



TRAFFIC SAFETY TRENDS STATE LEGISLATIVE ACTION 2013

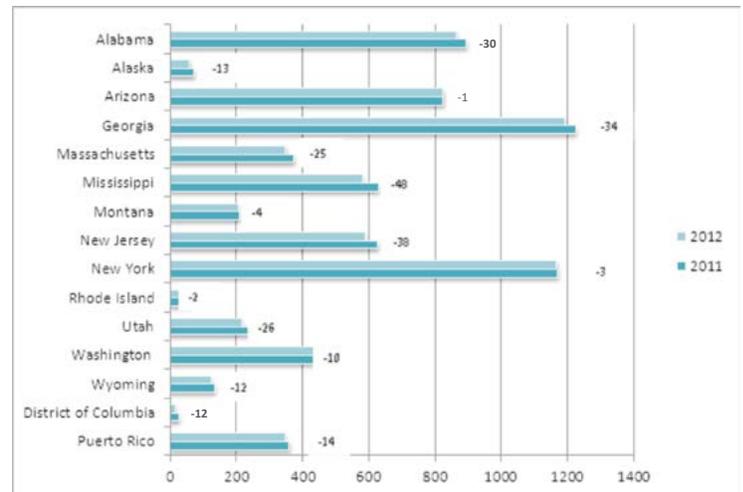
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Motor vehicle crashes remain the leading cause of death for Americans between the ages of 3 and 34. In 2012, highway deaths increased for the first time since 2005, from 32,479 in 2011 to 33,561 in 2012. While motor vehicle deaths in 2012 remain at the same level of fatalities as in 1950, Americans drove approximately the same about of miles in 2012 as they did in 2011, but with a 3.3 percent increase in fatalities. Thirteen states and the District of Columbia saw reductions in overall traffic fatalities (Table 1); in Mississippi, the number of fatalities decreased by 48, or 7.6 percent.

Figure 1. Jurisdictions With Reduced Overall Traffic Fatalities in 2012



This report examines 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/research/transportation/state-traffic-safety-legislation-database.aspx.

FEDERAL UPDATE

On July 6, 2012, Congress passed the Moving Ahead for Progress in the 21st Century Act (MAP-21) and it was signed into law by the president. Map-21 is the first long-term surface transportation reauthorization enacted since 2005. The law provides more than \$105 billion in funding for surface transportation programs for fiscal year (FY) 2013 and FY 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 license. 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 2012, more than 33,000 people died in crashes, and 52 percent

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of those killed were not wearing a seat belt. Approximately 2.36 million people were injured in motor vehicle crashes in 2012. The annual economic cost of motor vehicle crashes is estimated at approximately \$230 billion, with \$32 billion spent on medical costs alone.

Research indicates that lap/shoulder seat belts, when used, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent and the risk of moderate-to-critical injury by 50 percent. For light-truck occupants, seat belts reduce the risk of fatal injury by 60 percent and moderate-to-critical injury by 65 percent. NHTSA estimates that seat belts saved approximately 12,174 lives in 2012 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 66.5 percent in South Dakota to 96.9 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 only front-seat occupants, although laws in 27 states and the District of Columbia cover those in 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-three states and the District of Columbia have primary enforcement seat belt laws. Sixteen states have secondary seat belt laws that require police to stop the vehicle for other reasons before they can cite the driver for failure to use a seat belt. According to NHTSA, states with primary laws averaged 11 percent higher seat belt use than secondary law states in 2013. (Appendix B has information on safety belt use laws.)

During the 2013 state legislative sessions, 25 states considered bills related to seat belts. This year, West Virginia became the 33rd state to enact a primary seat belt law. Seven states—Arizona, Massachusetts, Missouri, Montana, Nebraska, North Dakota and Vermont—considered, but did not pass, primary seat belt laws in 2013. On the other hand, Minnesota considered changing its primary seat belt law to a secondary law. Hawaii and Maryland now require all front and back seat passengers to wear seat belts. Iowa, Mississippi, New York and West Virginia considered, but did not pass, similar legislation. Rhode Island reduced the fine for not wearing a seat belt from \$85 to \$40.

In a 2011 study, “Documenting How States Recently Upgraded to Primary Seatbelt Laws,” NHTSA researchers examined 10 states that upgraded their seat belt laws from secondary to primary between 2004 and 2009. Researchers noted that, in all these states, a common opposition to a primary law was invasion of privacy and government intrusion. Advocates of the primary bill argued that the seat belt law already existed, and the only change would be to enforcement. They also pointed out the significant health care savings.

Another 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, data revealed no differences in ticketing by race. The number of citations for nonuse of seat belts increased substantially in every state that switched to a primary law, and increases occurred in all groups. The percentage of citations received by each group changed very little, however. 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

Just over 1,000 children younger than age 14 died in motor vehicle crashes in 2011, the latest available data. Child deaths in motor vehicle crashes have declined since 1975, but crashes still cause about one of every four unintentional injury deaths among children younger than 13, according to the Centers for Disease Control and Prevention (CDC). The most effective way to keep children safe in cars is to ensure they are properly restrained in appropriate child restraint systems in the back seat. NHTSA estimates that child safety seats reduce the risk of fatal injury by 71 percent for infants and by 54 percent for toddlers in passenger cars.

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 that, once children outgrow their front-facing seats (usually around age 4 and 40 pounds), they should ride in booster seats in the back seat until the vehicle seat belts fit properly. In a proper seat belt fit, 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. The 2011 National Survey of the Use of Booster Seats (NSUBS) found that 35 percent of children ages 4 to 7 in the United States were not properly protected—25 percent were restrained by seat belts and 10 percent were unrestrained.

A national survey of child restraint systems, conducted by NHTSA between June and August 2011, NHTSA conducted a national survey of child restraint systems, included observations and interviews by certified child passenger safety technicians (CPSTs) of the restraint systems used for 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 risks of ejection from the vehicle

In 2013, 23 states debated child passenger protection legislation. New Hampshire enacted legislation this year to require children age 7 and younger to be secured in a restraint, most likely a booster seat. The measure also increased the height exception for chil-

Large Trucks

In 2012, troubling increases occurred in fatal crashes for large trucks (a gross vehicle weight rating greater than 10,000 pounds). Fatalities increased for a third straight year to 697 deaths in 2012, an increase of 8.9 percent from 2011. Injuries increased 8.7 percent, for a total of about 93,000 injuries. Although these increases are significant, it is important to note that the number of fatal crashes for large trucks is small, so large year-to-year percentage swings are not uncommon. Numbers for 2010 (the latest year available) show that large trucks make up 4 percent of all registered vehicles and 10 percent of total vehicle miles traveled.

Large truck drivers in fatal crashes were much less likely to have blood alcohol content (BAC) above the legal limit compared to other drivers in 2011; 1 percent for large truck drivers compared to 24 percent for drivers of passenger vehicles and 29 percent for motorcyclists. However, preliminary numbers from 2012 show an increase of 86 percent for large truck drivers whose BAC is over the legal limit, although the numbers are relatively small and must be considered within a multi-year context. Large truck drivers involved in fatal crashes were about as likely as passenger vehicle drivers to have a previous speeding conviction, 19 percent and 18 percent respectively. Occupants of other vehicles were by far the most likely to die in a crash with a large truck; in 2011, 72 percent of fatalities were occupants of other vehicles, 17 percent were truck occupants and 11 percent were non-occupants.

dren who do not have to sit in a child passenger restraint from 55 inches to 57 inches. Arkansas and Florida both considered, but did not pass, raising the age and height requirements for child passenger restraints. (See appendices C and D 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. Statutes in five states—Arkansas, California, Louisiana, Maine and Utah—prohibit adult drivers and passengers from smoking while in a motor vehicle with a child. Utah’s law, which passed in 2013, prohibits drivers from smoking in a vehicle if they have a passenger who is age 15 or younger. The infraction carries a \$45 fine.

In 2013, Connecticut, Maryland, Ohio, South Carolina, Vermont and Virginia considered, but did not pass, legislation prohibiting operators of motor vehicles from smoking tobacco with children present.

IMPAIRED DRIVING

In 2012, 10,322 people were killed in alcohol-impaired traffic crashes, accounting for 31 percent of all motor vehicle fatalities. This represents a 4.6 percent increase from 2011. Impaired driving continues to be a serious traffic safety and public health issue for states (see Table 1). According to the CDC, nearly 30 people die every day in the United States due to motor vehicle crashes that involve an alcohol-impaired driver. The annual cost of alcohol-related crashes is more than \$51 billion.

Table 1. Alcohol-Impaired Traffic Fatalities, 2012

State/Jurisdiction	Total Traffic Fatalities	Alcohol-Impaired Driving Fatalities (BAC \geq .08)	Percentage Alcohol-Impaired
Alabama	865	257	30%
Alaska	59	15	25
Arizona	825	227	28
Arkansas	552	143	26
California	2,857	802	28
Colorado	472	133	28
Connecticut	236	85	36
Delaware	114	34	30
Florida	2,424	697	29
Georgia	1,192	301	25
Hawaii	126	51	41
Idaho	184	54	29
Illinois	956	321	34
Indiana	779	228	29
Iowa	365	92	25
Kansas	405	98	24
Kentucky	746	168	23
Louisiana	722	241	33
Maine	164	49	30

Table 1. Alcohol-Impaired Traffic Fatalities, 2012

State/Jurisdiction	Total Traffic Fatalities	Alcohol-Impaired Driving Fatalities (BAC \geq .08)	Percentage Alcohol-Impaired
Maryland	505	160	32
Massachusetts	349	123	35
Michigan	938	259	28
Minnesota	395	114	29
Mississippi	582	179	31
Missouri	826	280	34
Montana	205	89	44
Nebraska	212	74	35
Nevada	258	82	32
New Hampshire	108	32	30
New Jersey	589	164	28
New Mexico	365	97	27
New York	1,168	344	29
North Carolina	1,292	402	31
North Dakota	170	72	42
Ohio	1,123	385	34
Oklahoma	708	205	29
Oregon	336	86	26
Pennsylvania	1,310	408	31
Rhode Island	64	24	38
South Carolina	863	358	41
South Dakota	133	45	33
Tennessee	1,014	295	29
Texas	3,398	1,296	38
Utah	217	34	16
Vermont	77	23	30
Virginia	777	211	27
Washington	444	145	33
West Virginia	339	95	28
Wisconsin	615	200	33
Wyoming	123	40	32
District of Columbia	15	4	27
Puerto Rico	347	104	30
United States	33,561	10,322	31

Source: NHTSA, 2013.

In 2013, lawmakers in 48 states introduced more than 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 high blood alcohol content to ignition interlocks, breath tests and treatment. Thirty-four states enacted laws related to impaired driving during the 2013 legislative session.

High BAC

In 2012, 59 percent of drivers who had been drinking and were involved in fatal crashes had a BAC of .15 or greater. To address this problem, 49 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. In 2013, the Colorado legislature lowered the high BAC threshold from .17 to .15.

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

State/Jurisdiction	BAC	State/Jurisdiction	BAC
Alabama	.15	Nebraska	.15
Alaska	.15	Nevada	.18
Arizona	.15	New Hampshire	.16
Arkansas	.15	New Jersey	.10
California	.16 and .20	New Mexico	.16
Colorado	.15	New York	.18
Connecticut	.16	North Carolina	.15
Delaware	.16	North Dakota	.18
Florida	.20	Ohio	.17
Georgia	.15	Oklahoma	.15
Hawaii	.15	Oregon	.15
Idaho	.20	Pennsylvania	.16
Illinois	.16	Rhode Island	.10, .15
Indiana	.15	South Carolina	.15
Iowa	.15	South Dakota	.17
Kansas	.15	Tennessee	.20
Kentucky	.18	Texas	.15
Louisiana	.15, .20	Utah	.16
Maine	.15	Vermont	.16
Maryland	.15	Virginia	.15, .20
Massachusetts	.20 (applies to ages 17 to 21)	Washington	.15
Michigan	.17	West Virginia	.15
Minnesota	.20	Wisconsin	.17, .20, .25
Mississippi	No increased penalties	Wyoming	.15
Missouri	.15	District of Columbia	.20, .25
Montana	.16		

Source: Governor's Highway Safety Association, 2014.

Ignition Interlock

Ignition interlock devices are installed in motor vehicles to prevent the car from being started if alcohol is detected on the driver's breath. Most devices require frequent retesting while the car is running to ensure that the driver is not drinking once the car is started. Many courts include the use of ignition interlock devices when sentencing offenders convicted of driving under the influence (DUI). During sentencing, an offender whose driver's license has been suspended or revoked can be granted limited driving privileges if an ignition interlock device is installed. In 2005, New Mexico became the first state to require ignition interlock devices for all convicted drunk drivers, including first-time offenders. As of December 2013, 14 additional states—Alaska, Arizona, Arkansas, Connecticut, Hawaii, Kansas, Louisiana, Nebraska, New York, Oregon, Tennessee, Utah, Virginia and Washington—also require ignition interlock devices for all convicted drunk driving offenders. Tennessee, Oregon and Virginia passed requirements in 2013. Florida and Missouri considered bills that would require ignition interlocks for all offenders in 2013, but the bills did not pass. California currently has a four-county pilot program, including Los Angeles, that requires all convicted drunk drivers to install ignition interlock devices. Colorado and Illinois ignition interlock laws do not make installation of the devices mandatory for first-time offenders, but they provide strong incentives for installation.

Nearly 30 states considered some sort of ignition interlock legislation in 2013, and many states amended provisions in their laws. Georgia lengthened from eight months to one year the time an ignition interlock must be installed for a second offense. New York enacted an ignition interlock requirement for young offenders who have a graduated driver's license and are convicted of impaired driving.

At least five states this year shortened their driver's license suspension periods if offenders installed ignition interlock devices. Colorado amended its license suspension time from one year to one month, if the offender applies for an ignition interlock-restricted license. An offender who refuses a breath test in Colorado is eligible to apply for an interlock-restricted license after two months. Maine now allows a first offender's license to be reinstated after a 30-day suspension if an ignition interlock is installed. Mississippi passed a similar law in 2013. Nebraska now allows a second offender to drive after a 45-day suspension if he or she maintains ignition interlock installation for one year. Arkansas now allows for an offender to apply for an interlock restricted license immediately, with no license suspension time.

Repeat Offenders

According to the CDC, one-third of all driving while intoxicated (DWI) or driving under the influence (DUI) arrests each year involve repeat offenders. Washington added new penalties for repeat offenders in 2013. Under the new law, if anyone arrested for driving under the influence already has been convicted of a DUI in the last five years, he or she must show proof of installation of an ignition interlock or alcohol monitoring as a condition of release from jail. In North Carolina, if a judge suspends a jail sentence for a repeat, or high BAC offender, the judge must require the offender to abstain from alcohol use, undergo continuous alcohol monitoring, and complete 240 hours of community service. Massachusetts considered, but did not pass, a bill that would have required a distinct driver's license for repeat impaired driving offenders.

Drugged Driving

In addition to alcohol-impaired driving, drugged driving is implicated in an increasing number of crashes and fatalities. According to the 2012 National Survey on Drug Use and Health (NSDUH), an estimated 10.3 million people age 12 or older reported driving under the influence of illicit drugs during the year prior to the survey. In 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. State legislatures are considering and passing measures to address impaired driving that specifically involve illegal substances or prescription drugs. In 2013, Colorado passed a law that sets a blood content threshold for tetrahydrocannabinol (THC), the primary ingredient found in marijuana). Anyone who drives a motor vehicle and has a THC

blood content of 5 nanograms or more will be guilty of driving under the influence. Nevada and Ohio statutes establish a threshold of 2 nanograms of illegal substances per milliliter of blood, and Pennsylvania administrative law establishes the threshold at 5 nanograms. Fifteen states—Arizona, Colorado, Delaware, Georgia, Illinois, Indiana, Iowa, Michigan, Minnesota, Oklahoma, Pennsylvania, Rhode Island, Utah, Washington and Wisconsin—are per se states that do not tolerate any presence of a prohibited drug or substance in a driver's body while driving. In Colorado and Washington, however, the per se applies only to the presence of THC. Oklahoma passed a per se provision in 2013, adding that a person may be charged with impaired driving if any amount of a Schedule I chemical or controlled substance (as defined by Oklahoma statutes) or one of its metabolites or analogs is found in his or her blood, saliva, urine or other bodily fluids within two hours after arrest. California introduced, but did not pass, a similar bill in 2013. For more information about Drugged Driving Per Se Laws see www.ncsl.org/documents/transportation/persechart.pdf.

DISTRACTED DRIVING

The National Highway Safety Administration (NHTSA) defines distraction as a specific type of inattention from the driving task to focus on some other activity. A “distraction-affected” crash is any crash in which a driver was identified as distracted at the time of the crash. NHTSA reports 3,331 people were killed and an estimated 387,000 people were injured in motor vehicle crashes involving distracted driving. Ten percent of fatal crashes and 17 percent of injury crashes in 2011 were reported as distraction-affected crashes. However, the National Safety Council reports a serious problem in calculating how many crashes are actually caused by cell phone use. The National Safety Council and Nationwide Insurance reported in a [white paper](#) that researchers reviewed 180 fatal crashes between 2009 and 2011 where evidence indicated driver cell phone use.

Of these fatal crashes in 2011, only 52 percent were coded in the national data as involving cell phone use. The white paper also pointed out disparities with state reporting of cell phone-related fatal crashes. Tennessee reported 93 fatal crashes that involved cell phone use in 2011, for example, but New York, a state with a much larger population, reported only one; Texas reported 40, but Louisiana reported none. The white paper suggests that cell phone-related fatal crashes are vastly under-reported and that more reliable data collection is necessary to obtain a more accurate picture of this safety issue.

Research indicates that using a cell phone while driving can be dangerous. In 2009, Virginia Tech Transportation Institute research showed that drivers who text messaged while driving had more than 20 times the risk of a crash or near crash than a driver who was not using a phone. The study also revealed that drivers who text messaged while driving took their eyes off the road for 4.6 seconds over a 6 second interval. This equates to a driver traveling the length of a football field at 55 mph without looking at the road.

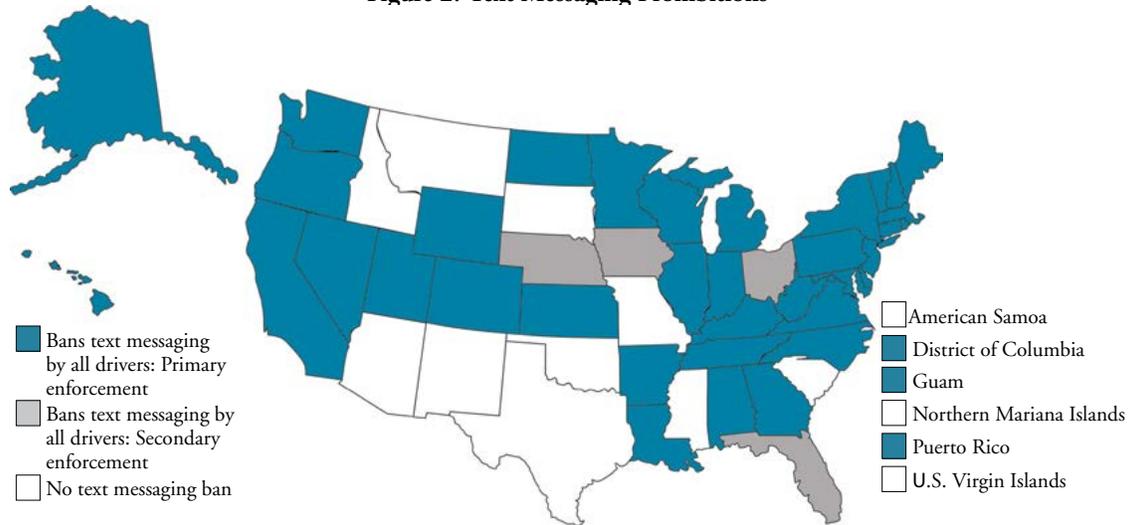
State Legislation

The prevalence of cellular phones, new research and publicized crashes have started many debates related to the role cell phones play in driver distraction. In 2013, legislators in 40 states considered approximately 170 driver distraction bills.

No state completely bans all phones for all drivers. State legislation usually addresses a range of issues, including particular wireless technologies and specific drivers. Twelve states—California, Connecticut, Delaware, Hawaii, Illinois, Maryland, Nevada, New York, New Jersey, Oregon, Washington and West Virginia—and the District of Columbia prohibit driver use of hand-held phones. Hawaii's law, passed in 2013, provides that violators of the hand-held ban will receive a fine of no more than \$200 for a first offense, but doubles the fine if the offense occurs in a school or construction zone. Maryland passed HB 753, making enforcement of its hands-free law a primary offense.

Texting while driving also remains a common driver distraction measure debated in legislatures. As of December 2013, laws in 41 states—Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Louisiana, Kansas, Kentucky, Maine, Maryland, Massachusetts, Minnesota, Michigan, 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, Guam and Puerto Rico—specifically ban text messaging while driving for all drivers (Figure 2). Florida legislation passed this year that requires secondary enforcement.

Figure 2. Text Messaging Prohibitions



Source: NCSL, 2014.

Penalties for violating texting bans vary among the states from a misdemeanor charge in Maryland that carries a \$175 fine to a traffic infraction in California that carries a \$20 fine. Violators in some states such as Nebraska will see points assessed against their license and pay a \$200 fine, while in North Carolina, the statute specifically prohibits assessing points against a person's license. At least five states made changes in 2013 to the penalties for texting while driving. In 2013, Maine increased fines for those who text while driving and added penalties for repeat offenders. Anyone who commits a second offense of texting while driving within a three-year period will face a \$500 fine and a minimum 30-day license suspension. New Jersey and Rhode Island also passed laws that impose license suspensions for subsequent offenses. Oregon changed its "texting while driving" from a Class D to a Class C infraction and increased the possible fine to \$500. Connecticut increased penalties by \$25 for the first offense and \$50 for the second offense.

A few states amended their texting while driving laws to encompass more activities and new technology. Louisiana passed a law specifically prohibiting social networking while driving.

Teens and Mobile Phones

NHTSA reports that, in 2011, 11 percent of teen drivers ages 15 to 19 who were involved in fatal crashes were distracted at the time of the crash. Of those, 21 percent were distracted by cell phones.

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 phones while driving. Laws in 37 states and the District of Columbia prohibit the use of cell phones by younger drivers, although many states provide for exceptions in emergencies. 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; South Dakota passed

such legislation this year. Other states—including Arkansas, California, Colorado, Connecticut, Georgia, Hawaii, Illinois, Indiana, Kentucky, Maine, Massachusetts, North Carolina, North Dakota, Oregon, Rhode Island, Utah, Vermont, Virginia and Wyoming—prohibit anyone under age 18 from driving while using a cellular phone. Rhode Island now requires inclusion of distracted driving issues, including cell phone use, in driver’s education curriculum and the state driver’s license exam. (See [Cell Phone Use and Texting While Driving Laws](#) for more information on distracted driving restrictions for teen drivers.)

The New Face of Distracted Driving

With the development of new, head-mounted intelligent devices, people now can purchase “wearable computers.” Legislation was introduced, but did not pass, in 2013 in Delaware, New Jersey and West Virginia to prohibit use of such “wearable computers” while driving.

Federal Action

In April 2013, the U.S. Department of Transportation (DOT) released [voluntary guidelines](#) that encourage automobile manufacturers to limit the distraction risk connected to electronic devices—such as communications, entertainment and navigation devices—built into vehicles. In June 2012, DOT released “[Blueprint for Ending Distracted Driving](#),” which offers a comprehensive strategy to address the practice of using hand-held cell phones behind the wheel. The plan outlines steps stakeholders—such as lawmakers, safety organizations, families and young drivers—can take to reduce the risk posed by distracted driving.

The transportation reauthorization, 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:

- A primary texting while driving prohibition with a minimum fine for first violation and increased fines for subsequent offenses.
- A primary prohibition on cell phone use by youth under age 18 while driving and inclusion of distracted driving issues on the state’s driver’s license exam.

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, older drivers and teen drivers.

REAL ID

Overview

On Dec. 20, 2013, the U.S. Department of Homeland Security (DHS) **announced** that phased in enforcement of the REAL ID Act would begin on Jan. 20, 2014. This announcement follows a nearly year-long period of deferred enforcement. The REAL ID Act aims to create national standards for state-issued driver's licenses and identification cards so they can be used to board commercial aircraft and access certain federal facilities.

DHS plans to implement REAL ID enforcement in four phases; each phase consists of two distinct deadlines. The first deadline will begin a three-month "warning" period during which noncompliant IDs still will be accepted. Following this three-month period, full enforcement of the phase will begin, and IDs from noncompliant states no longer will be accepted for federal purposes as defined in the act.

Enforcement Schedule

- Phase 1: Restricted areas for DHS Headquarters - Nebraska Ave. Complex
 - Jan. 20, 2014 – Begin notification period (three-month period)
 - April 21, 2014 – Full enforcement
- Phase 2: Restricted areas for all federal facilities and nuclear power plants
 - April 21, 2014 - Begin notification period (three-month period)
 - July 21, 2014 - Full enforcement
- Phase 3: Semi-restricted areas for the remaining federal facilities
 - Oct. 20, 2014 - Begin notification period (three-month period)
 - Jan. 19, 2015 - Full enforcement
- DHS will evaluate the first three phases to determine how to implement phase 4. Phase 4, which pertains to entering commercial aircraft, will go into effect no sooner than Jan. 1, 2016.

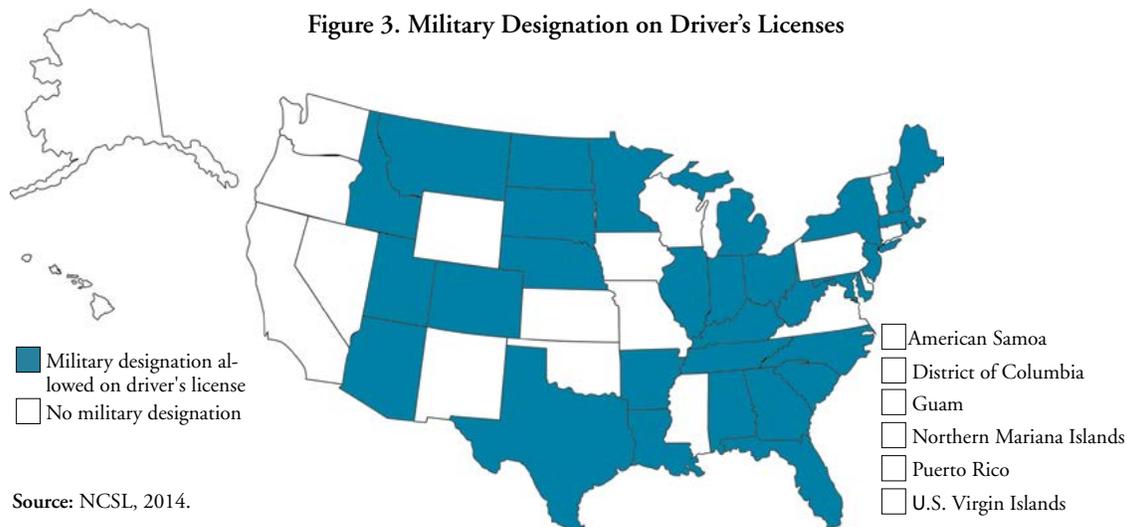
DHS defines "restricted areas" as those that normally are accessible only to agency personal, contractors and their guests. "Semi-restricted" areas are defined as those areas the public can enter but that are subject to identification control.

State Progress

- **Compliant States/Territories:** DHS provided a list of 21 states that meet the standards of the REAL ID Act of 2005 for driver's licenses and identification cards—Alabama, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Indiana, Iowa, Kansas, Maryland, Mississippi, Nebraska, Ohio, South Dakota, Tennessee, Utah, Vermont, West Virginia, Wisconsin and Wyoming.
- **Extensions:** DHS also announced that 20 states/territories—Arkansas, California, District of Columbia, Guam, Idaho, Illinois, Michigan, Missouri, New Hampshire, Nevada, North Carolina, North Dakota, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Texas, Virginia and the U.S. Virgin Islands—will receive a compliance extension based on their movement toward full compliance. Licenses from these states will be accepted for federal purposes during the extension period. These extensions, which will expire Oct. 10, 2014, can be renewed.
- **States/Territories not in Compliance:** Fifteen states/territories—Alaska, American Samoa, Arizona, Kentucky, Louisiana, Maine, Massachusetts, Minnesota, Montana, New Jersey, New Mexico, New York, the Northern Marianas Islands, Oklahoma and Washington—currently are noncompliant. These jurisdictions can be granted a future extension if they are deemed to be moving toward full compliance.

Military Designation on Driver's Licenses

Active duty servicemen and servicewomen carry military ID cards to prove their status, but veterans must carry the comparatively large Certificate of Release or Discharge from Active Duty—referred to as a DD214—to prove their military experience. To make it easier and more convenient for veterans to verify their service, 20 state legislatures have passed measures to allow a military designation on driver's licenses (Figure 3). In Massachusetts, the Registry of Motor Vehicles (without legislative action) began issuing licenses this year that carry veteran designation. Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, 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 four 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. In Missouri, the designation on the back of the document appears as a banner with the word “VETERAN” within the banner.

License Suspension for Non-Driving Offenses

At least four states in 2013 considered measures that would suspend a driver’s license as punishment for a non-driving offense, and one state passed legislation to help those with suspended licenses. Illinois now authorizes the secretary of state to suspend the driver’s license of anyone who is found guilty of operating a motorboat under the influence of alcohol or other intoxicating drugs. Texas law requires the Department of Motor Vehicles to refuse an applicant for a driver’s license until he or she has made an immediate payment of \$200 toward any child support arrearages owed. Maryland introduced, but did not pass, a measure that would have required anyone convicted of certain litter disposal offenses to have his or her driver’s license suspended. Idaho amended its law in 2013 to prohibit the Idaho Transportation Department from suspending a driver’s license for a parking violation.

Undocumented Immigrant Drivers

Many state legislatures and executive agencies have reviewed their driver’s license statutes and policies regarding issuance to unauthorized immigrants. Approximately 25 states considered legislation related to unauthorized immigrant driver’s licenses in the 2013 legislative session. Thirteen states now allow driver’s licenses or permits to be issued to unauthorized immigrants.

Prior to 2013, laws in only three states—New Mexico, Utah and Washington—allowed unauthorized immigrants to obtain a driver’s license. These states will issue a license if an applicant provides a foreign birth certificate or a foreign passport, a Matricula Consular Card and evidence of current residency in the state. In Utah, the “Driving Privilege Card,” specifically for unauthorized immigrants, was created to help ensure drivers on Utah roads purchased auto insurance. Utah’s Department of Public Safety reported that 36,921 driver privilege cards were issued in 2012. In 2013, Nevada enacted legislation similar to the Utah driving privilege card.

In 2013, Colorado, Connecticut, Georgia, Illinois, Maine, Maryland, Nevada, Oregon and Vermont enacted laws that allow non-U.S. citizens to obtain permission to drive. These state eligibility criteria and documentation requirements laws differ greatly. Illinois, for example, now issues a “temporary visitors’ driver’s license,” valid for three years, only to non-citizens who reside in the state, are not eligible for a social security number, and are unable to present documentation from U.S. Citizenship and Immigration Services that authorizes their presence in the country. The law requires the applicant to provide documentation to prove name, date of birth, Illinois residency, and a written signature. Words on the face of the license state that it cannot be accepted as proof of identity. In Colorado, the phrase “not valid for federal identification, voting, or public benefit purposes” is clearly displayed on the license.

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

Teen Drivers

Motor vehicle crashes, a leading cause of death for teen drivers, killed more than 1,987 young drivers (ages 15 to 20) in 2011, a slight increase from 2010. During the same period, 180,000 teens were injured, a 4 percent decrease from 2010. With 12.6 million young drivers on the road today, 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 concussions, skull fractures and traumatic brain injuries (TBI). Injury and fatality rates are high for teens because they are more likely to engage in risky behaviors such as speeding, driving under the influence (26 percent of drivers between the ages of 15 and 20 who were killed in crashes in 2011 had a blood alcohol content of .08 or higher), running red lights and not wearing safety belts, all of which contribute to high fatality and injury rates.

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

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 2013, 35 states considered more than 100 bills to modify education requirements, supervised driving time, and nighttime and passenger restrictions related to GDL laws. Maine enacted a law to increase the amount of supervised driving from 35 hours to 70 hours, including 10 hours of night driving. The California Assembly and Senate passed AB 1113, a teen driving bill that would have extended the length of time for a teen driver to hold an instruction permit from six months to nine months. The bill also would have extended the nighttime restriction for provisional licenses by one hour, from 11:00 pm to 10:00 pm for the duration of the provisional license. Governor Brown vetoed the bill in October 2013, stating that, "Rather than imposing yet even more restrictions on a teenager's driving privilege, I am directing the Department of Motor Vehicles, California Highway Patrol, and Office of Traffic Safety to implement a teen driver training and education program to improve transportation safety for provisional drivers." The New Hampshire legislature introduced a measure that would extend nighttime restrictions for novice drivers to 11:00 p.m. to 6:00 a.m., but the bill did not pass.

Iowa loosened its passenger restrictions for young drivers this year. Parents of young drivers may sign a waiver at the time the intermediate license is issued, allowing the teen to drive with passengers in the vehicle for the first six months of the intermediate license period. The Department of Motor Vehicles will design the intermediate licenses to distinguish a license with a passenger restriction waiver.

State legislators in 2013 addressed teen alcohol and drug use. The North Dakota legislature passed a measure requiring teens who are caught driving under the influence of alcohol to complete the state's 24/7 sobriety program. In Oregon, judges now may suspend the driver's license of anyone younger than age 18 who is convicted of possession of marijuana. West Virginia considered, but did not pass, a bill that would have required graduated driver's license holders to pass drug tests.

In 2013, Idaho and Massachusetts considered legislation to link the opportunity for a young driver to obtain a driver's license to academic progress. Michigan, New York and South Carolina considered linking youth driver's licenses to school attendance. None of the measures passed. In [29 states](#), some provision exists to link driver's licenses to school enrollment, attendance or academic performance.

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. To receive a MAP-21 grant, state requirements must include nighttime provisions, passenger and cell phone restrictions, and a state-certified driver's education program. (For more information on MAP-21 grant requirements see the [Interim Final Rule](#), starting on page 63.)

Older Drivers

In 2012, 14 percent of the total U.S. resident population, approximately 43.1 million people, was age 65 or older. This age group increased by about 20 percent between 2003 and 2012. In 2012, 5,560 people age 65

and older were killed and 214,000 were injured in traffic crashes. Compared to 2011, fatalities among people age 65 and older increased by 3 percent and injuries increased by 16 percent. Older drivers are considered safer drivers because they use seat belts, rarely speed and are the least likely to drive while impaired. The AAA 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. Medical conditions such as heart disease, diabetes and other illnesses may make it more difficult for older drivers to recover from crash-related injuries.

In 2013, 17 states and the District of Columbia debated legislation about insuring and licensing senior drivers. Many states considered requiring proof of physical exam for some drivers. Connecticut introduced, but did not pass, a bill that would have required an eye examination for any driver over age 65 who wants to renew his or her license. Massachusetts considered a bill that would have required drivers over age 85 to pass a road test for license renewal. A similar bill was debated in Nebraska.

In 2013, the District of Columbia amended its "Senior Citizen Motor Vehicle Accident Prevention Course Certification Act of 1983" to offer an online course in addition to a classroom course and lowered the age of eligibility from age 55 to age 50. Iowa lengthened the renewal period time for all drivers, including seniors. Iowa HB 355 permits a transition from a five-year renewal period to an eight-year license renewal period. The law also clarifies that anyone renewing a license will not be eligible to renew electronically if the most recent renewal was electronic.

New York introduced, but did not pass, legislation that would establish a "Yellow Dot" program in its department of transportation. New Jersey passed legislation in 2013 to allow counties, cities and towns to set up their own Yellow Dot programs. 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 window. 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 about prescriptions, drug allergies, surgeries, presence of pacemakers or other information that could affect emergency treatment. Most "Yellow Dot" programs are implemented by counties, but these bills would have expanded the program statewide. The nation's first "Yellow Dot" program began in Connecticut in 2002. (Appendix F contains information about state licensing procedures for older drivers).

Federal News

In December 2013, NHTSA announced a new strategic plan that will ensure the safety of the nation's growing population of older drivers. To address older driver safety concerns, NHTSA announced that it is focusing on the following.

- **Vehicle Safety:** NHTSA is researching a number of advanced vehicle technologies, including vehicle-to-vehicle communication, collision avoidance and crashworthiness, that could help reduce the risk of death or injury to older occupants in the event of a crash. Crash avoidance technologies will benefit all drivers, but may be of special assistance to older drivers, while certain crashworthiness improvements could help address the special vulnerabilities of older occupants. The agency also is considering upgrades to its New Car Assessment Program, including a new "Silver" rating system for older occupants.
- **Improved Data Collection:** NHTSA is refining its data collection systems and will continue to evaluate crash rates; real-world injuries; and physical, cognitive and perceptual changes associated with driver behaviors. In addition, NHTSA plans to conduct clinical and naturalistic driving studies to better understand the effects of age-related medical conditions, including dementia.

- **Driver Behavior:** Recognizing that age alone is not a determining factor for safe driving, NHTSA continues to focus its efforts on public education and identifying functional changes, including vision, strength, flexibility and cognition to help at-risk drivers. This effort includes first-of-its-kind *Older Driver Highway Safety Program Guidelines* that states can implement to keep older people safely mobile.

SPEEDING

NHTSA considers a crash to be speeding-related if the driver was charged with a speeding-related offense or if an officer indicated that racing, driving too fast for conditions, or exceeding the posted speed limit was a contributing factor in the crash. In 2011, 9,944 lives were lost in speeding-related crashes, making speeding a contributing factor in 30 percent of all crashes. According to NHTSA, speeding was involved in more than one-third (36 percent) of the fatal crashes that occurred in construction/maintenance zones in 2011.

According to AAA's 2012 Traffic Safety Culture Index, 49 percent of drivers surveyed said they have driven 15 mph over the speed limit on a freeway in the past month, and a quarter of those interviewed said they considered it acceptable. This coincides with a 2012 Governors Highway Safety Association's study, "[Survey of the States: Speeding and Aggressive Driving](#)." GHSA surveyed highway safety offices in all 50 states and Guam about the problem of speeding and aggressive driving. When the state highway offices were asked about the largest obstacles to addressing speeding, 78 percent of respondents cited "public indifference to speeding." The survey also indicated a major challenge to the enforcement community is reduction in state and local law enforcement personnel available to conduct speeding and aggressive driving enforcement efforts. Thirty-five states reported overall decreases in enforcement personnel.

In 1995, Congress repealed the maximum speed limit of 55 mph, which had been established in the early 1970s, and states have been given more power to set maximum speed limits. Since then, 37 states have set speed limits of 70 mph or higher on some portion of their roadway systems.

In 2013, 35 states considered bills regarding speed limits, and five states enacted laws this year that increase speed limits on some roadways. Illinois raised the speed limit on interstate highways from 65 mph to 70 mph. Maryland proposed, but did not pass, a similar measure in 2013. Pennsylvania lawmakers increased the maximum speed limit from 65 mph to 70 mph. The Maine Legislature now allows speed limits on the interstate system or other divided controlled-access highways to be as high as 75 mph. New Hampshire increased the speed limit on a portion of I-93 to Vermont from 60 mph to 70 mph, and Ohio raised the speed limit to 70 mph on freeways that are outside urban areas. In Utah, the state DOT is now permitted to increase speed limits from 75 mph to 80 mph on certain parts of state highways. Connecticut considered, but did not pass, increasing the maximum speed limit on highways to 75 mph. Along with the proposed increase was a 15 percent increase in speeding-related fines.

Illinois, Minnesota, South Carolina, and Texas considered legislation related to speed limits in construction zones in 2013. Illinois passed a measure that requires motorists to obey speed limits in construction zones, even when workers are not present. (Appendix G contains more information about speed limit laws.)

AGGRESSIVE DRIVING

Aggressive driving behavior can include running stop signs or red lights, speeding, illegally 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 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. Another AAA study found that potentially aggressive actions—such as tailgating, erratic lane changes, or illegal passing—are a factor in up to 56 percent of fatal crashes.

Several states have passed laws to penalize aggressive drivers. The laws typically establish an aggressive driving offense and outline fines and penalties. As of October 2013, laws in 11 states—Arizona, Delaware, Florida, Georgia, Indiana, Maryland, Nevada, North Carolina, Rhode Island, Vermont and Virginia—deal with aggressive driving. (Appendix H contains more information about state aggressive driving laws.) California and Utah amended their reckless driving laws to make them similar to those in other states. In 2012, New Jersey passed 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.” In 2013, Minnesota introduced, but did not pass, a bill similar to the New Jersey law.

New York introduced, but did not pass, legislation that would have made aggressive driving a misdemeanor. The bill specifically stated that anyone who increased vehicle speed while another driver was attempting to pass also would be guilty of a misdemeanor.

AUTOMATED ENFORCEMENT

Deliberately running a red light is a common and serious violation. According to the Fatality Analysis Reporting System, in 2011 approximately 118,000 people were injured and 714 were killed in crashes that involved a driver who ran a red light. Nearly two-thirds of those killed were people other than the red light running drivers—occupants of other vehicles, passengers in the red light runners’ vehicles, bicyclists or pedestrians. 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. A study of [Arlington, Va., from the Insurance Institute for Highway Safety](#) showed decreases in red light running in intersections equipped with cameras. The decreases were particularly significant for the most dangerous violations, those that occurred 1½ seconds or longer after the light turned red. In another [Insurance Institute study](#) from 2011, researchers looked at cities with populations of more than 200,000 people that used red light cameras and those that did

not. To see how the rate of fatal crashes changed after introduction of red light cameras, they compared two periods of time, 2004-2008 and 1992-1996. Researchers found that, in the 14 cities that had cameras during 2004-2008, the combined per capita rate of fatal red light running crashes fell by 35 percent, compared to 1992-1996. The rate also fell in the 48 cities without camera programs in either period, but only by 14 percent.

The effectiveness and intent of red light cameras in reducing crashes have been questioned in recent years. Researchers from the University of South Florida conducted a study on red light cameras in 2008 and wrote a follow-up paper in 2011. The study showed that red light cameras increased crashes, and they suggested engineering solutions to improve intersection safety. Some controversy surrounds revenue from red light cameras. As of January 2012, Florida's Red Light Camera Remittance System had brought in revenues of more than \$25 million; \$21 million went to the general revenue fund. Opponents to red light cameras question whether revenue, not safety, is the driving force behind red light camera use.

In most cases, state legislatures have passed enabling statutes that allow city and local governments to use the cameras. 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 and Washington and the District of Columbia use red light cameras. In Alabama, Arizona, Colorado, Illinois, Iowa, Louisiana, Maryland, Missouri, New Mexico, New York, Ohio, Oregon, Tennessee and Washington, communities use speed cameras. Maryland, Oregon and Washington use speed cameras in work zones. Although Iowa and Ohio do not have specific statutes, cameras are used in certain cities.

Some states prohibit automated enforcement use altogether. Arkansas, New Jersey and Wisconsin laws prohibit photo radar enforcement; and Maine, Mississippi, Montana, Nevada, New Hampshire, South Carolina and West Virginia statutes prohibit red light camera use to issue citations to motorists. (Appendix I contains more information about state automated enforcement laws.)

In 2013, 26 states considered 75 bills related to red light and speed cameras. Connecticut, Massachusetts and Minnesota have no automated enforcement laws, but all considered such measures in 2013. Arizona, which already has a law to allow red light enforcement, enacted a law that also allows speed enforcement. Oregon now permits photo radar enforcement near highway work zones when workers are present, and New York established a demonstration program to implement a speed monitoring system in school zones.

On the other side of the spectrum, Arizona, Colorado, Florida, Iowa, New Jersey and Ohio introduced legislation in 2013 to prohibit red light and speed camera use; none of the measures passed.

MOTORCYCLE SAFETY

The number of motorcyclist fatalities increased by 7.1 percent between 2011 and 2012, a total of 4,957 fatalities. Fatalities reached 5,312 in 2008, but were only 3,270 in 2002; the number of motorcyclist fatalities increased 41 percent between 2002 and 2011. The number of motorcyclists injured increased an estimated 12,000 between 2011 and 2012 from 81,000 to 93,000, representing a 15 percent increase. Speed continues to be a significant factor in motorcycle fatalities; in 2011, 35 percent of all motorcycle fatal crashes were speed-related. This is much higher than for passenger car drivers (22 percent), light-truck drivers (19 percent) and large-truck drivers (8 percent).

Another notable fact is that a startling 22 percent of motorcycle riders involved in fatal crashes in 2011 were not licensed to operate a motorcycle and were more likely to have had a license suspended or revoked. Operating a motorcycle is becoming more dangerous relative to driving. Occupants of passenger vehicles make up 65 percent of fatalities now, down from 75 percent in 2003, while motorcyclists now account for 15 percent of casualties, up from 9 percent in 2003. The economic costs of motorcycle crashes also are high, estimated at \$12 billion a year for emergency-room and other medical and insurance costs.

Common legislative strategies to enhance safety for motorcyclists that were considered in 2013 include helmet requirements, safety programs and autocycle regulation.

Motorcycle Helmets

The debate over motorcycle helmet requirements continued in legislatures in 2013, although no legislation was enacted. The [latest motorcycle helmet use data](#) from NHTSA shows that helmet use decreased for operators and passengers between 2011 and 2012. The gap in helmet use between states with universal helmet requirements and those without continues to persist; 89 percent of motorcyclists in states with a universal requirement wore DOT-compliant helmets, compared with 49 percent in non-universal states. Use of helmets was highest in the western United States and lowest in Midwest states. (Appendix J contains more information about motorcycle helmet laws.)

Efforts to Strengthen Motorcycle Helmet Laws

Maine and Rhode Island considered legislation in 2013 to strengthen motorcycle helmet use requirements. Maine legislation would have required universal motorcycle helmet use for all operators and passengers, not just for those under age 18. Rhode Island legislation would have extended the helmet requirement for passengers from those under age 21 to all passengers.

Efforts to Weaken Motorcycle Helmet Laws

Seven states—Missouri, Nebraska, New York, Oregon, Tennessee, Virginia and Washington—considered legislation in 2013 that would have weakened motorcycle helmet use requirements. In Tennessee, pending legislation would relax the universal helmet requirement for riders over age 21 who have a minimum of \$100,000 in liability insurance coverage and \$200,000 in medical insurance coverage, have operated a motorcycle for at least two years and have successfully completed a Department of Safety-approved motorcycle safety education course. The operator would be required to submit proof that all conditions had been met and pay a \$50 fee when renewing the registration tags; a special sticker on the registration plate would indicate the operator is not required to wear a helmet.

Autocycles

A vehicle that may be seen more often on American roads in the coming years is an autocycle, which typically is a three-wheeled motorcycle equipped with safety belts, a roll bar or cage and other features.

A few states enacted legislation regarding autocycles in 2013. Louisiana amended its autocycle definition, which now reads as a “three-wheeled motorcycle on which the driver and all passengers ride in a completely enclosed seating area that is equipped with a roll cage, safety belts for all occupants, airbag protection, antilock brakes, and is designed to be controlled with a steering wheel and pedals.” Louisiana amended current law to clarify that those operating or riding on autocycles do not have to wear safety helmets if the vehicle is equipped with a roof that meets or exceeds standards for a safety helmet or a roll cage. The law also clarified that an autocycle operator does not require a special endorsement, but must hold a valid driver’s license.

A newly enacted Michigan law eliminated driver’s license motorcycle endorsement for operation of an autocycle. An autocycle is defined in statute as “an enclosed motorcycle that is equipped with safety belts, rollbar, windshield, wipers, steering wheel, and equipment otherwise required on a motorcycle, and which has not more than 3 wheels in contact with the roadway at any 1 time.” In addition to Louisiana and Michigan, it appears that California, Nevada and South Carolina do not require a separate endorsement for an autocycle.

Failed Oregon legislation would have permitted anyone age 21 or older to operate a motorcycle without wearing an approved motorcycle helmet if he or she had motor vehicle liability insurance that provided personal injury protection benefits.

Two Missouri bills sought to relax the state's helmet requirement by exempting those under the ages of 18 and 21, respectively, from helmet requirements. Washington legislation would have relaxed helmet requirements for all ages and those over age 18, respectively. The Nebraska, New York and Virginia legislatures considered changing the universal helmet requirement to apply only to those under age 21.

Carried-over North Carolina legislation would direct the Joint Legislative Transportation Oversight Committee to review the state's universal helmet law and determine whether the requirement should be amended to provide exceptions. The study would examine: the laws of other states; the effectiveness of motorcycle helmets and motorcycle helmet laws; the effect of motorcycle helmet laws, or the repeal of those laws, on medical costs and insurance premiums; state fiscal costs; and other dynamics.

Motorcycle Safety Programs

New Colorado law directs the Office of Transportation Safety to set standards for the motorcycle operator safety training (MOST) program, both for students and instructors, and provides that meeting the standards qualifies a student to obtain a motorcycle endorsement on his or her driver's license. The law directs the office to create a system to record program data, including motorcycle accidents, injuries and fatalities, for those who have completed the program. The law also recreates the MOST Advisory Board, consisting of 12 members, which must include representatives of the motorcycle-riding community, law enforcement agencies, the insurance industry, and other groups and interests. The board must make recommendations on training methods to increase safety and program effectiveness. The Colorado Department of Transportation must report to the legislature annually on the effectiveness of the program and motorcycle safety data.

South Carolina enacted legislation allowing creation and distribution of "Motorcycle Awareness Alliance" special motor vehicle license plates to owners of private passenger motor vehicles. The \$30 fee would first go to production and administration of the plates; the remaining funds would be distributed to the Motorcycle Awareness Alliance to promote motorcycle safety, education and awareness programs.

SCHOOL BUS SAFETY

Since 2002, 1,351 people have died in school transportation-related crashes. The number of fatalities has held relatively steady over the past decade. Most of these fatalities—72 percent—were occupants of other vehicles. Actual occupants of school transportation vehicles accounted for only 7 percent of the fatalities, while non-occupants such as pedestrians and bicyclists made up the remaining 21 percent of fatalities. Since 2002, 123 school-age pedestrians have been killed in school transportation-related crashes; 40 percent of these fatalities were between the ages of 5 and 7. States continue to strive to increase school bus safety, which has proven to be the safest mode of transporting children to school, by enacting measures regarding seat belts on school buses, installing school bus cameras to capture images of drivers illegally passing school buses, strengthening school bus operator requirements and increasing penalties.

Seat Belts on School Buses

California (2005) and Texas (2010) are the only states that require lap-shoulder belts on new school buses. Florida and New Jersey (buses purchased after 2001) require only installation of lap belts on new buses and require all passengers to be buckled up while the bus is in operation. New York requires that all buses made after 1987 have lap belts installed. However, New York allows individual school boards to determine whether

students must use the seat belts. New York considered legislation in 2013 that would require enforcing seat belt use.

A number of states considered legislation concerning seat belts on school buses in 2012 and 2013, but only Indiana enacted such legislation. The Indiana law requires that a driver operating a school bus equipped with safety belts must instruct passengers on proper safety belt fastening and conduct a passenger evacuation drill. In addition, the law requires a school district to conduct a public hearing before purchasing a school bus that is equipped with safety belts, in order to explain why the governing body is purchasing such a bus instead of using the money for other student safety measures.

Ten states—Arizona, Hawaii, Illinois, Indiana, Massachusetts, Minnesota, Mississippi, New Jersey, Rhode Island and Wisconsin—and Puerto Rico considered legislation in 2012 or 2013 that would have required that school buses be equipped with seat belts at a certain point in time, but all failed or remain pending.

School Bus Cameras

Illegally passing a stopped school bus that is boarding or disembarking students continues to be an issue of concern for state lawmakers. A 2012 survey of nearly 100,000 school bus drivers in 28 states organized by the National Association of State Directors of Pupil Transportation Services reported that bus drivers identified 88,025 vehicles that illegally passed their buses on a single day. Similar studies conducted at the state and school district levels also indicate illegally passing school buses is a common and persistent problem. In response, a number of states have enacted laws allowing localities or school districts to install school bus cameras in order to increase safety for students and reduce illegal school bus passing.

In 2013, Illinois expanded its definition of automated traffic law enforcement to include cameras installed on school buses in order to capture images of vehicles unlawfully passing a stopped school bus. For each violation a camera captures, the locality with jurisdiction sends a ticket to the offender captured in the image, with a fine not exceeding \$150 for a first violation and \$500 for a second or subsequent violation. The law requires the school bus to be equipped with a sign stating that the bus is equipped with an automated traffic law enforcement system; localities that use more than one camera must post a list of school districts where cameras are in use. The locality also must conduct a statistical analysis to assess the safety impact of cameras on school buses, using available before and after data.

State laws vary on how the proceeds from school bus camera violations are distributed; some direct a certain amount to a locality, while others direct the fine revenue to school safety zone improvements. The Illinois law directs the fines to be divided equally between the school district and the municipality that administers the automated enforcement program. The North Carolina legislature increased penalties for failing to stop for a school bus in 2013 and encouraged local boards of education to use fine proceeds to purchase school bus automated camera and video systems to help detect and prosecute violators.

School Bus Operators

States also strengthened requirements for school bus drivers in 2013. In Louisiana, every school bus operator must serve a three-year probationary term. However, the Legislature enacted a law requiring immediate removal of a non-tenured school bus operator who is convicted of or has pled *nolo contendere* to certain offenses related to operating a vehicle while intoxicated, regardless of whether the violation occurred while driving a school bus.

Michigan extended its ban on the use of hand-held mobile devices while driving to cover school bus and commercial vehicle operators. Oregon enacted a law that requires school transportation providers to have a drug and alcohol testing provider and established a hearing process for a positive test.

Penalties

Texas dramatically increased the penalty for illegally passing a stopped school bus in 2013, raising the fine for a first offense from no less than \$200 to no less than \$500 or no more than \$1,250. For a second offense within five years, the fine is now a minimum of \$1,000, and no more than \$2,000. The North Dakota legislature also increased the penalty for illegally overtaking a school bus, from \$50 to \$100.

BICYCLE AND PEDESTRIAN SAFETY

After a few years of declining traffic deaths among bicyclists and pedestrians, the past few years have witnessed an increase in deaths for these groups. In 2012, pedestrian deaths rose from 4,457 deaths in 2011 to 4,743 deaths in 2012 (an increase of 6.4 percent), while bicyclist deaths increased from 682 to 726 (an increase of 6.5 percent). Injuries increased as well, by 10 percent for pedestrians, to around 76,000, and by 2.1 percent, to about 49,000 for bicyclists. Alcohol use continues to increase the risk of injury or death for pedestrians and cyclists; 37 percent of pedestrians killed in 2011 (the year with the most recent data), had **blood-alcohol concentration (BAC) over the legal driving limit of .08**, although that has declined from 44 percent of pedestrians in the early '80s.

Due largely to the success in decreasing vehicle deaths, the proportion of bicyclist and pedestrian traffic deaths has increased significantly; according to the newest data from the NHTSA passenger vehicle deaths now account for 65 percent of traffic deaths, down from 75 percent in 2003, while the proportion of pedestrian and bicyclist fatalities increased from 13 percent of deaths to 17 percent.

Common legislative strategies to enhance traffic safety for pedestrians and bicyclists include vulnerable user laws, complete streets, safe bicycling passing laws, and yield to pedestrian laws.

Vulnerable Users

A number of states considered legislation to assess stiffer penalties for traffic incidents that cause harm or death to vulnerable users, but Utah was the only one to enact such legislation in 2013. The Utah law defines a vulnerable user as a pedestrian; a person riding an animal; or a person operating a skateboard, wheelchair, bicycle, moped, motorcycle and other devices. A motorist may not distract, force, or attempt to distract or force a vulnerable user off the roadway with the intent of causing injury. Violating this law can result in fines of up to \$750 and up to 90 days in jail; in the case of a violation resulting in injury to a vulnerable user, the penalty can be fines of up to \$1,000 and up to six months in jail.

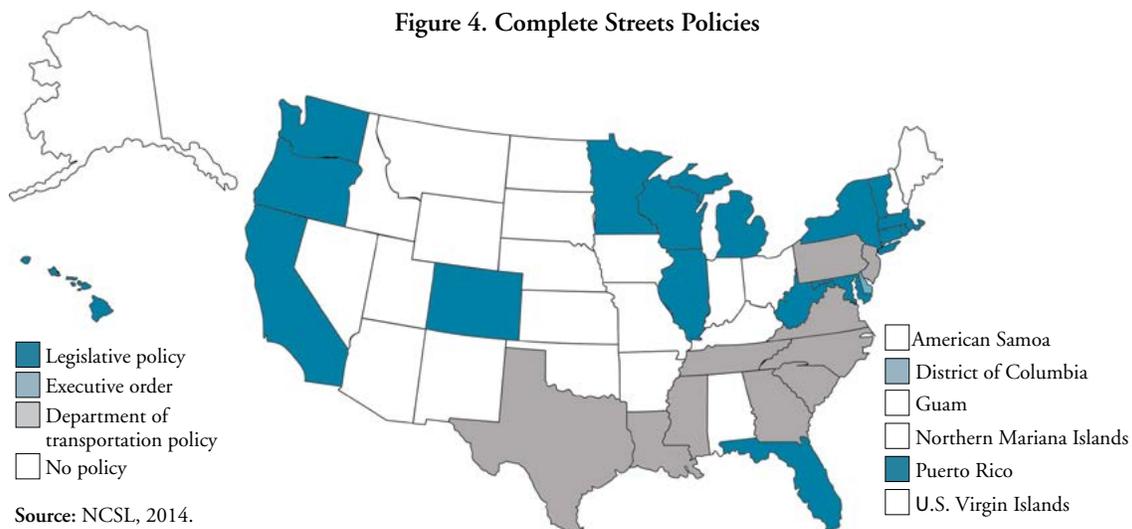
Complete Streets

Increasingly, states and communities are putting an emphasis on planning and designing streets that incorporate the needs of the growing numbers of Americans who are bicycling and walking for transportation. Since 2000, bicycle commuting is up 61 percent in the United States, **with a 10 percent increase from 2011 to 2012 alone**; walking for transportation has risen as well in the past decade.

One legislative strategy is to enact “complete streets” policies that take into account all users, regardless of age and ability, when planning and building a transportation system. Complete streets policies may provide significant safety benefits for all transportation users, but especially for pedestrians and bicyclists. For example, 40 percent of pedestrian deaths occurred where there was no crosswalk, and studies have found that bicyclists are safer when using infrastructure built specifically for them.

In 2013, West Virginia became the 28th state to enact a statewide complete streets policy (Figure 4). Legislation failed in past sessions, so language in 2013 was revised to reflect that accommodation of all users

“should”—rather than “shall”—be considered. The policy includes numerous exceptions, including for lack of need, disproportionate cost, time sensitivity and other factors, which is typically a cause of concern for advocates that consider such exceptions as weakening a complete streets policy. The law allows for documentation of granted exceptions to be shared with the Complete Streets Advisory Board that was created within the law. Allowing for analysis of exceptions can promote transparency and act as a check on blanket exceptions. The board, which consists of 16 members, must require representation from public transit agencies, bicycling interests, retired people and an automobile/trucking organization, among others. Tasks include facilitating communication among stakeholders; making recommendations to the Division of Highways and others; and creating an annual report summarizing actions and data relevant to increasing safety, access and mobility on West Virginia’s roadways for all users.



In Nevada, the Legislature empowered regional transportation commissions to create a Complete Streets program, and also created a voluntary \$2 vehicle registration donation to help fund the addition or repair of facilities that provide street or highway access considering all users. Vermont enacted legislation that encourages infill development by offering developers incentives such as waived development fees and priority for grant funds; this includes adhering to “complete streets” principles to be eligible. Indiana, Massachusetts and Texas also considered complete streets-related legislation in 2013, but the measures did not pass.

Safe Bicycle Passing

Two states enacted legislation in 2013 requiring that motorists leave a safe amount of space when passing a bicyclist. After years of debate, the California Legislature enacted AB 1371, which prohibits, with specified exceptions, a motorist from passing a bicyclist proceeding in the same direction at a distance of less than three feet between any part of the motor vehicle and any part of the bicycle or its operator. Violating this law is punishable with a fine of \$35, or a fine of \$220 if a driver causes a collision due to passing too closely. Proposed previous legislation authorized drivers to cross over double yellow or double white pavement markings to provide the minimum three-foot clearance, but was vetoed in 2012 due to concerns that such language could lead to a possible increase in head-on collisions for which the California Department of Transportation could be liable. In response to these concerns, language regarding crossing a double line was removed. Instead, in such a situation a motorist must slow to a reasonable and prudent speed, and pass only when doing so would not endanger the bicyclist, with regard for speed traffic, road and weather conditions.

Utah enacted a few laws concerning passing bicyclists safely, including one that clarified a motorist may pass to the left of the center of the roadway when passing a bicycle or moped proceeding in the same direction.

The law also defines situations where a motorist shall not pass bicycle or moped, such as the crest of a hill or within 100 yards of a railroad crossing, bridge or tunnel.

Yield to Pedestrians

A newly enacted District of Columbia law clarifies that a vehicle must stop before passing through a crosswalk when a vehicle in the next lane is stopped, in order to ensure that a motorist does not strike a bicyclist or pedestrian who is not visible due to the presence of the other vehicle. The DC Council also amended its existing yield to pedestrian law to read that a motorist must stop when the pedestrian is in the lane or within one lane of where the motorist is travelling. This change was made in regard to concerns about the previous law, which required a motorist to stop if the pedestrian is at any place in the crosswalk. Concern existed that the law was not prudent in situations on major roads with multiple lanes. The law also reduced from \$250 to \$75 the fine for failure to stop and give right-of-way to pedestrians in the roadway. In Virginia, a new law adds Falls Church and Fairfax to the list of localities authorized to post signs requiring motorists to yield the right-of-way to pedestrians.

SLOW AND MEDIUM-SPEED VEHICLES

States enacted a number of bills related to slow and medium-speed vehicles in 2013, particularly with regard to golf carts. The New Hampshire legislature established a committee to examine the issue of access to public highways by operators of all-terrain vehicles, off-highway recreational vehicles and low-speed utility vehicles accessing public highways for food, fuel, and lodging.

Oklahoma amended its law regarding golf carts to allow them to be operated at night, as long as the municipality has an ordinance authorizing their use that includes vehicle lighting and safety requirements. Texas enacted a new law requiring the Texas Department of Motor Vehicles to establish a procedure to issue license plates for golf carts and collect a fee not to exceed \$10 for the plates.

The Mississippi Legislature authorized the City of Pass Christian to authorize, by ordinance, operation of golf carts within a subdivision near a golf course, but the driver must operate the cart only during daylight hours, possess a valid driver's license, and pay for and display a registration decal.

Virginia legislation enabled a municipality to authorize the use of golf carts within city boundaries. Towns that are authorized must install and pay for appropriate signage. Tennessee enacted legislation to enable five municipalities to authorize the use of golf carts, as long as they adopt by a two-thirds vote an ordinance that specifies each roadway that is open to golf carts.

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, NY 10605
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	\$10	Yes
Arkansas	Yes	Ages 15+ in front seat	\$25 ¹	No
California	Yes	Ages 16+ in all seats	\$20	Yes
Colorado	No (primary for occupants under age 18)	Ages 18+ 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+ in all seats	\$45	No
Idaho	No (primary for drivers under age 18)	Ages 7+ in all seats	\$10	No
Illinois	Yes	Ages 16+ in all seats	\$25 (plus court fees)	No
Indiana	Yes	Ages 16+ in all seats	\$25	No
Iowa	Yes	All ages in front seat	\$50	Yes
Kansas	Yes (secondary for rear seat occupants younger than age 18)	Ages 14 through 17 in all seats; ages 18+ in front seat	\$60; \$10	No
Kentucky	Yes	Ages 6 and younger and more than 50" in all seats; ages 7+ in all seats	\$25	No
Louisiana	Yes	Ages 13+ in all seats	\$25; \$45	No
Maine	Yes	Ages 18+ in all seats	\$50	No
Maryland	Yes (secondary for rear seats)	Ages 16+ in front seat	\$50	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" in all seats; ages 8+ in all seats	\$25 (plus approx. \$75 court fee)	No
Mississippi	Yes	Ages 7+ in front seat	\$25	No

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?
Missouri	No (primary for children ages 8 through 15)	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
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 (primary for ages 8 through 17)	Ages 8 through 17 in all seats; ages 18+ in front seat	\$10	No
Rhode Island	Yes	Ages 18+ in all seats	\$40	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 8+ or children taller than 57" in all seats	\$50 \$200 (driver)	No
Utah	No (primary for children under age 19)	Ages 16+ in all seats	\$45	No
Vermont	No (primary for children under age 18)	Ages 18+ in all seats	\$25	No
Virginia	No (primary for passengers under 18 in all seats)	Ages 18+ in front seat	\$25	No
Washington	Yes	Ages 16+ in all seats	\$124	No
West Virginia	Yes	Ages 18+ in front seat; 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

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?
District of Columbia	Yes	Ages 16+ in all seats	\$50 ²	No
Puerto Rico	Yes	Ages 9+ or children taller than 57"	\$50	No
U.S. Virgin Islands	Yes	All ages in front seat	\$25-\$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, 2013.

APPENDIX C. STATE LAWS ON CHILD RESTRAINT USE 2013			
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 lbs. in a rear-facing infant seat; ages 1 through 4 and more than 20 lbs. in a child restraint, ages 4 through 15 who are either shorter than 57" or who weigh more than 20 lbs. but less than 65 lbs. in a booster seat	Ages 4 through 7 who are at least 57" or 65+ lbs.; ages 7 through 15 who are shorter than 57" or weigh less than 65 lbs.; law states no preference for rear seat	\$50 ¹
Arizona	Ages 4 and younger; ages 5 through 7 who are 57" or shorter	Ages 5 through 7 who are taller than 57"; law states no preference for rear seat	\$50
Arkansas ¹⁴	Ages 5 and younger and less than 60 lbs.	Ages 6 through 14 or 60+ lbs.; law states no preference for rear seat	\$100
California	Ages 7 and younger who are less than 57" ²	Ages 8 through 15 or at least 57"; ages 7 and younger who are less than 57" must be in rear seat	\$100 ¹
Colorado	Younger than age 1 and less than 20 lbs. in a rear-facing infant seat; ages 1 through 3 and 20-40 lbs. in a 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 ages 11 and younger and 65" 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

APPENDIX C. STATE LAWS ON CHILD RESTRAINT USE 2013			
State/Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Georgia	Ages 7 and younger and 57" or less in rear seat if available	More than 57"; children age 7 and younger must be in rear seat if available ⁵	\$50 ¹
Hawaii	Ages 3 and younger in a child safety seat; ages 4 through 7 must be in a booster seat or child restraint	Ages 4 through 7 who are taller than 4'9"; ages 4 through 7 who are at least 40 lbs. seated in a rear seat where, if there are no available lap/shoulder belts, they can be restrained by a lap belt; law states no preference for rear seat	\$100 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	\$100
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" 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"; law states no preference for rear seat	\$60
Kentucky	Children 40" or less must be in a child restraint; ages 6 and younger who are between 40" and 50" must be in a booster seat	Ages 6 and younger who are taller than 50"; 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

APPENDIX C. STATE LAWS ON CHILD RESTRAINT USE 2013			
State/Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
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"	Ages 8 through 15; children who are at least 57"; law states no preference for rear seat	\$50
Massachusetts	Ages 7 and younger and less than 57"	Ages 8 through 12; children who are at least 57" tall; law states no preference for rear seat	\$25
Michigan	Ages 7 and younger and less than 57"	Ages 8 through 15 or children who are at least 57"; ages 3 and younger must be in the rear seat if available	\$10 if child is age 3 or younger; \$25 if child is between ages 4 through 8 and under 4'9"
Minnesota	Ages 7 and younger and less than 57"	Not permissible	\$50
Mississippi ¹⁴	Ages 3 and younger must be in a child restraint; ages 4 through 6 and either less than 57" or less than 65 lbs. must be in a booster seat	Ages 7 and older who weigh more than 65 lbs. or are at least 57"; law states no preference for rear seat	\$25
Missouri	Ages 3 and younger must be in child restraint; all children who weigh less than 40 lbs. must be in a child restraint; ages 4 through 7 who weigh at least 40 lbs. but less than 80 lbs. and who are 4'9" or shorter must be in either a child restraint or booster seat; children ages 4 and older who weigh at least 80 lbs. or who are at least 4'9" 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

APPENDIX C. STATE LAWS ON CHILD RESTRAINT USE 2013			
State/Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
New Hampshire	Ages 6 and younger and less than 57" (effective 01/01/14)	Ages 7 through 17; ages 6 and younger who are at least 57" (effective 01/01/14); 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 (plus court fees)
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 (\$188 court fees)
North Dakota	Ages 6 and younger and less than 57" or less than 80 lbs.	Ages 7 through 17; ages 6 and younger and at least 57" and at least 80 lbs.; ages 6 and younger and at least 40 lbs.; if 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" 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 (up to \$207.90 with court fees)

APPENDIX C. STATE LAWS ON CHILD RESTRAINT USE 2013			
State/Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Oregon	Child younger than age 1 or 20 lbs. or less must be in a rear-facing child safety seat; ages 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" 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"	\$85; \$45 for children between ages 8 through 17
South Carolina	Younger than age 1 or less than 20 lbs. in a rear-facing infant seat; ages 1 through 5 and 20-39 lbs. in a forward-facing child safety seat; ages 1 through 5 and 40-80 lbs. in a booster seat secured by lap-shoulder belt; 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	Ages 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
Texas	Ages 7 and younger and less than 57"	Not permissible; law states no preference for rear seat	\$25 minimum (max unlisted)
Utah	Ages 7 and younger and less than 57"	Ages 8 through 15; children taller than 57"; law states no preference for rear seat	\$45
Vermont	Younger than age 1 or less than 20 lbs. in a rear-facing infant seat; 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

APPENDIX C. STATE LAWS ON CHILD RESTRAINT USE 2013			
State/Jurisdiction	Must Be in Child Restraint	Adult Safety Belt Permissible	Maximum Fine First Offense
Virginia	Ages 7 and younger unless they have a medical exemption; children in rear-facing devices must be in rear seat if available; if not available, they can be placed in front only if passenger airbag is deactivated	Ages 8 through 17 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 ages 3 and younger must be in a rear seat if available	Ages 8 and younger and more than 80 lbs. and 57" or taller	\$75
Wyoming	Ages 8 and younger; must be in rear seat if available	Not permissible	\$50
District of Columbia	Ages 7 and younger	Ages 8 through 15; law states no preference for rear seat	\$75 ¹
Puerto Rico	Ages 4 and younger must be in a child safety seat; children ages 4 through 8 or less than 57" must be in a booster seat; children younger than age 12 must be in a rear seat	Ages 9 and older or 57" or taller	\$100
U.S. Virgin Islands	Ages 5 and younger	Children ages 3 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 lbs. may be belted without a booster seat if they are seated in the rear seat of a vehicle not equipped with lap/shoulder belts. The California rear seat requirement does not apply if: there is no rear seat; the rear seats are side-facing jump seats; the rear seats are rear-facing seats; the child passenger restraint system cannot be installed properly in the rear seat; all rear seats are already occupied by children under age 12;

or medical reasons necessitate that the child not ride in the rear seat. A child may not ride in the front seat of a motor vehicle with an active passenger airbag if the child is riding in a rear-facing child restraint system.

3. The fine in Connecticut is \$15 if the child is age 4 to 16 and 40 lbs. or more. Connecticut also requires a child restraint education program for first or second violation.

4. In Delaware, children younger than age 12 or 65" or less must be restrained in a rear seat if a vehicle has a passenger airbag, unless the airbag either has been deactivated or designed to accommodate smaller people. Exceptions: If there is no rear seat or rear seat is occupied by other children younger than age 12 or 65" or less.

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

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 lbs. can be restrained by a lap belt if the vehicle is not equipped with lap and shoulder belts or if all lap and shoulder belts other than those in the front seat are being used to restrain other children who are younger than age 16.

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 lbs. must be restrained in a child safety seat in the rear seat if the vehicle has a passenger airbag, unless the child restraint system is designed for use with airbags.

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

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

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, 2013.

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
Washington	✗	

APPENDIX D. RESTRICTIONS ON RIDING IN CARGO AREAS OF PICKUP TRUCKS		
State/Jurisdiction	Restrictions in Cargo Areas	Gaps in Coverage
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, 2014.

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)	First six mo.: no more than one passenger (secondary)
Alaska	14	40 hrs., 10 of which must be at night or in inclement weather	1 am-5 am	First six mo.: no passengers younger than 21
Arizona	15, six mo.	30 hrs., 10 of which must be at night (none with driver education)	Midnight-5 am (secondary ¹)	First six mo.: no more than one passenger younger than age 18 (secondary ¹)
Arkansas	14 ²	None	11 pm-4 am	Until age 18: no more than one passenger younger than age 21
California	15, six mo.	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 younger than age 21; second six mo.: no more than one passenger younger than age 21 (secondary)
Connecticut	16	40 hrs. (mandatory driver education for those under age 18)	11 pm-5 am	First six mo.: no passenger other than parents or driving instructor; second six mo.: no passengers other than parents, driving instructor or members of immediate family
Delaware	16	50 hrs., 10 of which must be at night	10 pm-6 am	First six mo. (and until issuance of a class D operator's license): no more than one passenger
Florida	15	50 hrs., 10 of which must be at night	11 pm-6 am (age 16); 1 am-5 am (age 17)	None

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)
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	First six mo. (at least): no more than one passenger younger than age 18 (household members exempted)
Idaho	14, six mo.	50 hrs., 10 of which must be at night	Sunset to sunrise	First six mo: licensees age 16 and younger can have no more than one passenger younger than age 17
Illinois	15 (with driver education enrollment) or 17, three mo.	50 hrs, 10 of which must be at night	Sun.-Thur.: 10 pm-6 am, Fri.-Sat.: 11 pm-6 am	First 12 mo. (or until age 18): no more than one passenger younger than age 20
Indiana	15	50 hrs., 10 of which must be at night	First 180 days: 10 pm-5 am, then Sun.-Fri.: 11 pm-5 am, Sat.-Sun.: 1 am-5 am	First 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)

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)
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	70 hrs., 10 of which must be at night	Midnight-5 am	First nine mo.: no passengers
Maryland	15, nine mo.	60 hrs., 10 of which must be at night	Midnight-5 am	First five mo.: no passengers younger than age 18 (secondary)
Massachusetts	16	40 hrs.	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
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

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)
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
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

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 Dakota	14	50 hrs. if under age 16	Restricted license holder may only drive a car belonging to a parent or guardian and may not drive between the later of sunset or 9 pm and 5 am	None
Ohio	15, six mo.	50 hrs, 10 of which must be at night	Midnight-6 am (age 16), 1 am-5 am (age 17) (secondary)	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	50 hrs. (100 hrs. without driver education)	Midnight-5 am	First six mo.: no passengers younger than age 20; second six mo.: no more than three passengers younger than age 20
Pennsylvania	16	65 hours, 10 of which must be at night and five of which must be in inclement weather	11 pm-5 am	First six mo.: no more than one passenger younger than 18; thereafter: 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
Tennessee	15	50 hrs., 10 of which must be at night	11 pm-6 am	No more than one passenger
Texas	15	30 hrs., 10 of which must be at night	Midnight-5 am (secondary)	No more than one passenger younger than age 21 (secondary)

APPENDIX E. TEEN DRIVING RESTRICTIONS

State/Jurisdiction	Minimum Age for a Learner's Permit	Learner Stage with a Minimum Amount of Supervised Driving Required	Intermediate Stage with a Nighttime Driving Restriction	Intermediate Stage with Passenger Restrictions (family members excepted unless otherwise noted)
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. July–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:

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

1. 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.
2. In New Hampshire, learner's permits are not issued. At age 15 and six months, a person can drive while supervised by a licensed driver age 25 or older.
3. Requires supervision by a licensed driver in the car at all times.
4. The U.S. Virgin Islands has no graduated driver's licensing system; learner's permits can be granted at age 16.

Sources: Insurance Institute for Highway Safety and National Conference of State Legislatures 2014.

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	Until age 65 ¹	Five years for people age 65 and older	People age 70 and older cannot renew by mail ¹
Arkansas	Four years	None	None
California	Five years	None	At age 70, mail renewal is prohibited; no more than two sequential mail renewals are permitted, regardless of age
Colorado	10 years	Five years for 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 ages 21 to 62 have the choice of a four- or eight-year license; drivers age 63 and older will receive a four-year license	None
Illinois	Four years	Two years for drivers ages 81 to 86; one year for drivers age 87 and older	Renewal applicants age 75 and older must take a road test
Indiana	Six years	Three years for drivers age 75 and older; two years for drivers age 85 and older	Mail and electronic renewal are not available to people age 70 and older or to those whose prior renewal was by mail or electronic

APPENDIX F. LICENSING PROCEDURES FOR OLDER DRIVERS			
State/Jurisdiction	Length of Renewal Cycle	Accelerated Renewal	Other Provisions
Iowa	Five years	Two years for drivers age 70 and older	None
Kansas	Six years	Four years for drivers age 65 and older	None
Kentucky	Four years	None	None
Louisiana	Four years	None	Mail renewal not available to people age 70 and older and to those whose prior renewal was by mail
Maine	Six years	Four years for drivers age 65 and older	Vision test required at first renewal after driver's 40 th birthday and at every second renewal until age 62; thereafter, at every renewal
Maryland	Eight years	None	Vision test required at age 40 and older at every renewal ⁴
Massachusetts	Five years	None	Renewal applicants who are age 75 and older must apply in person
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	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 or eight years at driver's option for driver's under age 67; four years for drivers older than age 67; annually for drivers age 75 and older	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

APPENDIX F. LICENSING PROCEDURES FOR OLDER DRIVERS			
State/Jurisdiction	Length of Renewal Cycle	Accelerated Renewal	Other Provisions
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	None that are safety-related ¹⁰
Texas	Six years	Two years for drivers age 85 and older	Mail or electronic renewal not available to people age 79 and older
Utah	Five years	None	Vision test required for people age 65 and older
Vermont	Four years	None	None
Virginia	Eight years	None	Vision test required for people age 80 and older
Washington	Five years	None	None
West Virginia	Five years	None	None
Wisconsin	Eight years	None	None
Wyoming	Four years	None	None
District of Columbia	Eight 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. In Tennessee, fees are reduced for drivers age 60 and older and licenses issued to people age 65 and older do not expire.
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, 2014.

APPENDIX G. STATE MAXIMUM POSTED SPEED LIMIT LAWS

State/Jurisdiction	Rural Interstates	Urban Interstates	Other Limited Access Roads	Other Roads
Alabama	70 mph	65 mph	65 mph	65 mph
Alaska	65	55	55	55
Arizona	75	65	65	65
Arkansas	70; trucks: 65	55	60 ¹	55
California	70; trucks: 55	65; trucks: 55	70; trucks: 55	65; trucks: 55
Colorado	75	65	65	65
Connecticut	65	55	65	55
Delaware	65	55	65	55
Florida	70	65	70	65
Georgia	70 ²	65	65	65
Hawaii	60 ³	60 ³	55 ³	45 ³
Idaho	75; trucks: 65	75	65	65
Illinois	70 ⁴	55	65	55
Indiana	70; trucks: 65	55	60	55
Iowa	70	55	70	55
Kansas	75	75	75	65
Kentucky	65; 70 on specified segments of road ⁵	65	65	55
Louisiana	75	70	70	65
Maine	75	75	75 ⁶	60
Maryland	65	65	65	55
Massachusetts	65	65	65	55
Michigan	70; trucks: 60 ⁷	65	70	55
Minnesota	70	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; 70 on specified segments of road ⁸	65	55	55
New Jersey	65	55	65	55
New Mexico	75	75	65	55
New York	65	65	65	55
North Carolina	70	70	70	55
North Dakota	75	75	70	65
Ohio	70	65	70	55

APPENDIX G. STATE MAXIMUM POSTED SPEED LIMIT LAWS				
State/Jurisdiction	Rural Interstates	Urban Interstates	Other Limited Access Roads	Other Roads
Oklahoma	75 mph	70 mph	70 mph	70 mph
Oregon	65; trucks: 55	55	55	55
Pennsylvania	70	70	70	55
Rhode Island ⁹	65	55	55	55
South Carolina	70	70	60	55
South Dakota	75	75	70	70
Tennessee	70	70	70	65
Texas	75; 80 or 85 on specified segments ¹⁰	75	75	75
Utah	75; 80 on specified segments ¹¹	65	75	65
Vermont	65	55	50	50
Virginia	70	70	65	55
Washington	70; trucks: 60	60	60	60
West Virginia ¹²	70	55	65	55
Wisconsin	65	65	65	55
Wyoming	75	60	65	65
District of Columbia	n/a	55	n/a	25
Guam ¹³	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. In Arkansas, the speed limit may be raised to 65 mph on particular two-lane or four-lane highways if based on traffic and engineering studies.
2. Georgia "Super Speeder Law" adds \$200 in state fees for any driver convicted of speeding at more than 75 mph on any two-lane roads or at more than 85 mph on multiple-lane roads anywhere in the state.
3. In Hawaii, the maximum speed limit is established by county ordinance or by the director of transportation.
4. The Illinois law allows Cook, DuPage, Kane, Lake, Madison, McHenry, St. Clair and Will counties to opt-out by adopting an ordinance that sets a lower maximum speed limit, empowering counties to make adjustments based on local needs.
5. 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 U.S. 42; Interstate 71 west to the split to Louisville; and in portions of Boone, Carroll, Gallatin and Grant counties.
6. Two limited access highways in Maine are posted at 55 mph.
7. Truck speed limit is 55 mph if the speed limit for cars is less than 70 mph.
8. In 2013, New Hampshire House Bill 146 raised the speed limit from 65 mph to 70 mph on the portion of I-93 from mile marker 45 to the Vermont border.
9. Rhode Island speed limits are not set by law, but by state traffic commission.
10. On sections of I-10 and I-20 in rural west Texas, the speed limit for passenger cars and light trucks is 80 mph.

Speed limits may be established not to exceed 85 mph if the highway is designed to accommodate the higher speed and it has been determined by a traffic and safety engineering study to be reasonable and safe. State Highway 130 (portions toll) has a posted limit of 85 mph, effective October 2012.

11. In Utah, the speed limit may be increased beyond 75 mph on specific segments of highway on the basis of an engineering and traffic investigation.

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

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

Sources: Insurance Institute for Highway Safety, AAA and NCSL, 2014.

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, and 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

APPENDIX H. STATE AGGRESSIVE DRIVING LAWS

State/ Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
Nevada	A person commits "Aggressive Driving" if, during a course of one mile, he or she, in any sequence, does all of the following: 1) Violates either a) the basic speed rules, b) the speed limit in a school zone, c) the posted speed limit or d) the prohibition against driving >75 mph. 2) Commits two or more of the following offenses: a) failing to obey a traffic control device; b) overtaking and passing another vehicle on the right by driving off the paved portion of the highway; c) driving unsafely or improperly upon a highway that has marked lanes for traffic; d) following another vehicle too closely; or e) failing to yield the right of way. 3) Creates an immediate hazard, regardless of its duration, to another vehicle or to another person.	Six months ³	\$1,000 ³	30 days ² One year on second offense
New Jersey	New Jersey enforces against aggressive driving by charging under 39:4-97 (Careless Driving), 39-4-97.2 (Operating a vehicle in an Unsafe Manner) or any other statute at the discretion of the officer. Assault by auto or vessel is a crime of the third degree if the person purposely drives a vehicle in an aggressive manner directed at another vehicle and serious bodily injury results and is a crime of the fourth degree if the person purposely drives a vehicle in an aggressive manner directed at another vehicle and bodily injury results. For purposes of this paragraph, "driving a vehicle in an aggressive manner" shall include, but is not limited to, unexpectedly altering the speed of the vehicle, making improper or erratic traffic lane changes, disregarding traffic control devices, failing to yield the right of way, or following another vehicle too closely.	N/A	N/A	N/A

APPENDIX H. STATE AGGRESSIVE DRIVING LAWS				
State/ Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
North Carolina	Any person who operates a motor vehicle on a street, highway or public vehicular area is guilty of aggressive driving if the person: 1) violates speed laws or speeding in school zone laws, and 2) drives carelessly and heedlessly in willful or wanton disregard of the rights or safety of others. For the purposes of this section only, in order to prove a violation of the aforementioned section, the state must show that the person committed two or more of the below specified offenses while in violation of the aforementioned section): 1) running through a red light, 2) running through a stop sign, 3) illegal passing 4), failing to yield right-of-way, and 5) following too closely. A person convicted of aggressive driving is guilty of a Class 1 misdemeanor.	45 days ³	At the discretion of the court ³	None
Pennsylvania	Pennsylvania does not have an aggressive driving law per se. In 2006, the Pennsylvania House of Representatives passed a resolution to encourage drivers to drive courteously and defensively, not aggressively. The House also resolved to support measures that would promote safe driving practices in the Commonwealth.	N/A	N/A	N/A
Rhode Island	“Aggressive Driving” is defined as operating a motor vehicle in violation of any speed law and a violation of two or more of the following traffic law provisions: 1) obedience to traffic control devices; 2) overtaking on the right; 3) driving within a traffic lane; 4) following too closely—interval between vehicles; 5) yielding right of way; 6) entering the roadway; 7) use of turn signals; 8) relating to school buses, special stops, stop signs and yield signs; and 9) use of emergency break-down lane for travel.	None	\$500	30 days ⁶
Utah	Reckless driving is defined as operating a vehicle either 1) “in willful or wanton disregard for the safety of persons or property” or 2) “while committing three or more moving traffic violations under Title 41, Chapter 6, Traffic Rules and Regulations, in a series of acts within a single continuous period of driving.”	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

APPENDIX H. STATE AGGRESSIVE DRIVING LAWS				
State/ Jurisdiction	Definition of Aggressive Driving	Maximum Imprisonment or Jail Sanction	Maximum Fine Sanction	Maximum Licensing Action
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 offenders 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, 2014.

APPENDIX I. STATE POLICIES REGARDING USE OF TRAFFIC CAMERAS		
State/ Jurisdiction	Statute Citation	Policy
Alabama	2009 SB 59 2011 SB 411, SB 442, HB 511	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.

APPENDIX I. STATE POLICIES REGARDING USE OF TRAFFIC CAMERAS		
State/ Jurisdiction	Statute Citation	Policy
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.
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 ²	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 where population exceeds 20,000; requires local ordinance. Maximum fine of \$100; not on operating record.

APPENDIX I. STATE POLICIES REGARDING USE OF TRAFFIC CAMERAS		
State/ Jurisdiction	Statute Citation	Policy
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 in construction zones.
Texas	Transportation Code §707	Texas municipalities not allowed to use photo enforcement to enforce speed violations. Photo enforcement authorized statewide for red light violations; requires local ordinance. 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.

Notes:

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

Sources: Insurance Institute for Highway Safety and NCSL, 2013.

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	
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 Office of Highway Safety.
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 age 21 years wear helmets, without exception. Those age 21 and older may ride without helmets only if they carry additional insurance and have passed a motorcycle safety course or have had their motorcycle endorsement for at least two years. Motorcycle passengers who want to exercise this option also must be age 21 or older and carry additional insurance.
7. Motorcycle helmet laws in Minnesota cover operators with instructional/learner's permits.
8. North Dakota's motorcycle helmet use law covers all passengers traveling with operators who are covered by the law.
9. Ohio's motorcycle helmet use law covers all operators during the first year of licensure and all passengers of operators who are covered by the law.
10. Pennsylvania's motorcycle helmet use law covers all operators during the first two years of licensure unless the operator has completed the safety course approved by PennDOT or the Motorcycle Safety Foundation.
11. Rhode Island's motorcycle helmet use law covers all passengers (regardless of age) and all operators during the first year of licensure (regardless of age).

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, 2014.



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