that available to those who take a state safety course. Kansas and Missouri adopted laws that allow completion of a military motorcycle training course to suffice for motorcycle licensing purposes.

Mopeds and Motor Scooters

As other forms of motorized vehicles—such as mopeds, electric bicycles and ATVs—become more prevalent; legislatures are creating licensing, equipment and operation standards for their operation on public streets. Maryland HB 149 and SB 309 of 2012 created new requirements for mopeds and motor scooters, including requiring anyone riding or operating these vehicles to wear protective headgear, such as a helmet, and a protective eye device if the vehicle is not equipped with a windscreen. The law also requires a moped or motor scooter to be titled, carry insurance and display a special decal. Hawaii, where mopeds are more common than in cold-weather states, amended its negligent injury offense law to include bodily injury to another person caused by operation of a moped.

SCHOOL BUS SAFETY

More than 450,000 yellow school buses transport 25 million children between school and home each day. That number represents about 55 percent of the K-12 population. According to NHTSA, approximately 24 children are killed in school bus accidents in an average year. Very few of these fatalities occur on the bus. One-third of fatalities occur when a child is struck by a school bus in the loading/unloading zone, one-third are struck by motorists who fail to stop for the school bus, and one-third are pedestrians who are killed as they approach or leave the school bus stop.

2012 state legislative activity with respect to school bus safety focused largely on two trends: illegally passing school buses and school bus drivers licensing and training.

Illegally Passing School Buses

States are making serious and innovative efforts to crack down on drivers who illegally pass a stopped school bus. In 2011, Michigan increased the penalties for passing a stopped school bus, including doubling the fines. In 2012, Nebraska passed legislation providing that anyone illegally passing a school bus will be fined \$500 and have points assessed on his or her operator's license. Louisiana also revised the penalty provisions regarding overtaking and passing school buses in 2012, providing graduated criminal penalties when a driver improperly overtakes or passes a school bus and injury, serious bodily injury or death of another person occurs.

School Bus Driver Licensing and Training

Federal law establishes requirements for states that issue commercial driver's licenses (CDL) to school bus drivers. States may adopt stricter standards and laws than the federal requirements, and many have done so. Some include strengthening regulations regarding background checks, drug and alcohol testing, diabetes testing and specialized training requirements. In 2011 and 2012, states passed a variety of laws relating to school bus driver permits. Delaware amended existing law to comply with federal requirements regarding criminal background checks for those seeking Department of Motor Vehicle school bus driver endorsement. Illinois passed laws stating that a school bus driver permit may not be issued to those who are under court supervision for certain offenses or who fail a criminal background check. Iowa and Virginia enacted legislation that requires checking the driver through the state sex offender registry before a school bus driver permit can be issued.

Federal law requires that states implement and maintain a drug and alcohol testing program that complies with U.S. Department of Transportation regulations. In 2011, Illinois enacted laws regarding school bus driver drug

School Bus Technology: Cameras and Videos

Many states are taking further steps to apprehend and punish motorists who illegally pass stopped school buses by allowing cameras to be placed on the outside of school buses. Connecticut, Georgia, Iowa, Maryland, Rhode Island, Virginia and Washington enacted such measures in 2011 and 2012.

The new Rhode Island law allows enforcement of certain traffic violations based on evidence obtained from a school bus safety video monitoring system. Violators will be punished by a civil fine of between \$250 and \$500 and/or suspension of their driver's license for up to 30 days. In Virginia and Washington, cameras now can be placed on school buses if the local school district approves. The 2012 Maryland legislation states that the governing board of the local government must approve use of cameras and the fines can be no more than \$250.

State policies vary on distribution of the revenue produced by these cameras. In Washington, all revenue collected from fines for such infractions must be returned to the school district, and the money is to be used for school safety zone projects. In Maryland, the revenue can be used to defray costs of installing and operating the cameras and for pedestrian safety projects; if fine revenue exceeds a certain amount, the excess must be remitted to the state fund. Virginia's measure gives localities the option to direct any civil penalty to the local school district. Rhode Island's approach to distribution of revenue collected differs significantly: 75 percent goes to the camera vendor, 12.5 percent goes to the state general fund, and the remaining 12.5 percent goes to the municipality where the violation occurred.

and alcohol testing. Refusal to submit to a drug or alcohol test or a test result that shows blood alcohol content above 0.00 now will result in a three-year suspension of the school bus driver's permit.

The Alabama Legislature enacted a 2012 law requiring anyone employed as a school bus driver to successfully complete a physical examination by a licensed physician. West Virginia's HB 4655 (2012) requires that a school bus operator certificate be issued to anyone who has completed the required training, passed the appropriate competency test, and meets the physical requirements to operate a school bus pursuant to state board rule.

PEDESTRIAN AND BICYCLE SAFETY

While 2011 witnessed the fewest motor vehicle deaths since 1949, the number of pedestrian and bicyclist traffic deaths rose in 2011. A total of 4,432 pedestrians were killed in 2011, an increase of 3 percent from 2010. Bicyclist deaths jumped by 8.7 percent. However, the amount of injuries actually declined by 1.4 percent for pedestrians and 7.7 percent for bicyclists. The increase in fatalities may be partially linked to the fact that more people are using walking and especially bicycling for transportation. Since 2000, bicycle commuting has increased by as much as 269 percent in Pittsburgh and 169 percent in Washington, D.C.

In urban settings (the nation's 51 largest cities), where most walking and bicycling trips take place; trips by bike and foot make up almost 14 percent of the total, but account for a troubling 30 percent of fatalities. This fact must be balanced with the understanding that these groups actually are safer per capita in cities.

Common legislative strategies to enhance traffic safety for pedestrians and bicyclists include vulnerable user laws, safe bicycling passing laws, safe routes to school and other approaches.

Vulnerable Users

Hawaii HB 1666 defines a vulnerable user to include pedestrians, bicyclists, mopeds and wheelchair users who are operating legally in the roadway, as well as construction workers and first responders. The bill increased motorist penalties for the death or injury of a vulnerable user due to operating a vehicle in a negligent manner. Washington SB 5326 also defined vulnerable users in 2012 and increased minimum fines and the length of a driver's privileges suspension.

Washington also separately created requirements for driver education to teach content on vulnerable user awareness for traffic-related offenses. Washington now requires that some bicycle and pedestrian traffic safety curriculum in traffic schools and safety courses be conducted in connection with a deferral, sentence or penalty for a traffic infraction or traffic-related criminal offense.

Safe Bicycle Passing

Legislatures continue to enact 3-foot or safe passing laws requiring a motorist to allow adequate space when passing a bicyclist to avoid sideswiping them or causing them to overcorrect to avoid a vehicle. As of December 2012, 21 states and the District of Columbia have enacted 3-foot passing laws. In 2012, Pennsylvania lawmakers became the first to adopt a 4-foot passing requirement, requiring a motorist to pass a bicycle going the same direction "within not less than four feet at a careful and prudent reduced speed." Other noteworthy details in the law include disallowing interference with a bicyclist's straight path by turning into it and exempting bicyclists from minimum speeds as long as they are using reasonable efforts to not impede the normal and reasonable traffic movement of traffic.

Safe Routes to School and School Traffic Safety Enforcement

In the late 1960s, nearly 90 percent of students who lived within one mile of school walked or bicycled; by 2009, this number had dropped to 35 percent, and the numbers are even lower for students who live further from

school. This dynamic can significantly affect safety for those children who walk or ride to school in settings that are more difficult for them to safely traverse.

The federal government made a large investment in Safe Routes to School (SRTS) programs that help create safe street environments for students to walk and bicycle to and from school. In 2005, \$612 million was distributed to state departments of transportation to improve infrastructure near schools and provide education and programming on safe bicycling and walking skills. Under MAP-21, however, federal funds no longer are dedicated for SRTS. States and regions can use various federal funding pools, such as Transportation Alternatives, to support state SRTS programs. To date, a few states—including California, Colorado, Florida, Missouri, New Jersey, Ohio and Washington—have committed to continuing their SRTS activities for at least another year. The long-term effects of the loss of dedicated federal funding remains to be seen, however.

At the state legislative level, Hawaii joined Illinois and Washington as the third state to establish a funding mechanism that directs a portion of money from traffic violation fines to improving safety near schools. Hawaii's HB 2626 requires violators who speed in a school zone to pay a surcharge of \$25; traffic violators in other zones must pay an extra \$10, with money from surcharges deposited into a state Safe Routes to School Special Fund. The funds will go directly to the counties and will guarantee a source of funding for the Hawaii program, although advocates are concerned about the current \$250,000 a year cap on funding.

The California Legislature continues to refine its state Safe Routes to School program. Reflecting concerns that some rural students do not benefit from the SRTS program because they cannot walk or bicycle to school due to distance or lack of infrastructure, the Legislature enacted a law that allows use of up to 10 percent of Safe Routes to School program funds to provide safe routes to bus stops outside the vicinity of a school. Although this represents a departure from typical Safe Routes to School funding, the legislature considered it necessary to ensure both safety for rural students and equitable distribution of funds.

Infrastructure Improvements

State legislatures also took other steps in 2012 to create safe walking and bicycling environments. Florida HB 599, for example, directed the state DOT to establish a two-year pilot program in three urban areas to create bicycle lanes and supportive signage on bridges in areas where bodies of water provide limited options for a bike to cross. Results of the pilot program must be presented to the governor and Legislature in two years, and must include analysis of crash data, bicycle use, cost and other factors.

LOW- AND MEDIUM-SPEED VEHICLES

In 2012, 25 state legislatures introduced 62 bills relating to low- and medium-speed vehicles; 17 bills were adopted. As low-speed vehicles such as golf carts and electric vehicles become more prevalent, it appears likely that state oversight and regulation of such vehicles will continue.

Existing Colorado law allows low-speed electric vehicles to be operated on roadways with speed limits up to 35 mph. The state amended the law to allow such vehicles on a roadway with a speed limit up to 40 mph if the roadway has two or more lanes in either direction, has lanes at least 11 feet wide, and consultation occurs with the affected local government and law enforcement agency. The law also raised the age to operate a golf cart on roadways from 14 to 16.

South Carolina enacted legislation allowing operation of golf carts during daylight hours on roads with speed limits of less than 35 mph, provided the operator is within 4 miles of the address the vehicle is registered to or a gated community. A political subdivision may reduce the area to no less than 2 miles. A golf cart operator must be at least age 16 and must have a driver's license, registration and proof of liability insurance for the golf cart. Nebraska authorized counties to regulate golf car vehicles, which must have a maximum speed of less than 20

mph. Golf carts may be driven only on streets adjacent and continuous to a golf course, and drivers must have a license and carry insurance for the vehicle.

Florida amended existing law to allow golf carts to cross roads where the speed limit is 45 mph or more and also allows them to be operated on sidewalks that are at least 5 feet wide as long as they yield to pedestrians. Indiana legislation now authorizes a county to adopt an ordinance to allow a golf cart to cross a state highway at right angles to continue on a road under local jurisdiction, and also requires the county limit the number of passengers permitted on a golf cart.

LINKS FOR FURTHER INFORMATION

AAA, <http://www.aaapublicaffairs.com/Main/Default.asp?CategoryID=3&SubCategoryID=73>

AAA Foundation for Traffic Safety, <http://www.aaafoundation.org>

American Institute for Public Safety, <http://www.aipsnews.com>

American Motorcyclist Association, <http://www.amadirectlink.com>

Cellular Telecommunications Industry Association, <http://www.wow-com.com>

Federal Highway Administration, <http://www.fwha.dot.gov>

Governors Highway Safety Association, <http://www.ghsa.org>

Insurance Institute for Highway Safety, <http://www.hwysafety.org>

Motorcycle Riders Foundation, <http://www.mrf.org>

Motorcycle Safety Foundation, <http://www.msf-usa.org>

NCSL/NHTSA Traffic Safety Legislative Tracking, <http://www.nhtsa.dot.gov/ncsl/>

National Highway Traffic Safety Administration (NHTSA), <http://www.nhtsa.dot.gov>

National Safety Council, <http://www.nsc.org>

National Safe Kids, <http://www.safekids.org>

National Transportation Safety Board, <http://www.nts.gov>

Traffic Injury Research Foundation, <http://www.trafficinjuryresearch.com>

U.S Department of Transportation, <http://www.dot.gov>

U.S. Government Accountability Office report on .08 BAC laws, <http://www.gao.gov>

APPENDIX A. NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION REGIONAL OFFICES

New England Region (Region 1)

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

Eastern Region (Region 2)

(N.Y., N.J., Pa., P.R., V.I.)
Regional Administrator, NHTSA
222 Mamaroneck Ave., Suite 204
White Plains, NY10605
Phone: (914) 682-6162
Fax: (914) 682-6239
Region2@dot.gov

Mid-Atlantic Region (Region 3)

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

Southeast Region (Region 4)

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

Great Lakes Region (Region 5)

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

South Central Region (Region 6)

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

Central Region (Region 7)

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

Rocky Mountain Region (Region 8)

(Colo., Nev., N.D., S.D., Utah, Wyo.)
Regional Administrator, NHTSA
12300 West Dakota Ave., Suite 140
Lakewood, CO 80228
Phone: (720) 963-3100
Fax: (720) 963-3124
Region8@ dot.gov

Western Region (Region 9)

(Ariz., Calif., Hawaii, American Samoa,
Guam, N. Mariana Islands)
Regional Administrator, NHTSA
201 Mission St., Suite 2230
San Francisco, CA 94105
Phone: (415) 744-3089
Fax: (415) 744-2532
Region9@dot.gov

Northwest Region (Region 10)

(Alaska, Idaho, Mon., Ore., Wash.)
Regional Administrator, NHTSA
3140 Jackson Federal Building
915 Second Ave.
Seattle, WA 98174
Phone: (206) 220-7640
Fax: (206) 220-7651
Region10@dot.gov

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 8+ in front seat; ages 8 through 15 in all seats (effective 8/20/12)	\$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+ front seat	\$71	Yes
Connecticut	Yes	Ages 7+ in front seat	\$15	No
Delaware	Yes	Ages 16+ in all seats	\$25	No
Florida	Yes	Ages 6+ in front seat; ages 6 through 17 in all seats	\$30	Yes
Georgia	Yes	Ages 8 through 17 in all seats; ages 18+ in front seat	\$15 ³	No
Hawaii	Yes	Ages 8 through 17 in all seats; ages 18+ in front seat	\$45	No
Idaho	No	Ages 7+ in all seats	\$10	No
Illinois	Yes	Ages 16+ in all seats	\$25	No
Indiana	Yes	Ages 16+ in all seats	\$25	No
Iowa	Yes	Ages 18+ in front seat	\$25	Yes
Kansas	Yes (secondary for rear seat occupants younger than age 18)	Ages 14+ in all seats	\$5	No
Kentucky	Yes	Ages 6 and younger and more than 50 inches in all seats; ages 7+ in all seats	\$25	No
Louisiana	Yes	Ages 13+ in all seats	\$25	No
Maine	Yes	Ages 18+ in all seats	\$50	No
Maryland	Yes	Ages 16+ in front seat	\$25	No
Massachusetts	No	Ages 13+ in all seats	\$25 ⁴	No
Michigan	Yes	Ages 16+ in front seat	\$25	Yes
Minnesota	Yes	Ages 7 and younger and more than 57 inches in all seats; ages 8+ in all seats	\$25	No
Mississippi	Yes	Ages 7+ in front seat	\$25	No
Missouri	No (yes for children under age 16)	Ages 16+ in front seat	\$10	Yes
Montana	No	Ages 6+ in all seats	\$20	No
Nebraska	No	Ages 18+ in front seat	\$25	Yes
Nevada	No	Ages 6+ in all seats	\$25	No
New Hampshire	No law	No law	No law	No
New Jersey	Yes (secondary for rear seat occupants)	Ages 7 and younger and more than 80 lbs; ages 8+ in all seats	\$20	No
New Mexico	Yes	Ages 18+ in all seats	\$25 ²	No
New York	Yes	Ages 16+ in front seat	\$50 ⁵	Yes
North Carolina	Yes (secondary for rear seat occupants)	Ages 16+ in all seats	\$25	No
North Dakota	No	Ages 18+ in front seat	\$20	Yes

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?
Ohio	No	Ages 8 through 14 in all seats; ages 15+ in front seat	\$30 driver/\$20 passenger	Yes
Oklahoma	Yes	Ages 13+ in front seat	\$20	No
Oregon	Yes	Ages 16+ in all seats	\$110	Yes
Pennsylvania	No (yes for children under age 18)	Ages 8 through 17 in all seats; ages 18+ in front seat	\$10	No
Rhode Island	Yes	Ages 18+ in all seats	\$75	No
South Carolina	Yes ⁶	Ages 6+ in all seats	\$25	No
South Dakota	No	Ages 18+ in front seat	\$20	No
Tennessee	Yes	Ages 16+ in front seat	\$50 ⁶	No
Texas	Yes	Ages 7 and younger and 57 inches or more; ages 8+ in all seats	\$200	No
Utah	No (yes for children under age 19)	Ages 16+ in all seats	\$45	No
Vermont	No	Ages 18+ in all seats	\$25	No
Virginia	No	Ages 18+ in front seat	\$25	No
Washington	Yes	Ages 16+ in all seats	\$124	No
West Virginia	No	Ages 8+ in front seats; ages 8 through 17 in all seats	\$25	Yes
Wisconsin	Yes	Ages 8+ in all seats	\$10	Yes
Wyoming	No	Ages 9+ in all seats	\$25 ⁷ driver/ \$10 passenger	No
District of Columbia	Yes	Ages 16+ in all seats	\$50 ²	No
Puerto Rico	Yes	No information	No information	No
U.S. Virgin Islands	Yes	Ages 5+ in front seats	\$250	No information

Notes

1. Arkansas rewards belt use by reducing the fine for the primary violation by \$10.
2. This jurisdiction assesses points for violations.
3. In Georgia, the maximum fine is \$25 if the child is between the ages of 6 and 18.
4. Drivers in Massachusetts can be fined \$25 for violating the belt law themselves and \$25 for each unrestrained passenger age 12 to 16.
5. New York assesses points only when the violation involves a child under age 16.
6. 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.
7. Wyoming rewards belt use by reducing the fine for the primary violation by \$10.

Sources: Insurance Institute for Highway Safety, 2012; Governor's Highway Safety Association, 2012.

APPENDIX C. STATE LAWS ON CHILD RESTRAINT USE			
State/ Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Alabama ¹⁴	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 who are either shorter than 57 inches or who weigh more than 20 lbs. but less than 65 lbs. in a booster seat	Ages 4 through 7 who are at least 57 inches or 65+ lbs.; ages 7 through 15 who are shorter than 57 inches or weigh less than 65 lbs.; law states no preference for rear seat	\$50 ¹
Arizona	Age 4 and younger; ages 5 through 7 who are 57 inches or shorter (effective 8/20/12)	Ages 5 through 7 who are taller than 57 inches (effective 8/20/12); law states no preference for rear seat	\$50
Arkansas ¹⁴	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	Ages 7 and younger who are less than 57 inches ²	Ages 8 through 15 or at least 57 inches; children 7 years and younger who are less than 57 inches must be in rear seat	\$100 ¹
Colorado	Younger than age 1 and less than 20 lbs. in a rear-facing infant seat; ages 1 through 3 and 20-40 lbs. in a forward-facing child safety seat; ages 4 through 7 in a booster seat	Ages 8 through 15; children age 1 and younger and less than 20 lbs. must be in rear seat if available	\$81
Connecticut	Younger than age 1 or less than 20 lbs. in rear-facing restraint; ages 1 through 6 and less than 60 lbs. in a child restraint system (booster seats can be used only in a seating position that has a lap and shoulder belt)	Ages 7 through 15 and 60+ lbs.; law states no preference for rear seat ⁴	\$60 ³
Delaware	Ages 7 and younger and less than 66 lbs. ⁴	Ages 8 through 15 or 66+ lbs.; ⁴ children 11 years and younger and 65 inches or less must be in rear seat if passenger airbag is active	\$25
Florida	Ages 3 and younger	Ages 4 through 5; law states no preference for rear seat	\$60 ¹
Georgia	Ages 7 and younger and 57 inches or less	More than 57 inches; children age 7 and younger must be in rear seat if available ⁵	\$50 ¹

APPENDIX C. STATE LAWS ON CHILD RESTRAINT USE			
State/ Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
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 ⁶
Idaho	Ages 6 and younger	Not permissible; law states no preference for rear seat	\$79
Illinois	Ages 7 and younger	Ages 8 through 15; children who weigh more than 40 lbs. seated in rear where only a lap belt is available; law states no preference for rear seat	\$75
Indiana	Ages 7 and younger ⁷	Ages 8 through 15; law states no preference for rear seat	\$25 ¹
Iowa	Younger than age 1 and less than 20 lbs. in a rear-facing seat; ages 1 through 5 in front-facing child restraint	Ages 6 through 17; law states no preference for rear seat	\$25
Kansas	All children ages 3 and younger must be in a child restraint; children ages 4 through 7 who weigh less than 80 lbs. and children ages 4 through 7 who are less than 57 inches tall must be in a child restraint or booster seat	All children ages 8 through 13; children ages 4 through 7 who weigh more than 80 lbs.; children who are taller than 57 inches; law states no preference for rear seat	\$60
Kentucky	Children 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; law states no preference for rear seat	\$50 child restraint; \$30 booster seat
Louisiana	Younger than age 1 or less than 20 lbs. in a 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 less than 57 inches (effective 10/1/12)	Ages 8 through 15; children who are at least 57 inches (effective 10/1/12); 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

APPENDIX C. STATE LAWS ON CHILD RESTRAINT USE			
State/ Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
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	Not permissible; law states no preference for rear seat	\$50
Mississippi ¹⁴	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; law states no preference for rear seat	\$25
Missouri	Ages 3 and younger must be in child restraint; all children who weigh less than 40 lbs. must be in a child restraint; ages 4 through 7 who weigh at least 40 lbs. but less than 80 lbs. and who are 4'9" or shorter must be in either a child restraint or booster seat; children ages 4 and older who weigh at least 80 lbs. or who are at least 4'9" 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 taller than 4'9"; law states no preference for rear seat	\$50; \$10 for violations involving children taller than 4'9" or who weigh more than 80 lbs.
Montana	Younger than age 5 and less than 60 lbs.	Not permissible; law states no preference for rear seat	\$100
Nebraska	Ages 5 and younger	Ages 6 through 17; ⁸ law states no preference for rear seat	\$25 ¹
Nevada	Ages 5 and younger and 60 lbs. or less	Not permissible; law states no preference for rear seat	\$500 ⁹
New Hampshire	Ages 5 and younger and less than 55 inches	Ages 6 through 17; ages 6 and younger who are at least 55 inches tall; law states no preference for rear seat	\$50
New Jersey	Ages 7 and younger and less than 80 lbs. seated in rear seat if available	Not permissible	\$25
New Mexico	Younger than age 1 in a rear-facing infant seat, seated in the rear seat if available; children ages 1 through 4 or less than 40 lbs. in a forward-facing child safety seat; ages 5 through 6 or less than 60 lbs. in booster seat	Ages 7 through 17	\$25
New York	Ages 3 and younger unless a child weighs more than 40 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	Ages 8 through 15; children who weigh 40 lbs. or more; children ages 4 through 7 in a seating position where there is no available lap/shoulder belt; law states no preference for rear seat	\$100 ¹
North Carolina	Ages 7 and younger and less than 80 lbs. ¹⁰	Ages 8 through 15 and children 40-80 lbs. in seats without shoulder belts; law states no preference for rear seat	\$25 ¹

APPENDIX C. STATE LAWS ON CHILD RESTRAINT USE			
State/ Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
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 is no available lap/shoulder belt, can be restrained by lap belt only; law states no preference for rear seat	\$25 ¹
Ohio ¹⁴	Ages 3 and younger or less than 40 lbs. in child restraint; ages 4 through 7 who weigh more than 40 lbs. and are shorter than 57 inches must be in booster seat	Ages 8 through 14; ¹¹ law states no preference for rear seat	\$75 ¹
Oklahoma ¹⁴	Ages 5 and younger ¹²	Ages 6 through 12; law states no preference for rear seat	\$50
Oregon	Child younger than age 1 or 20 lbs. or less must be in a rear-facing child safety seat; age 7 or younger or 40 lbs. or less must be in child safety seat; more than 40 lbs. but 4' 9" or less must be in a safety system that elevates the child so that an adult seat belt fits properly	Ages 8-15, taller than 4' 9"; law states no preference for rear seat	\$110
Pennsylvania	Ages 7 and younger	Not permissible; law states no preference for rear seat	\$75
Rhode Island	Ages 7 and younger and less than 57 inches and less than 80 lbs.; children ages 7 and younger must be in rear seat if available	Ages 8 through 17; ages 7 and younger who either weigh more than 80 lbs. or who are taller than 57 inches	\$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	\$25
Tennessee	Younger than age 1 or less than 20 lbs. in a rear-facing infant seat; ages 1 through 3 who weigh more than 20 lbs. in a forward-facing infant seat; ages 4 through 8 and less than 4' 9" in a booster seat; 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

APPENDIX C. STATE LAWS ON CHILD RESTRAINT USE			
State/ Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Texas	Ages 7 and younger and less than 57 inches	Not permissible; law states no preference for rear seat	\$25
Utah	Ages 7 and younger and less than 57 inches	Ages 8 through 15; children taller than 57 inches; law states no preference for rear seat	\$45
Vermont	Younger than age 1 or less than 20 lbs. in a rear-facing infant seat; if not available, they can be placed in front only if front passenger airbag is deactivated; ages 1 through 7 and more than 20 lbs. in child restraint	Ages 8 through 17 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 17 ¹³	\$50
Washington	Ages 7 and younger and less than 4'9"; ages 12 and younger must be in rear seat if practical	Ages 8 through 15; ages 7 and younger and 4'9" or taller; children who weigh more than 40 lbs. in a seating position where only a lap belt is available	\$124
West Virginia	Ages 7 and younger and less than 4'9"	Ages 7 and younger and 4'9" or taller; law states no preference for rear seat	\$20
Wisconsin	Children younger than age 1 and all children who weigh less than 20 lbs. must be in a rear-facing infant seat; ages 1 through 3 who weigh at least 20 lbs. but less than 40 lbs. must be in a forward-facing child safety seat; children ages 4 through 7 who weigh at least 40 lbs. but less than 80 lbs. and who are less than 57" tall must be in a booster seat; children age 3 and younger must be in a rear seat if available	Ages 8 and younger and more than 80 lbs. and 57" or taller	\$75
Wyoming	Ages 8 and younger; must be in rear seat if available	Not permissible	\$50
District of Columbia	Ages 7 and younger and less than 66 pounds	Ages 8 through 15 or more than 66 pounds; law states no preference for rear seat	\$75 ¹
Puerto Rico	Ages 4 and younger	Ages 4 and older	\$100
U.S. Virgin Islands	Ages 5 and younger	Children ages 3 through 5 may be restrained by only a seatbelt if they are in the rear seat	\$25-\$250

Notes

1. This state assesses points for violations.
2. In California, children weighing more than 40 pounds may be belted without a booster seat if they are seated in the rear seat of a vehicle not equipped with lap/shoulder belts. The California rear seat requirement does not apply if: there is no rear seat; the rear seats are side-facing jump seats; the rear seats are rear-facing seats; the child passenger restraint system cannot be installed properly in the rear seat; all rear seats are already occupied by children under age 12; or medical reasons necessitate that the child not ride in the rear seat. A child may not ride in the front seat of a motor vehicle with an active passenger airbag if the child is riding in a rear-facing child restraint system.
3. The fine in Connecticut is \$15 if the child is age 4 to 16 and 40 pounds or more. Connecticut also requires a child restraint education program for first or second violation.
4. In Delaware, children younger than age 12 or 65 inches or less must be restrained in a rear seat if a vehicle has a passenger airbag, unless the airbag either has been deactivated or designed to accommodate smaller people. Exceptions: If there is no rear seat or rear seat is occupied by other children younger than age 12 or 65 inches or less.
5. In Georgia, children weighing more than 40 pounds can to 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.
6. 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.
7. In Indiana, 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.
8. 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.
9. 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.
10. In North Carolina, children younger than age 4 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.
11. In Ohio, the law is secondary for children ages 4 through 14.
12. 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.
13. In Virginia, children at least age 4 but younger than age 8 may be belted if any licensed physician determines that use of a child restraint system by a particular child would be impractical by reason of the child's weight, physical fitness or other medical reason, provided that any person transporting a child so exempted shall carry on his person or in the vehicle a signed written statement of the physician identifying the child so exempted and stating the grounds for the determination.
14. In Arkansas, Alabama and Ohio, 15-year-olds riding in the rear seat; in Mississippi, children ages 7 and older riding in the rear seat; and in Oklahoma, children ages 13 through 15 riding in the rear seat are not covered by either adult safety belt laws or child safety seat laws.

Sources: Insurance Institute for Highway Safety, AAA and NCSL, 2012.

APPENDIX D. RESTRICTIONS ON RIDING IN CARGO AREAS OF PICKUP TRUCKS		
State/Jurisdiction	Restrictions in Cargo Areas	Gaps in Coverage
Alabama	✗	
Alaska	✗	
Arizona	✗	
Arkansas	✓ ¹	Employees on duty; people within bodies of trucks in a space intended for merchandise
California	✓	If the person is restrained by a federally approved restraint system; farmer-owned vehicle used exclusively within farming land or mile of highway between one part to another; parade if not more than 8 mph; emergency situations
Colorado	✓	Those sitting in the cargo area if it is fully or partially enclosed on all four sides
Connecticut	✓	Anyone age 16 and older; anyone age 15 and younger if belted; parades; farming operations; hayrides August through December
Delaware	✗	
Florida	✓ ¹	Anyone age 18 and older; anyone age 17 and younger in enclosed cargo area; anyone age 17 and younger on non-limited access roads unless local law exempts them from the prohibition on minors riding the cargo areas of pickup trucks and flatbeds; anyone age 17 and younger on non-limited-access roads in a seat fitted with a safety belt that has been added to the pickup or flatbed; employees on duty
Georgia	✓	Anyone age 18 and older; anyone age 17 and younger in pickup trucks with covered cargo areas; any pickup truck off the interstate
Hawaii	✓	People can ride in back of pickup trucks if no seats are available in the cab and the side racks and tailgate are securely closed, the passengers are seated on the floor and do not attempt to unlatch cargo; parades, employees on duty and life-threatening emergencies are exempt
Idaho	✗	
Illinois	✗	
Indiana	✗	
Iowa	✗	
Kansas	✓	Anyone age 14 and older; parades; employment; does not apply to vehicles not being operated on the state highway system or within the corporate limits of a city
Kentucky	✗	
Louisiana	✓	Anyone age 12 and older if the truck is being used on a non-interstate highway; parades moving less than 15 mph; emergencies if the child is with an adult in the cargo area; emergencies on interstate highway

APPENDIX D. RESTRICTIONS ON RIDING IN CARGO AREAS OF PICKUP TRUCKS		
State/Jurisdiction	Restrictions in Cargo Areas	Gaps in Coverage
Maine	✓	Anyone age 19 and older; agricultural workers and hunters age 18 and younger; parades; those in original equipment manufacturer-installed seats outside passenger compartment
Maryland	✓	Anyone age 16 and older; anyone age 15 and younger if the vehicle is traveling 25 mph or less; employees being transported to work sites or those engaged in farming operations; exceptions do not eliminate requirements to use child restraints or belts; not applicable to pickup trucks with covered cargo areas
Massachusetts	✓	Anyone age 12 and older; anyone age 11 and younger if the vehicle is being driven less than 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 passengers; not applicable to pickup trucks with covered cargo areas
Montana	✗	
Nebraska	✓	Anyone age 18 or older; parades
Nevada	✓	Anyone age 18 or older; those younger than age 18 when the vehicle is used in farming or ranching or if vehicle is used in an authorized parade; vehicles operated on unpaved roads; those in riding areas enclosed by a camper shell
New Hampshire	✗	
New Jersey	✓	Employees engaged in their duties
New Mexico	✓	Anyone age 18 or older
New York	✓	Not applicable to trips of 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

APPENDIX D. RESTRICTIONS ON RIDING IN CARGO AREAS OF PICKUP TRUCKS		
State/Jurisdiction	Restrictions in Cargo Areas	Gaps in Coverage
North Carolina	✓	Anyone age 16 and older; those age 15 and younger if a supervising adult is present in cargo area; when the child is belted; emergencies; parades; vehicle being used in agriculture; vehicles with permanent overhead structures
North Dakota	✗	
Ohio	✓	Anyone age 16 and older; those age 15 and younger if the vehicle is driven less than 25 mph or if the person is belted and seated in an original equipment manufacturer seating position; emergencies; not applicable to pickup trucks with covered cargo areas
Oklahoma	✗	
Oregon	✓	Anyone age 18 or older; minors secured with a safety belt or harness; parades; minors seated on the floor of the open bed of a motor vehicle in which all available passenger seats are occupied by minors, the tailgate is securely closed and the minor is being transported either in the course and scope of employment or between a hunting camp and hunting site or between hunting sites during hunting season and the minor has a hunting license
Pennsylvania	✓	Anyone age 18 or older if the vehicle is traveling less than 35 mph; not applicable to occupants age 17 and younger if the cargo area is enclosed; parades; hunting and farm operations
Rhode Island	✓	Anyone age 16 or older; those age 15 and younger who are secured in the cargo area
South Carolina	✓	Anyone age 15 or older; those age 15 and younger when an adult is present; when the child is belted; parade; emergency situation; agricultural activities; hunting; vehicle has a secured metal tailgate and operated at less than 36 mph; vehicle operated in a county with incorporated areas with population of 3,500 or less
South Dakota	✗	
Tennessee	✓	Anyone age 12 or older; those ages 6 to 11 in a vehicle being operated off the interstate or state highway system; parades if vehicle is going less than 20 mph; agricultural activities; or on city or county roads unless prohibited by local ordinance or resolution
Texas	✓	Anyone age 18 or older; vehicles that are the only vehicles owned by members of the household; vehicles in parades; hayrides, on beaches or being used in an emergency; vehicles in farm operations used to transport people from field to field or on farm
Utah	✓ ¹	Off-highway operation; employees performing their duties; those riding in a vehicle space that is intended for any load
Vermont	✗	
Virginia	✓	Anyone age 16 or older; farmers when crossing a highway when going from field to field

APPENDIX D. RESTRICTIONS ON RIDING IN CARGO AREAS OF PICKUP TRUCKS		
State/Jurisdiction	Restrictions in Cargo Areas	Gaps in Coverage
Washington	✗	
West Virginia	✗	
Wisconsin	✓ ¹	Not applicable to enclosed areas; farm operations; parades; deer hunting; employees; those riding in truck bodies in spaces intended for merchandise
Wyoming	✗	
District of Columbia	✓ ¹	Employees on duty; those riding within truck bodies in a space intended for materials
Puerto Rico	✓	No gaps in coverage
U.S. Virgin Islands	✗	
Total	34	

Key

- ✓ Law
- ✗ No state Law

Note

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

Source: Insurance Institute for Highway Safety, 2012.

APPENDIX E. TEEN DRIVING RESTRICTIONS				
State/Jurisdiction	Minimum Age for a Learner's Permit	Learner Stage with a Minimum Amount of Supervised Driving Required	Intermediate Stage with a Nighttime Driving Restriction	Intermediate Stage with Passenger Restrictions (family members excepted unless otherwise noted)
Alabama	15	30 hrs. (none with driver education)	Midnight-6 am (secondary ¹)	No more than 1 passenger
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 ²	None	11 pm-4 am	No more than one passenger
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. (mandatory driver education for those under age 18)	11 pm-5 am	First six mo.: no passenger other than parents or driving instructor; second six mo: no passengers other than parents, driving instructor or members of immediate family
Delaware	16	50 hrs., 10 of which must be at night	10 pm-6 am	No more than one passenger
Florida	15	50 hrs., 10 of which must be at night	11 pm-6 am (age 16); 1 am-5 am (age 17)	None
Georgia	15	40 hrs., six of which must be at night	Midnight-6 am (secondary)	First six mo.: no passengers; second six mo.: no more than one passenger younger than age 21; thereafter, no more than three passengers (secondary)
Hawaii	15, six mo.	50 hrs., 10 of which must be at night	11 pm-5 am	No more than one passenger younger than age 18 (household members exempted)

APPENDIX E. TEEN DRIVING RESTRICTIONS				
State/Jurisdiction	Minimum Age for a Learner's Permit	Learner Stage with a Minimum Amount of Supervised Driving Required	Intermediate Stage with a Nighttime Driving Restriction	Intermediate Stage with Passenger Restrictions (family members excepted unless otherwise noted)
Idaho	14, six mo.	50 hrs., 10 of which must be at night	Sunset to sunrise	First 6 mo: licensees age 16 and younger can have no more than one passenger younger than age 17
Illinois	15 (with driver education enrollment) or 17, three mo.	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	50 hrs., 10 of which must be at night	First 180 days: 10 pm-5 am, then Sun.-Fri.: 11 pm-5 am, Sat.-Sun.: 1 am-5 am	First 180 days: no passengers
Iowa	14	20 hrs., two of which must be at night	12:30 am-5 am	None
Kansas	14	25 hrs. in learner phase; 25 hrs. before age 16; 10 of the 50 hrs. must be at night	9 pm-5 am	First six mo.: no more than one passenger younger than age 18
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	50 hours, 15 of which must be at night	11 pm-5 am	No more than one passenger younger than age 21 between the hours of 6 pm-5 am; no other passenger restrictions
Maine	15	35 hrs., five of which must be at night	Midnight-5 am	First nine mo.: no passengers
Maryland	15, nine mo.	60 hrs., 10 of which must be at night	Midnight-5 am	First five mo.: no passengers younger than age 18 (secondary)
Massachusetts	16	40 hrs.	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	10:00 pm-5 am	No more than one passenger younger than age 21

APPENDIX E. TEEN DRIVING RESTRICTIONS				
State/Jurisdiction	Minimum Age for a Learner's Permit	Learner Stage with a Minimum Amount of Supervised Driving Required	Intermediate Stage with a Nighttime Driving Restriction	Intermediate Stage with Passenger Restrictions (family members excepted unless otherwise noted)
Minnesota	15	30 hrs., 10 of which must be at night	Midnight-5 am	First six mo.: no more than one passenger younger than age 20; second six mo.: no more than three passengers younger than age 20
Mississippi	15	None	Sun.-Thur.: 10 pm-6 am, Fri.-Sat. 11:30 pm-6 am	None
Missouri	15	40 hrs., 10 of which must be at night	1 am-5 am	First six mo.: no more than one passenger younger than age 19; thereafter: no more than three passengers younger than age 19
Montana	14, six mo.	50 hrs., 10 of which must be at night	11 pm-5 am	First six mo.: no more than one passenger younger than age 18; second six mo.: no more than three passengers younger than age 18
Nebraska	15	50 hrs., 10 of which must be at night (none with driver education)	Midnight-6 am (secondary)	First six mo.: no more than one passenger younger than age 19 (secondary)
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. ³	40 hrs., 10 of which must be at night	1 am-4 am	First six mo.: no more than one passenger younger than age 25
New Jersey	16	None	11 pm-5 am	No more than one passenger (exception limited to the driver's dependents)
New Mexico	15	50 hrs., 10 of which must be at night	Midnight-5 am	No more than one passenger younger than age 21
New York	16	50 hrs., 15 of which must be at night	9 pm-5 am (prohibited at all times in NYC and Nassau and Suffolk counties with some exceptions)	No more than one passenger younger than age 21

APPENDIX E. TEEN DRIVING RESTRICTIONS

State/Jurisdiction	Minimum Age for a Learner's Permit	Learner Stage with a Minimum Amount of Supervised Driving Required	Intermediate Stage with a Nighttime Driving Restriction	Intermediate Stage with Passenger Restrictions (family members excepted unless otherwise noted)
North Carolina	15	60 hrs., 10 of which must be at night during the learner phase; 12 hrs., six of which must be at night, during intermediate phase	9 pm-5 am	No more than one passenger younger than age 21; if a family member younger than age 21 is already a passenger, then no other passengers younger than age 21 who are not family members
North Dakota	14	50 hrs. if under age 16 (effective 1/1/2012)	Restricted license holder may only drive a car belonging to a parent or guardian and may not drive between the later of sunset or 9pm and 5am	None
Ohio	15, six mo.	50 hr, 10 of which must be at night	Midnight-6 am (age 16), 1 am-5 am (age 17) (secondary)	No more than one passenger
Oklahoma	15, six mo.	50 hrs., 10 of which must be at night	10 pm-5 am	No more than one passenger
Oregon	15	100 hrs. (50 hrs. with driver education)	Midnight-5 am	First six mo.: no passengers younger than age 20; second six mo. no more than three passengers younger than age 20
Pennsylvania	16	65 hours, 10 of which must be at night and five of which must be in inclement weather	11 pm-5 am	First six mo.: no more than one passenger younger than 18; then, no more than three passengers
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

APPENDIX E. TEEN DRIVING RESTRICTIONS				
State/Jurisdiction	Minimum Age for a Learner's Permit	Learner Stage with a Minimum Amount of Supervised Driving Required	Intermediate Stage with a Nighttime Driving Restriction	Intermediate Stage with Passenger Restrictions (family members excepted unless otherwise noted)
Tennessee	15	50 hrs., 10 of which must be at night	11 pm-6 am	No more than one passenger
Texas	15	20 hrs., 10 of which must be at night	Midnight-5 am (secondary)	No more than one passenger younger than age 21 (secondary)
Utah	15	40 hrs., 10 of which must be at night	Midnight-5 am	First six mo.: no passengers (secondary)
Vermont	15	40 hrs., 10 of which must be at night	None	First three mo.: no passengers without exception; second three mo.: no passengers with family exception
Virginia	15, six mo.	45 hrs., 15 of which must be at night	Midnight-4 am (secondary)	First 12 mo.: no more than one passenger younger than age 18; thereafter, no more than three passengers younger than age 18 (secondary)
Washington	15	50 hrs., 10 of which must be at night	1 am-5 am (secondary)	First six mo.: no passengers younger than age 20; second six mo.: no more than three passengers younger than age 20 (secondary)
West Virginia	15	50 hrs., 10 of which must be at night (none with driver education)	10 pm-5 am	First six mo.: no passengers younger than age 20; second six mo.: no more than one passenger younger than age 20
Wisconsin	15, six mo.	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 ⁴		
U.S. Virgin Islands ⁵	16	None	None	None

Notes

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

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

3. In New Hampshire, learner's permits are not issued. At age 15 and six months, a person can drive while supervised by a licensed driver age 25 or older.

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

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

Sources: NCSL and IIHS, 2012.

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
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 66 and older, unless optometrist certifies eye exam passed within the last six months; no mail renewal for those whose prior renewal was by mail or electronic
Connecticut	Four or six years	None that are safety related ²	None that are safety related ²
Delaware	Eight years	None	None
Florida	Eight years	Six years for people age 80 and older	Renewal applicants age 80 and older must pass a vision test administered at any driver's license office or, if applying by mail or electronically, must pass a vision test administered by a licensed physician or optometrist ³
Georgia	Five or 10 years; veterans' licenses are valid until age 65	Five years for people 60 and older	Vision test required at renewal for drivers older than age 64
Hawaii	Eight years	Two years for people age 72 and older	None
Idaho	Four years	Drivers age 21 to 62 have the choice of a four- or eight-year license; drivers age 63 and older will receive a four-year license	Drivers who are age 70 or older must renew license in person
Illinois	Four years	Two years for drivers ages 81 to 86; one year for drivers age 87 and older	Renewal applicants age 75 and older must take a road test
Indiana	Six years	Three years for drivers age 75 and older; two years for drivers age 85 and older	Mail and electronic renewal are not available to people age 70 and older or to those whose prior renewal was by mail or electronic
Iowa	Five years	Two years for drivers age 70 and older	None
Kansas	Six years	Four years for drivers age 65 and older	None
Kentucky	Four years	None	None
Louisiana	Four years	None	Mail renewal not available to people age 70 and older and to those whose prior renewal was by mail

APPENDIX F. LICENSING PROCEDURES FOR OLDER DRIVERS			
State/ Jurisdiction	Length of Renewal Cycle	Accelerated Renewal	Other Provisions
Maine	Six years	Four years for drivers age 65 and older	Vision test required at first renewal after driver's 40 th birthday and at every second renewal until age 62; thereafter, at every renewal
Maryland	Eight years (effective 10/1/12)	None	Vision test required at age 40 and older at every renewal ⁴
Massachusetts	Five years	None	Renewal applicants who are age 75 and older must apply in person
Michigan	Four years	None	None
Minnesota	Four years	None	None that are safety related ⁵
Mississippi	Four or eight years at driver's option	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	None that are safety related ⁶
Nebraska	Five years	None	Applicants 72 and older may not renew electronically
Nevada	Four years	None	None that are safety related ⁷
New Hampshire	Five years	None	None
New Jersey	Four years	None	None
New Mexico	Four or eight years at driver's option.	Four years for drivers ages 67 through 75; annually for drivers age 75 and older	None
New York	Eight years	None	None
North Carolina	Eight years	Five years for drivers age 66 and older	None that are safety related ⁸
North Dakota	Six years	Four years for drivers age 78 and older	None
Ohio	Four years	None	None
Oklahoma	Four years	None	None that are safety related ⁹
Oregon	Eight years	None	Vision screening is required every eight years for drivers age 50 and older
Pennsylvania	Four years	None	None
Rhode Island	Five years	Two years for drivers age 75 and older	None
South Carolina	10 years	Five years for drivers age 65 and older	Vision test required for people age 65 and older; every licensee required to take a vision test every five years
South Dakota	Five years	None	None
Tennessee	Five years	None	Licenses issued to those age 65 and older do not expire; fees are reduced for drivers age 60 and older ¹⁰
Texas	Six years	Two years for drivers age 85 and older	Mail or electronic renewal not available to people age 79 and older

APPENDIX F. LICENSING PROCEDURES FOR OLDER DRIVERS			
State/ Jurisdiction	Length of Renewal Cycle	Accelerated Renewal	Other Provisions
Utah	Five years	None	Vision test required for people age 65 and older
Vermont	Four years	None	None
Virginia	Eight years	None	Vision test required for people age 80 and older
Washington	Five years	None	None
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 ¹¹
Puerto Rico	Six years	None	None
U.S. Virgin Islands	Five years	No information	No information

Notes

1. In Arizona, the license is valid until age 65. Anyone age 65 and older who is renewing by mail must submit a vision test verification form, provided by the department, or verification of an examination of the applicant's eyesight. The vision test or examination must be conducted not more than three months before.
2. In Connecticut, people age 65 and older can choose a two-year or six-year renewal cycle. A personal appearance at renewal generally is required. Upon showing a hardship, people age 65 and older can renew by mail.
3. In Florida, only two successive renewals can be made electronically or by mail, regardless of age.
4. Some state licensing laws specifically prohibit licensing administrators from treating people differently solely by virtue of advanced age. Maryland law specifies that age alone is not grounds for reexamination of drivers; applicants for an initial license who are age 70 and older must provide proof of previous satisfactory operation of a vehicle or a physician's certificate of fitness. Massachusetts law prohibits discrimination by reason of age with regard to licensing. Minnesota and Nevada law specify that age alone is not a justification for reexamination. In Nevada, applicants for mail renewal age 70 and older must include a medical report.
5. Some state licensing laws specifically prohibit licensing administrators from treating people differently solely by virtue of advanced age. Minnesota law specifies that age alone is not a justification for reexamination.
6. Montana allows only two successive renewals to be made electronically or by mail, regardless of age.
7. Some state licensing laws specifically prohibit licensing administrators from treating people differently solely by virtue of advanced age. Nevada law specifies that age alone is not a justification for reexamination. In Nevada, applicants for mail renewal age 70 and older must include a medical report.
8. In North Carolina, people 60 and older are not required to parallel park in the road test.
9. In Oklahoma, the license fee is reduced for drivers ages 62-64 and is waived for drivers age 65 and older.
10. 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.
11. The District of Columbia specifically states that an applicant shall not be required to retake the written or road test based solely on advanced age.

Sources: Insurance Institute for Highway Safety, AAA and NCSL, 2012.

APPENDIX G. STATE MAXIMUM POSTED SPEED LIMIT LAWS				
State/ Jurisdiction	Rural Interstates	Urban Interstates	Other Limited Access Roads	Other Roads
Alabama	70	65	65	65
Alaska	55 ¹	55	55	55
Arizona	75	65	65	65
Arkansas	70; trucks: 65	55	60	55
California	70; trucks: 55	65; trucks: 55	70; trucks: 55	65
Colorado	75	65	65	65
Connecticut	65	55	65	55
Delaware	55	55	65	55
Florida	70	65	70	65
Georgia	70 ²	65	65	65
Hawaii	60	60	55	45
Idaho	75; trucks: 65	65	55	65
Illinois	65	55	65	55
Indiana	70; trucks: 65	55	60	55
Iowa	70	55	65	55
Kansas	75	75	75	65
Kentucky	65; 70 on specified segments of road ³	65	65	55
Louisiana	70	70	70	65
Maine	75	65	65 ⁴	60
Maryland	65	65	65	55
Massachusetts	65	65	65	55
Michigan	70; trucks: 60 ⁵	70; trucks: 60 ⁵	70; trucks: 60 ⁵	55
Minnesota	70	55, 60 or 65	65	55
Mississippi	70	70	70	65
Missouri	70	70	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	65	60-70	55
New York	65	55	55	55
North Carolina	70	70	70	55
North Dakota	75	75	4-lane: 70 Other: 65	65
Ohio	65; 70 on Ohio Turnpike	65	65	55
Oklahoma	75	70	70	70
Oregon	65; trucks: 55	55	55	55
Pennsylvania	65	55	65	55
Rhode Island ⁶	65	55	55	55
South Carolina	70	70	55	55
South Dakota	75	75	70	70
Tennessee	70	70	70	65
Texas	75; 80 or 85 on specified segment of road ⁷	75	75	75
Utah	75; 80 on specified segments	65	75	65
Vermont	65	55	50	50
Virginia	70 ⁸	70 ⁴	65	55

APPENDIX G. STATE MAXIMUM POSTED SPEED LIMIT LAWS				
State/ Jurisdiction	Rural Interstates	Urban Interstates	Other Limited Access Roads	Other Roads
Washington	70; trucks: 60	60	60	60
West Virginia ⁹	70	60 or 65	65	55
Wisconsin	65	65	65	55
Wyoming	75	75	65	65
District of Columbia	n/a	55	n/a	25
Guam ¹⁰	n/a	n/a	n/a	n/a
Puerto Rico	65	65	n/a	n/a
U.S. Virgin Islands	40 ¹¹	55	20	n/a

Key

n/a = not applicable

Notes

1. Alaska's default speed limit is 55 mph; 65 mph on select Interstate routes is set by engineering investigation and on case-by-case basis, not automatically or by default.

2. Georgia "Super Speeder Law" adds on \$200 in state fees for any driver convicted of speeding at more than 75 mph on any two-lane roads or at more than 85mph on multiple lane roads anywhere in the state.

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

4. Two limited access highways in Maine are posted at 55 mph.

5. Truck speed limit is 55 mph if the speed limit for cars is less than 70 mph.

6. Rhode Island speed limits are not set by law, but by state traffic commission.

7. In sections of I-10 and I-20 in rural west Texas, the speed limit for passenger cars and light trucks is 80 mph. Speed limits may be established not to exceed 85 mph if the highway is designed to accommodate the higher speed and it has been determined by a traffic and safety engineering study to be reasonable and safe.

8. In Virginia, the posted limit may be as high as 70 mph where indicated by lawfully placed signs, erected subsequent to a traffic engineering study,

9. West Virginia speed limits, in general, are not set by law, but by the commissioner of the Division of Highways.

10. Guam does not have any Interstates. The maximum speed limits for cars and trucks are 35 mph in rural areas; 15 mph in residential areas; and 15mph or 25 mph in school zones.

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

Sources: Insurance Institute for Highway Safety, AAA and NCSL, 2012.

APPENDIX H. STATE AGGRESSIVE DRIVING LAWS				
State/ Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
Arizona	A person commits “Aggressive Driving” if both the following occur: 1) If during a “course of conduct,” they violate either the Basic Speed Rule or the “Excessive Speed” law plus two of the following minor driving offenses: a) Failure to obey traffic control devices; b) overtaking and passing another vehicle on the right by driving off the pavement or main traveled portion of the roadway; c) unsafe lane change; d) following a vehicle too closely; and e) failure to yield the right-of-way; and, 2) 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.”	Six months ¹	\$2,500	30 days ²
California	California does not have a per se aggressive driving law. However, in addition to the usual criminal sanctions, the law provides licensing sanctions against a person who commits a criminal assault using a motor vehicle (commonly known as “road rage”) against either another motor vehicle, an operator of a bicycle or a pedestrian.	Four years	\$10,000	Six months
Delaware	No person shall drive any vehicle in an aggressive manner. Aggressive driving is defined as continuous conduct that violates three or more of the following rules-of-the-road: failing to obey a traffic-control device; overtaking on the right; failing to drive within a marked lane for traffic; following too closely; failing to yield the right-of-way to approaching traffic when turning left; failing to yield to approaching traffic when entering or crossing a roadway; failing to signal when turning or stopping; failing to stop at stop signs or yield at yield signs; overtaking and passing a stopped school bus with flashing lights; failing to obey the basic speed rule; and failing to obey a posted speed limit.	30 days ³ 10 days mandatory ³	\$300 ³ \$100 mandatory ³	None ⁴
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				
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 commits at least three of the following: 1) following a vehicle too closely, 2) unsafe operation of a vehicle, 3) overtaking another vehicle on the right by driving off the roadway, 4) unsafe stopping or slowing a vehicle, 5) unnecessary sounding of the horn, 6) failure to yield, 7) failure to obey a traffic control device 8) driving at an unsafe speed and 9) repeatedly flashing the vehicle's headlights. 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.	One 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, and exceeding a maximum speed limit or posted maximum speed limit.	None	None	None ⁵
Nevada	A person commits "Aggressive Driving" if, during a course of one mile, he or she, 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.	Six months ³	\$1,000 ³	30 days ² One year on 2 nd offense

APPENDIX H. STATE AGGRESSIVE DRIVING LAWS				
State/ Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
New Jersey	<p>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.</p> <p>Assault by auto or vessel is a crime of the third degree if the person purposely drives a vehicle in an aggressive manner directed at another vehicle and serious bodily injury results and is a crime of the fourth degree if the person purposely drives a vehicle in an aggressive manner directed at another vehicle and bodily injury results. For purposes of this paragraph, "driving a vehicle in an aggressive manner" shall include, but is not limited to, unexpectedly altering the speed of the vehicle, making improper or erratic traffic lane changes, disregarding traffic control devices, failing to yield the right of way, or following another vehicle too closely.</p>	N/A	N/A	N/A
North Carolina	<p>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, and 5) following too closely. A person convicted of aggressive driving is guilty of a Class 1 misdemeanor.</p>	45 days ³	At the discretion of the court ³	None
Pennsylvania	<p>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.</p>	N/A	N/A	N/A
Rhode Island	<p>"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.</p>	None	\$500	30 days ⁶

APPENDIX H. STATE AGGRESSIVE DRIVING LAWS				
State/ Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
Utah	Reckless driving is defined as operating a vehicle either 1) “in willful or wanton disregard for the safety of persons or property” or 2) “while committing three or more moving traffic violations under Title 41, Chapter 6, Traffic Rules and Regulations, in a series of acts within a single continuous period of driving.”	Six months ¹	\$1,000 ¹	Three months ^{2,3}
Vermont	The statute prohibits following too closely, crowding and harassment. “The driver of a vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of the vehicles and the traffic upon, and the conditions of, the highway.”	None	None	None
Virginia	A person is guilty of aggressive driving if the person i) violates one or more of the following: driving on right side of 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.	Six 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 applies to the first offense.
4. Since the offender may be prosecuted for and convicted of the underlying offenses, they are subject to licensing action associated with violating such offenses.
5. Points assessed against the driver for offense.
6. The law provides that a person’s license may be subject to a minimum 30-day suspension. This sanction appears to apply only to first offenders.
7. The law is a defining statute but does not permit enforcement.

Sources: NHTSA, Governor’s Highway Safety Association, and NCSL, 2011.

APPENDIX I. STATE POLICIES REGARDING USE OF TRAFFIC CAMERAS		
State/ Jurisdiction	Statute Citation	Policy
Alabama	2009 SB 59 2011 SB 411, SB 442, HB511	Authorizes the City of Montgomery, in Montgomery County to use automated traffic light enforcement in the City of Montgomery as a civil violation. Maximum fine of \$100 with a \$10 court fee; no points assessed. Also authorizes the cities of Center Point, Midfield and Opelika to use automated traffic light enforcement.
Arizona	§28-654	Authorizes use of cameras to enforce speed laws and red light violations. Requires signs where the enforcement is used. Maximum fine of \$165 maximum fine; two (red light) and three (speed) points assessed.
Arkansas	§14-16-117	Use of photo radar by county or state government is prohibited except in school zones and at railroad crossings. Officer must be present and citation must be issued at time of the offense.
California	Vehicle Code §§210, 21455.5 and 21455.6, 40518-40521	Establishes conditions for use of red light cameras and highway-rail crossing cameras by law enforcement agencies. Maximum fine of \$100; one license point.
Colorado	§42-4-110.5	Authorizes use of photo radar to catch red light runners and speeders. Speed radar limited to construction and school zones, residential areas or adjacent to a municipal park. Maximum fine of \$75 for red light violation, \$80 for speeding; no points assessed. ¹ Conspicuous sign no less than 200 feet before the automated system must warn motorists of system.
Delaware	§4101 (d) Title 21	Authorizes a red light camera program throughout the state. Maximum fine of \$110, no points assessed and offense cannot be used by insurers.
Florida	§316.003, 316.007, 316.0083	Authorizes use of cameras for red light violations. Maximum fine of \$158, no points assessed.
Georgia	§40-6-20	Authorizes use of photo monitoring devices to detect red light violations. Devices cannot be used to produce any photograph, microphotograph, electronic image or videotape showing the identity of any person in a motor vehicle. Maximum fine of \$70, no points assessed. Not a moving violation; cannot be used by insurers.
Illinois	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	Use permitted statewide in construction zones or Illinois Toll Authority roads to enforce speed laws. Certain counties with local ordinances can use it to enforce red light violations. Any county or municipality can use cameras to enforce rail crossing violations in cooperation with IL-DOT and IL-CC; ordinance required. Local authorities cannot use cameras for other speed offenses (the state can use only if an officer is present) statewide. County or municipality may use automated railroad grade crossing enforcement system at any railroad grade crossing equipped with a crossing gate designated by local authorities. Maximum fine of \$250 or 25 hours of community service for rail crossing or construction or toll road speeding; \$100 maximum fine or completion of a traffic education program for red light offenders; not a moving violation or recorded offense. Speeding in other areas, \$50 if 6-10 mph over the limit; \$100 if more than 10 mph over the limit.
Louisiana	R.S. 32:393(I)	Convictions resulting from camera enforcement cannot be reported for inclusion in driver record.
Maine	29-A MRSA § 2117	Prohibits both speed and red light camera enforcement.
Maryland	Transportation Code §21-202.1,207	Authorizes use of red light cameras statewide. Maximum civil penalty of \$100, no points assessed, not a moving violation and may not be used by insurers. School zones and residential districts in Montgomery County, Prince George's County school zones, statewide in school zones by local ordinance and work zones are authorized to use photo enforcement for speed; \$40 maximum fine, no points assessed. Montgomery County and Prince George's County can use automated enforcement at railroad crossings; \$100 maximum fine, no points.

APPENDIX I. STATE POLICIES REGARDING USE OF TRAFFIC CAMERAS		
State/ Jurisdiction	Statute Citation	Policy
Mississippi	2009 HB 1568	Prohibits all localities from using automated enforcement.
Montana	§61-8-203	Prohibits all localities from using automated enforcement. Cameras at railroad grade crossings excepted. Maximum fine of \$1,000 and up to four points.
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. It is authorized for toll enforcement.
New Jersey	§39:4-103.1	Prohibits use of camera radar by law enforcement officers or agencies. Local jurisdictions can apply to transportation commissioner to participate in a pilot program for red light enforcement after passing an ordinance. Vendor installing system must establish a public awareness campaign to notify the public of the intersection at which the system will be installed and of the date on which the system will be activated. Maximum fine of \$85; no points assessed.
New Mexico	SB 861 (2007)	No state law authorizing photo radar use. NMDOT has banned red light cameras and mobile enforcement vans on state and federal roadways, but state law requires counties and municipalities using photo enforcement to post a warning sign and beacon.
New York	V&T §1111-a	Authorizes red light enforcement in cities with populations of more than 1 million with a maximum of 150 intersections. Maximum fine of \$50, no points assessed and may not be used by insurers. Counties of Nassau and Suffolk, cities of Syracuse, Rochester and Buffalo, by local ordinance, up to 50 intersections; Yonkers, by local ordinance, up to 25 intersections.
North Carolina	§160A-300.1	Authorizes certain cities to operate a red light camera program. Maximum civil penalty of \$75, no points assessed.
Ohio	No specific statute	Red light cameras authorized by ordinance in Toledo and Dayton.
Oregon	§810.483 ORS and §810.434 ORS	Authorizes use of photo radar in specific jurisdictions to detect speed violations; may not be used for more than four hours per day, per location. Allows use of red light cameras statewide. Maximum fines,.
Pennsylvania	75 Pa. Cons. Stat. Ann. 3166	Authorizes use of red light cameras in Philadelphia, Pittsburgh and municipalities with a population exceeding 20,000; requires local ordinance. Maximum fine of \$100; not on operating record.
Rhode Island	Title 31, Chapter 41.2	Authorizes statewide use of red light cameras. Maximum fine of \$75, not a criminal or record offense, and not to be used by insurers until there is a final adjudication of the violation. Authorizes cameras for school bus safety enforcement. Maximum fine of \$500.
South Carolina	§56-5-70	Photo enforcement prohibited with exceptions; citations for violating traffic laws relating to speed or disregarding traffic control devices can be used only when the state declares an emergency. Citations must be served in person within one hour of the violation.
South Dakota	No specific statute	Red light cameras authorized by ordinance in Sioux Falls.
Tennessee	§55-8-110	Photo enforcement authorized statewide for traffic violations. Maximum fine of \$50, no points assessed. Appropriate signage must be located not less than 500 feet in advance of the intersection, informing drivers of the presence of surveillance cameras at the approaching intersection. Traffic surveillance cameras not allowed on interstate highways except for construction zones.

APPENDIX I. STATE POLICIES REGARDING USE OF TRAFFIC CAMERAS		
State/ Jurisdiction	Statute Citation	Policy
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. Maximum fine of \$75, not a criminal or record offense.
Utah	§41-6-52.5	Limits the use of camera enforcement to school zones, areas with speed limits of 30 mph or less, when a police officer is present, when signs are posted giving notice to motorists of camera use, and when the citation is accompanied by the photograph produced by the camera radar.
Virginia	§46.2-833.1 §15.2-968.1	Authorizes counties, cities and towns to operate red light cameras at no more than one intersection for every 10,000 residents; requires local ordinance. Authorizes up to 10 camera sites in Washington D.C., metro area. Maximum fine of \$50; no points assessed and may not be used by insurers.
Washington	RCW 46.63	Cities and counties statewide are authorized to enforce, through photos, red light violations at two-arterial intersections, rail crossings and school speed zones. Local ordinances are required. Maximum fine of \$250; no record and no points assessed.
West Virginia	§17C-6-7a	All photo enforcement is prohibited.
Wisconsin	§349.02	Speed cameras are prohibited.
District of Columbia	DC Code §40-751	Authorizes an automated traffic enforcement program in the District of Columbia for all moving infractions. For speed violations, \$75-\$300 maximum fine based on the miles per hour over the posted speed limit. Red light violations \$150 maximum fine. No points assessed.

Note

1. Driver given only a warning for first photo radar offense if speed is within 10 mph of limit.

Sources Insurance Institute for Highway Safety and NCSL, 2012.

APPENDIX J. MOTORCYCLE HELMET USE REQUIREMENTS		
All Riders	Specific Segment of Riders (Usually under age 21 or age 18)	No Helmet Required
Alabama	Alaska ¹	Illinois
California	Arizona	Iowa
Georgia	Arkansas	New Hampshire
Louisiana	Colorado	
Maryland	Connecticut	
Massachusetts	Delaware ²	
Mississippi	Florida ³	
Missouri	Hawaii	
Nebraska	Idaho	
Nevada	Indiana	
New Jersey	Kansas	
New York	Kentucky ⁴	
North Carolina	Maine ⁵	
Oregon	Michigan ⁶	
Tennessee	Minnesota ⁷	
Vermont	Montana	
Virginia	New Mexico	
Washington	North Dakota ⁸	
West Virginia	Ohio ⁹	
District of Columbia	Oklahoma	
Puerto Rico ¹⁴	Pennsylvania ¹⁰	
American Samoa	Rhode Island ¹¹	
Guam	South Carolina	
Northern Marianas	South Dakota	
U.S. Virgin Islands	Texas ¹²	
	Utah	
	Wisconsin ¹³	
	Wyoming	

Notes

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

2. In Delaware, every motorcycle operator or rider age 19 and older shall have in their possession a safety helmet approved by the secretary.

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

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

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

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

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

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

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

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

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

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

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

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

Sources: National Highway Traffic Safety Administration, NCSL and the Insurance Institute For Highway Safety, 2012.



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