1999 HOUSE TRANSPORTATION

HB 1291

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1291

House Transportation Committee

❑ Conference Committee

Hearing Date January 29, 1999

Tape Number	Side A	Side B	Meter #
1	x		0-55
1		x	0-55
(2/11/99) 1	x		0-14
Committee Clerk Signature			

Minutes:

CHAIRMAN KEISER OPENED THE HEARING ON HB 1291; A BILL RELATING TO A GRADUATED MOTOR VEHICLE DRIVER LICENSING PROGRAM FOR MINORS; AND TO PROVIDE AN EFFECTIVE DATE.

REPRESENTATIVE JOHN MAHONEY, District 33, introduced HB 1291. He noted his experiences as a States Attorney in Western North Dakota - the unfortunate mishap of having to go to accident scenes that sometimes include minors. It is extremely tragic when students are killed before they finish high school or even graduate. He hoped that in presenting this bill and allowing it to be amended or altered, it would likely alleviate some of the problems causing youth fatalities as a result of motor vehicle accidents. Rep. Mahoney provided statistics that support this bill - 11% of fatal crashes involve minors, 12% of injury crashes involve minors. Young people are responsible for much of the injury on the road. The intentions of this bill are

many. First it it to be effective in reducing these accidents by expanding the learning process, reducing risk exposure, improving driving proficiency, and enhancing motivation for safe driving. 24 states have already adopted some form of graduated drivers licenses. Many states have seen positive effects as a result of this. Other countries have also seen improvements of 27% in crash rates for drivers 16-19. The bill presents an instructional permit that must be held for six months instead of three months; there must be classroom instruction; the supervising driver must be 22 years of age or older; curfew enacts to prohibit driving between the hours of 12 am and 6 am - there is a farm exemption as well as some work exemptions. In my opinion, invariably cars are rolled and people are getting into trouble after midnight. A driver can only carry as many passengers as the vehicle permits; any alcohol violations result in suspension of the driver's license back to the permit stage. Full licensure is granted at 18 years of age. That is a summary of the bill - there is a significant fiscal note. An amendment is going to be proposed for a fee for the restricted license that should alleviate the monetary issue. It is a change from two types of licenses to three.

REP. KEMPENICH questioned the 22 year old supervisor age.

REP. MAHONEY said that it was just chosen to reflect someone who could be out of college. It is open to debate, but currently you can turn 15 and get a permit, then a license at 15 years and three months and be driving with an unlicensed driver holding only a learners permit. We thought that wasn't right and 22 seemed like a good age. There are a lot of provisions of this bill that this committee can look at to adjust to the state.

REP. SVEEN asked if he had studied any of the Minnesota laws.

REP. MAHONEY referred that question to Bob Graveline.

SENATOR ED KRINGSTAD, Distr. 49, testified in support of HB 1291. As a sponsor of the bill, he served on the Interim Committee and was in support.

REPRESENTATIVE APRIL FAIRFIELD, Distr. 29, testified in support of HB 1291. As another sponsor of the bill, she served on the Graduated Licensing Committee . I support the bill as it promotes safety, practicality, and enforceability. A few points of importance are how it would affect rural residents. Proposed amendments make me comfortable to the unique needs of rural residents. The provision of the late night hours is also good. Passenger packing in cars is not good and I do believe that this bill addresses that.

REP. KEISER asked if the rural residents support this bill.

REP. FAIRFIELD said she hadn't heard any opposition.

REP. SCHMIDT asked if a farm child could pull a trailer under this bill.

REP. FAIRFIELD said she believed so.

REP. RAEANN KELSCH, Distr. 34, testified in support of HB 1291. She noted that she sat in on the bill in the Interim. She also has a 14 year old kid and junior high kids at home that she is not popular with and she doesn't vote on the basis of such. Rep. Kelsch said she is more concerned for the safety of the young people more so than the issue of popularity.

BOB GRAVELINE, Executive Director of the North Dakota Safety Council. (See attached testimony). He introduced an amendment. (See attached testimony).

REP. KELSCH asked if there was a provision for school sanctioned activities? Does it apply to proms and homecomings?

BOB replied whatever school sanctioned activities are according to the school. I would think that they would fit into specific time frames if relating to proms and dances - not to include post promo parties.

REP. KEISER noted the delayed effective date. Why is that?

BOB said that it would hopefully give everyone an opportunity to accept it.

REP. MICKELSON referred to the total of all crashes on the graph in the handout. Were there 16,662 total crashes in 1997?

BOB said yes, that is correct?

REP. MICKELSON asked how many of those involved alcohol. Do we have really bad young drivers or is alcohol the problem?

BOB said that 40-50% of all crashes in North Dakota have alcohol as the contributing factors. The top two causes of accidents in North Dakota are 1. alcohol, and 2. speed.

REP. BELTER noted page 4, line 27. He gave an example of an adult having to sit between two minors in a vehicle driven by one of the minors. Would that have to be done?

BOB said yes, the adult is responsible so if the brake needed to be pushed the responsible adult could do so.

REP. MEYER questioned the farm exemption to 50,000 lbs.? Can they drive by themselves?

BOB said that during the first six months, the permit holder would require a supervised driver. After those initial six months, they are allowed to drive by themselves.

REP. KEMPENICH questioned the full licensure clause. Why doesn't the supervised driver age start at 18.

BOB said that it was a very controversial issue. It is up to the committee to decide where it sits.

REP. SVEEN asked about the classroom time?

BOB said that at the present time there is none required. We are proposing that we would work with the D.O.T to get the school to offer the course according to D.P.I.

REP. SVEEN noted driving at 10 years of age. Is there any consideration to that?

BOB said he could only respond to say "things have changed."

BOB GRAVELINE submitted statements from several agencies and businesses. (See attached testimony).

BRYAN HOIME, North Dakota Township Officers Association, testified in support of HB 1291. (See attached testimony). He introduced amendments to HB 1291. (See attached testimony).

REP. BELTER asked Bryan if these amendments were introduced at the request of the Superintendent of Public Instruction.

BRYAN said that after discussing this with Wayne, I thought that this would be a good avenue to take.

REP. MEYER asked if this wouldn't affect the fiscal note.

CHAIRMAN KEISER said that new fiscal notes would have to be drafted for both amendments.

REP. BELTER mentioned that maybe we are just starting another beuracracy by chancing the curriculum. Do we need to do this?

BRYAN said that a big problem is on the gravel roads. There needs to be some gravel road driving and we felt something needed to be done to implement this.

REP. KEMPENICH asked we need a committee? Does it need to be an ongoing deal?

BRYAN said maybe nothing needs to be done, but if it does - how is that curriculum going to be changed? They are not going to be paid, there is no mandatory compensation.

LAVONNE LANGORD, AAA North Dakota, testified in support of HB 1291. (See attached testimony).

KELSEY MCINTOSH, Senior, Bismarck Century High School, testified in support of HB 1291. She was a member of the Graduated License Committee and that as a young adult she thought it was something that was really a good thing.

MARGARET REICKE, North Dakota Nursing Association, testified in support of HB 1291. (See attached testimony).

SHAWN MCDONOUGH, Senior, Bismarck Century High School, testified in support of HB 1291.

REP. KEMPENICH asked what a good age would be to supervise.

SHAWN said 18 years of age.

CAROL HOLZEN, North Dakota State Health Department, testified on a neutral standpoint.

REP. MAHONEY asked if her statistics were in support. Does the agency not want to take a position?

CAROL said that motor vehicle crashes are the main reason for deaths in North Dakota youth, we support whatever helps.

DON PROUTY, Don's Driving School, testified in opposition to HB 1291. He suggested withdrawing the bill. He thought the committee should have included drivers instructors - it was a very poorly drafted bill. The bill discriminates against larger districts. Licensing at various ages is very common. Many rural school districts don't have the opportunity to have this offered at their schools. Bismarck, Fargo, and Grand Forks are the only ones to offer the driving curriculum through the school year where other schools option it in summer school. He

suggested some changes to the bill. Don noted the issue of peer pressure and how that is a very important factor in teaching attitudes. He teaches a commercial school and classes at Dickinson High School. Time on task is an important thing. The hands on approach is key. His business would take a $20-28,000 hit/loss if this is implemented. He suggested a study of 500 kids through the commercial school versus 500 kids through the curriculum school. He thinks that the statistics would be very interesting. He suggested studying the statistics and then coming back and revising the bill. He also added that making exemptions defeats the purpose of the bill. Experience comes with age.

REP. MEYER asked if they required additional hands on hours on gravel.

DON said no, it has not been looked at.

REP. MEYER asked how many they currently do.

DON said very little.

REP. MAHONEY asked how this will hurt their company.

DON said that they offer 30 hours of classroom at the curriculum based school. We don't offer any classroom training.

BONNIE KITTELSON, FM Driver Training, testified in opposition to HB 1291. She said that she was glad that ND is standardizing more with the rest of the nation, but there are deficiencies in the bill. Remember, this is North Dakota, she said. They are a private business of 28 years that serves anyone from senior citizens to unmarried high school dropouts. They don't see a lot of 14 year old drivers, but the ones that do got their license with strings attached. When students sign up for class, the parents are talked to and a contract is signed. We have the ability to teach the class one on one. Fargo Public Schools are only summer classes, we run year round.

WARD DeMONTIGNY, Concerned parent, testified in opposition to HB 1291. He said that the bill essentially makes criminals out of good kids and it is unnecessary. It makes kids less responsible. The way to produce a safer driver is by the parents teaching. This won't make the insurance premiums go down. The age and the curfew should be left to the parents' discretion. Families in agriculture are going to react. My sons haul bails for others. How is that going to work for my kids. This is up to the parents to do their jobs and that is where it should be left. We need to quit treating our children as enemies. He introduced his son Todd, 14, as someone who would be affected by this bill. Good kids are getting blamed. It is the parents' responsibility to raise responsible young adults - It is what you as a parent are going to instill in them that matters. REP. KEISER asked if the 14 year old age limit should be eliminated to make room for parents choice.

WARD said that it is an idea.

ROGER RAGSO, testified neutrally to HB 1291. He agreed with Mr. DeMontigny. He said that it is a society bill. This would eliminate 14 year olds as the class will not be offered until the freshman year. He said he supported the bill to protect the youth, but there are too many loopholes. He thought that the age of 22 was way out of line. At 18 you can vote, go to war - they can definitely be a supervising driver.

DANELL BECKER, Don's Driving School, testified in opposition to HB 1291. She said she is not opposed to some form of GDL, but it needs more study. She is opposed tot he required classroom. She suggested spending so many driving hours with parents.

REP. JENSEN asked if this bill could be amended to address the schools' concerns.

DANNELL said yes, and she believed then they may give support.

COL. HUGHES, ND HIGHWAY PATROL, testified neutrally on HB 1291. He mentioned an accident the previous night that a 15 year old youth was killed in. He noted more seriously the problem of the seat belts. He said there is no mandatory law that says people under 18 must wear their seat belts. Young drivers, 15 to 17 are always being killed and injured from ejection from their vehicles. The not wearing of seat belts is killing kids in North Dakota. The bill is good, but it needs some amending.

CHAIRMAN KEISER pointed out to Col. Hughes that bills that do everything are killed.

CHAIRMAN KEISER CLOSED THE HEARING ON HB 1291.

COMMITTEE ACTION

A SUBCOMMITTEE WAS APPOINTED. REP. KELSCH WILL CHAIR IT. MEMBERS WILL INCLUDE REP. THORPE, REP. WEISZ, AND REP. MAHONEY.

SUBCOMMITTEE MEETING, February 4, 1999

CHAIRWOMAN KELSCH OPENED THE SUBCOMMITTEE HEARING ON HB 1291.

REPS. THORPE, WEISZ, AND MAHONEY were all present.

General discussion took place and amendments were considered. (See attached amendments)

CHAIRWOMAN KELSCH offered to meet with Tim Dawson, Legislative Counsel and draft the amendments.

FULL COMMITTEE ACTION, February 11, 1999

CHAIRMAN KEISER REOPENED THE HEARING ON HB 1291.

REP. KELSCH introduced amendments to HB 1291. (See attached amendments).

REP. KELSCH moved to ADOPT THE AMENDMENTS. REP. MAHONEY seconded the motion. The motion carried. A unanimous voice vote was taken in favor of adopting the amendments.

GENERAL DISCUSSION TOO PLACE.

REP. KELSCH moved a DO PASS AS AMENDED. REP. PRICE seconded the motion. The motion carried.

ROLL CALL - 12 YEA, 2 NAE, 1 ABSENT AND NOT VOTING.

FLOOR ASSIGNMENT - REP. KELSCH

FISCAL NOTE

(Return original and 10 copies)

Bill/Resolution No.: _____ Amendment to: Eng. HB 1291 - Conf. Com.

Requested by Legislative Council Date of Request: 4-8-99

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts. Please provide breakdowns, if appropriate, showing salaries and wages, operating expenses, equipment, or other details to assist in the budget process.

   Narrative:

   See Attached.

2. **State** fiscal effect in dollar amounts:

	1997-99 Biennium		1999-2001 Biennium		2001-03 Biennium	
	General Fund	**Other Funds**	**General Fund**	**Other Funds**	**General Fund**	**Other Funds**
Revenues	-0-	-0-	-0-	$44,000	-0-	$44,000
Expenditures	-0-	-0-	-0-	$100,380 to $120,380	-0-	$55,660

What, if any, is the effect of this measure on the budget for your agency or department:

a. For rest of 1997-99 biennium: None

b. For the 1999-2001 biennium: Additional dollars needed.

c. For the 2001-03 biennium: Additional dollars needed.

4. **County, city, and school district** fiscal effect in dollar amounts:

1997-99 Biennium			1999-2001 Biennium			2001-03 Biennium		
Counties	**Cities**	**School Districts**	**Counties**	**Cities**	**School Districts**	**Counties**	**Cities**	**School Districts**
-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-

Signed: Marsha M. Lembke

Typed Name: Marsha M. Lembke

Department: Drivers License and Traffic Safety

Phone Number: (701) 328-4865

Date Prepared: 04-08-99

1. NARRATIVE:

Expenditures: We estimate the number of licenses being sanctioned and then reissued as instructional permits at 10% (1,100 x $2.09 = $2,299.) Then, reissuance of a license after the sanction is over costs an additional $2,299. The total is $4,598 per year. The annual additional postage and supplies (printed letterhead, envelopes, etc.) will be approximately $836 (1,100 + 1,100 x $.05 paper supplies x $.33 postage.) This is the cost for generating a letter informing the driver of their sanctioning and then again for notification of re-licensing. There will also be administrative costs associated with the correspondence/data input between our office and the driver of approximately $22,396 (based on a total of 2,200 hours x an average of $10.18 per/hr.) We are figuring 2 hours per sanctioned driver, with an average salary between 11 employees who may be involved in the transaction. There will be no fiscal impact on the 1997-1999 biennium. We have allowed additional start-up costs to the 1999-2001 biennium of approximately $39,720 to $54,720 to allow for ISD programming ($15,000-$30,000); Unisys programming ($20,000); and employee training on procedural changes. Because of the implementation date change, there is also an estimated additional $5,000-$10,000 expense noted for the 1999-2001 biennium for public information purposes.

Note: All figures are based on the cost of actual generation of the plastic license being $2.09, the cost we are charged by Unisys. This could increase at any time.

Revenues: Revenue is based on $20 per sanctioned driver for reissuing the permit and license.

FISCAL NOTE

(Return original and 10 copies)

Bill/Resolution No.: _____ Amendment to: Eng. HB 1291

Requested by Legislative Council Date of Request: 3-29-99

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

   Narrative:

   See Attached.

2. **State** fiscal effect in dollar amounts:

	1997-99 Biennium		1999-2001 Biennium		2001-03 Biennium	
	General Fund	Special Funds	General Fund	Special Funds	General Fund	Special Funds
Revenues:		N/A		$44,000	-0-	$44,000
Expenditures:		N/A		$100,380 to $120,380	-0-	$55,660

3. What, if any, is the effect of this measure on the appropriation for your agency or department:
   a. For rest of 1997-99 biennium: None.
   b. For the 1999-2001 biennium: Additional dollars needed.
   c. For the 2001-03 biennium: Additional dollars needed.

4. **County, City, and School District** fiscal effect in dollar amounts:

1997-99 Biennium			1999-2001 Biennium			2001-03 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

If additional space is needed, attach a supplemental sheet.

Signed Marsha M. Lembke

Typed Name Marsha M. Lembke

Date Prepared: 3-29-99

Department Department of Transportation

Phone Number 328-4865

1. NARRATIVE:

Expenditures: We estimate the number of licenses being sanctioned and then reissued as instructional permits at 10% (1,100 x $2.09 = $2,299). Then, reissuance of a license after the sanction is over costs an additional $2,299. The total is $4,598 per year. The annual additional postage and supplies (printed letterhead, envelopes, etc.) will be approximately $836 (1,100 + 1,100 x $.05 paper supplies x $.33 postage). This is the cost for generating a letter informing the driver of their sanctioning and then again for notification of re-licensing. There will also be administrative costs associated with the correspondence/data input between our office and the driver of approximately $22,396 (based on a total of 2,200 hours x an average of $10.18 per/hr). We are figuring 2 hours per sanctioned driver, with an average salary between 11 employees who may be involved in the transaction. There will be no fiscal impact on the 1997-1999 Biennium. We have allowed additional start-up costs to the 1999-2001 Biennium of approximately $39,720 to $54,720 to allow for ISD programming ($15,000-$30,000); Unisys programming ($20,000); and employee training on procedural changes. Because of the implementation date change, there is also an estimated additional $5,000-$10,000 expense noted for the 1999-2001 biennium for public information purposes.

Note: All figures are based on the cost of actual generation of the plastic license being $2.09, the cost we are charged by Unisys. This could increase at any time.

Revenues: Revenue is based on $20 per sanctioned driver for reissuing the permit and license.

FISCAL NOTE

(Return original and 10 copies)

Bill/Resolution No: _____ Amendment to: HB 1291

Requested by Legislative Council Date of Request: February 16, 1999

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

Narrative:

See Attached.

2. **State** fiscal effect in dollar amounts:

	1997-99 Biennium		1999-2001 Biennium		2001-03 Biennium	
	General Fund	**Special Funds**	**General Fund**	**Special Funds**	**General Fund**	**Special Funds**
Revenues:	-0-	-0-	-0-	$105,590	-0-	$211,180
Expenditures:	-0-	-0-	-0-	$173,262 to $188,262	-0-	$267,804

3. What, if any, is the effect of this measure on the appropriation for your agency or department:

a. For rest of 1997-99 biennium: None

b. For the 1999-2001 biennium: Additional dollars needed - none

c. For the 2001-03 biennium: Additional dollars needed

4. **County, City and School District** fiscal effect in dollar amounts:

1997-99 Biennium			1999-2001 Biennium			2001-03 Biennium		
Counties	**Cities**	**School Districts**	**Counties**	**Cities**	**School Districts**	**Counties**	**Cities**	**School Districts**
-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-

If additional space is needed, attach a supplemental sheet.

Date Prepared: February 16, 1999

Signed Marsha M Lembke

Typed Name Marsha M. Lembke

Department Drivers License and Traffic Safety

Phone Number (701) 328-4865

1. NARRATIVE:

Expenditures: The dollar figures used are based on 10,559 permit and license holders, under age 18, who obtain their licenses each year. Each of these drivers will generate an additional license (provisional). The cost per license is currently $2.09 for a total of $22,068 (10,559 x $2.09). This does not include examiner time, training, or any administrative costs. We estimate the number of provisional licenses being sanctioned and then reissued as instructional permits at 10% (1,055 x $2.09 = $2,205). Then, reissuance of a provisional license after the sanction is over costs an additional $2,205. The grand total is then $26,478 ($22,068 + $2,205 + $2,205). The annual additional postage and supplies (printed letterhead, envelopes, etc.) will be approximately $4,814 (10,559 + 1,055 + 1,055 x $.05 paper supplies x $.33 postage). This is the cost for generating a letter informing the driver of their eligibility (10,559 initial drivers being upgraded to full licensure and 1,055 for those sanctioned, and then again 1,055 for full licensure). There will also be administrative costs associated with the correspondence/data input between our office and the driver of approximately $32,250 (based on a total of 3,168 hours x an average of $10.18 per/hr). We are figuring 15 minutes per transaction, with an average salary between 11 employees who may be involved in the transaction. There will be no fiscal impact on the 1997-1999 Biennium.. We have allowed additional start-up costs to the 1999-2001 Biennium of approximately $39,720 to $54,720 to allow for ISD programming ($15,000-$30,000); Unisys programming ($20,000); and employee training on graduated licensing (2 days/2 nights for 40 examiners at $59 per/day maximum total allowed for meals & lodging).
Note: All figures are based on the cost of actual generation of the plastic license being $2.09, the cost we are charged by Unisys. This could increase at any time.

Revenues: If we understand the amendment language (the amendment needs clarification), the revenues from these licenses would be approximately $10 each, for a total of $105,590 (10,559 x $10) per year. This figure is **based on the premise** that we collect a $10 fee at the time the applicant applies for an instructional/provisional license (as we do now), and **also** collect at least an additional $10 for the full license when the driver turns 18 (we **do not** presently collect any additional fees when drivers receive their full license).

FISCAL NOTE

(Return original and 10 copies)

Bill/Resolution No.: HB 1291 Amendment to:

Requested by Legislative Council Date of Request: January 13, 1999

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts. Please provide breakdowns, if appropriate, showing salaries and wages, operating expenses, equipment, or other details to assist in the budget process.

   Narrative:
   See attached.

2. **State** fiscal effect in dollar amounts:

	1997-99 Biennium		1999-2001 Biennium		2001-03 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -
Expenditures	- 0 -	- 0 -	- 0 -	$306,804 - $321,804	- 0 -	$266,832

3. What, if any, is the effect of this measure on the budget for your agency or department:

   a. For rest of 1997-99 biennium: None.
   (Indicate the portion of this amount included in the 1999-2001 executive budget:) None.

   b. For the 1999-2001 biennium: Additional dollars needed.
   (Indicate the portion of this amount included in the 1999-2001 executive budget:) None.

   c. For the 2001-03 biennium: Additional dollars needed.

4. **County, city, and school district** fiscal effect in dollar amounts:

1997-99 Biennium			1999-2001 Biennium			2001-03 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -	- 0 -

Signed: Marsha M. Lembke
Typed Name: Marsha M. Lembke
Department: Department of Transportation
Phone Number: 328-4865
Date Prepared: January 14, 1999

1. NARRATIVE:

Expenditures: The dollar figures used are based on 10,559 permit and license holders, under age 18, who obtain their licenses each year. Each of these drivers will generate an additional license (provisional). The cost per license is currently $2.09 for a total of $22,068 (10,559 x $2.09). This does not include examiner time, training, or any administrative costs. We estimate the number of provisional licenses being sanctioned and then reissued as instructional permits at 10% (1,055 x $2.09 - $2,205). Then, reissuance of a provisional license after the sanction is over generates an additional $2,205. The grand total is then $26,478 ($22,068 = $2,205 = $2,205). The annual additional postage and supplies (printed letterhead, envelopes, etc.) will be approximately $4,814 (10,559 + 1,055 + 1,055 x $.05 paper supplies x $.33 postage). This is the cost for generating a letter informing the driver of their eligibility (10,559 initial drivers being upgraded to full licensure and 1,055 for those sanctioned, and then again 1,055 for full licensure). There will also be administrative costs associated with the correspondence/data input between our office and the driver of approximately $32,250 (based on a total of 3,168 hours x an average of $10.18 per/hr). We are figuring 15 minutes per transaction, with an average salary between 11 employees who may be involved in the transaction. There will be no fiscal impact on the 1997-99 Biennium. We have allowed additional start-up costs to the 1999-2001 Biennium of approximately $39,720 to $54,720 to allow for ISD programming ($15,000-$30,000); Unisys programming ($20,000); and employee training on graduated licensing (2 days/2 nights for 40 examiners at $59 per/day maximum total allowed for meals & lodging). **Note:** All figures are based on the cost of actual generation of the plastic license being $2.09, the cost we are charged by Unisys. This could increase at any time.

Prepared by the Legislative Council staff for
Representative R. Kelsch
February 9, 1999

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1291

Page 1, line 4, remove "39-06-03.1,", after the fifth comma insert "subsection 1 of section 39-06-14,", and after "and" insert "section"

Page 1, line 12, remove the overstrike over "~~To any person who is under the age of sixteen years, except that the director may~~"

Page 1, line 13, remove the overstrike over "~~issue~~" and insert immediately thereafter "an instructional permit,", remove the overstrike over "~~a restricted~~" and insert immediately thereafter "instructional", remove the overstrike over "~~permit~~" and insert immediately thereafter an underscored comma, remove the overstrike over "~~or~~" and insert immediately thereafter "restricted", remove the overstrike over "~~license~~", after "~~in~~" insert "under", remove the overstrike over "~~sections~~" and insert immediately thereafter "39-06-04,", and remove the overstrike over "~~39-06-05~~" and insert immediately thereafter an underscored comma

Page 1, remove the overstrike over line 14

Page 1, line 15, remove the overstrike over "~~2.~~"

Page 1, line 19, remove the overstrike over "~~3.~~" and remove "2."

Page 1, line 22, remove the overstrike over "~~4.~~" and remove "3."

Page 2, line 1, remove the overstrike over "~~5.~~" and remove "4."

Page 2, line 3, remove the overstrike over "~~6.~~" and remove "5."

Page 2, line 6, remove the overstrike over "~~7.~~" and remove "6."

Page 2, line 9, remove the overstrike over "~~8.~~" and remove "7."

Page 2, remove lines 13 through 21

Page 2, line 30, replace "twenty-two" with "eighteen"

Page 3, line 30, replace "twenty-two" with "eighteen"

Page 4, line 5, after "instruction" insert "as approved by the superintendent of public instruction"

Page 4, after line 6, insert:

"b. Completed fifty hours of driving with that minor's parent or guardian in compliance with the department rules designed for experience in various day and night driving conditions;"

Page 4, line 7, replace "b" with "c" and replace "an equal" with "a"

Page 4, line 10, replace "c" with "d" and replace "subdivisions a and b" with "this subsection"

Page 4, line 23, after "ranching" insert "or for driving directly between work, home, a sanctioned school activity, or a church activity"

Page 4, line 29, replace "twenty-two" with "eighteen"

Page 5, line 1, replace "eighteen" with "sixteen"

Page 5, line 8, remove "restricted"

Page 6, after line 31, insert:

"**SECTION 8. AMENDMENT.** Subsection 1 of section 39-06-14 of the North Dakota Century Code is amended and reenacted as follows:

1. The director, upon payment of a ten dollar fee, shall issue to every qualified applicant for a restricted license under section 39-06-17 an operator's license as applied for in the form prescribed by the director. The license must bear a distinguishing number assigned to the licensee, a color photograph of the licensee, the full name, date of birth, residence address, and a brief description of the licensee, and either a facsimile of the signature of the licensee or a space upon which the licensee shall write the licensee's usual signature. If the licensee is under the age of twenty-one, the photograph must be against a color border or background that is different from the color used for other licensees. If requested on the license application, the license issued by the director must include a statement making an anatomical gift under chapter 23-06.2. No license is valid until it has been signed by the licensee with the licensee's usual signature. The department shall develop a system to require each applicant for an operator's license or renewal of an operator's license to determine whether or not the applicant wishes to be a donor under chapter 23-06.2. For purposes of verification, an officer may require the licensee to write the licensee's signature in the presence of the officer. The director may adopt rules, pursuant to chapter 28-32, relating to the manner in which photographs are to be obtained and placed on operator's licenses. The photograph may be produced by digital imaging or other electronic means and is not a public record."

Page 7, line 3, remove "**permits and**"

Page 8, line 6, replace "eighteen" with "sixteen"

Page 8, line 13, after "or" insert "restricted"

Renumber accordingly

98268.0103
Title.0200

Prepared by the Legislative Council staff for
Representative R. Kelsch
February 9, 1999

YR 2/12/99 1062

House AMENDMENTS TO HOUSE BILL NO. 1291 **2/12/99 HTRN**

Page 1, line 4, remove "39-06-03.1,", after the fifth comma insert "subsection 1 of section 39-06-14,", and after "and" insert "section"

Page 1, line 12, remove the overstrike over "~~To any person who is under the age of sixteen years, except that the director may~~"

Page 1, line 13, remove the overstrike over "~~issue~~" and insert immediately thereafter "an instructional permit,", remove the overstrike over "~~a restricted~~" and insert immediately thereafter "instructional", remove the overstrike over "~~permit~~" and insert immediately thereafter an underscored comma, remove the overstrike over "~~or~~" and insert immediately thereafter "restricted", remove the overstrike over "~~license~~", after "~~in~~" insert "under", remove the overstrike over "~~sections~~" and insert immediately thereafter "39-06-04,", and remove the overstrike over "~~39-06-05~~" and insert immediately thereafter an underscored comma

Page 1, remove the overstrike over line 14

Page 1, line 15, remove the overstrike over "~~2.~~"

Page 1, line 19, remove the overstrike over "~~3.~~" and remove "2."

Page 1, line 22, remove the overstrike over "~~4.~~" and remove "3."

Page 2, line 1, remove the overstrike over "~~5.~~" and remove "4."

Page 2, line 3, remove the overstrike over "~~6.~~" and remove "5."

Page 2, line 6, remove the overstrike over "~~7.~~" and remove "6."

Page 2, line 9, remove the overstrike over "~~8.~~" and remove "7."

Page 2, remove lines 13 through 21

Page 2, line 30, replace "twenty-two" with "eighteen"

Page 3, line 30, replace "twenty-two" with "eighteen"

Page 4, line 5, after "instruction" insert "as approved by the superintendent of public instruction"

Page 4, after line 6, insert:

"b. Completed fifty hours of driving with that minor's parent or guardian in compliance with the department rules designed for experience in various day and night driving conditions;"

Page 4, line 7, replace "b" with "c" and replace "an equal" with "a"

House Amendments to House Bill No. 1291 **HTRN 2/12/99**

Page 4, line 10, replace "c" with "d" and replace "subdivisions a and b" with "this subsection"

Page 4, line 23, after "ranching" insert "or for driving directly between work, home, a sanctioned school activity, or a church activity"

Page 4, line 29, replace "twenty-two" with "eighteen"

House Amendments to House Bill No. 1291 **HTRN 2/12/99**

Page 5, line 1, replace "eighteen" with "sixteen"

Page 5, line 8, remove "restricted"

House Amendments to House Bill No. 1291 **HTRN 2/12/99**

Page 6, after line 31, insert:

"**SECTION 7. AMENDMENT.** Subsection 1 of section 39-06-14 of the North Dakota Century Code is amended and reenacted as follows:

1. The director, upon payment of a ten dollar fee, shall issue to every qualified applicant for a restricted license under section 39-06-17 an operator's license as applied for in the form prescribed by the director. The license must bear a distinguishing number assigned to the licensee, a color photograph of the licensee, the full name, date of birth, residence address, and a brief description of the licensee, and either a facsimile of the signature of the licensee or a space upon which the licensee shall write the licensee's usual signature. If the licensee is under the age of twenty-one, the photograph must be against a color border or background that is different from the color used for other licensees. If requested on the license application, the license issued by the director must include a statement making an anatomical gift under chapter 23-06.2. No license is valid until it has been signed by the licensee with the licensee's usual signature. The department shall develop a system to require each applicant for an operator's license or renewal of an operator's license to determine whether or not the applicant wishes to be a donor under chapter 23-06.2. For purposes of verification, an officer may require the licensee to write the licensee's signature in the presence of the officer. The director may adopt rules, pursuant to chapter 28-32, relating to the manner in which photographs are to be obtained and placed on operator's licenses. The photograph may be produced by digital imaging or other electronic means and is not a public record."

House Amendments to House Bill No. 1291 **HTRN 2/12/99**

Page 7, line 3, remove "**permits and**"

House Amendments to House Bill No. 1291 **HTRN 2/12/99**

Page 8, line 6, replace "eighteen" with "sixteen"

Page 8, line 13, after "or" insert "restricted"

Renumber accordingly

Date: 2/11
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1

House Transportation Committee

☐ Subcommittee on _____

or

☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Adopt Am

Motion Made By Rep Kelsch Seconded By Rep Mahoney

Representatives	Yes	No	Representatives	Yes	No
Represenatative Keiser, Chair			Representative Thorpe		
Represenatative Mickelson, V. Ch.					
Representative Belter					
Representative Jensen					
Representative Kelsch					
Representative Kempenich					
Representative Price					
Representative Sveen					
Representative Weisz					
Representative Grumbo					
Representative Lemieux					
Representative Mahoney					
Representative Meyer					
Representative Schmidt					

Total (Yes) 14 No 0

Absent 1

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

attached

Date: 2/11
Roll Call Vote #: 2

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1291

House Transportation Committee

☐ Subcommittee on _____

or

☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as amended

Motion Made By Rep. Kelsch Seconded By Rep. Price

Representatives	Yes	No	Representatives	Yes	No
Represenatative Keiser, Chair	✓		Representative Thorpe	✓	
Represenatative Mickelson, V. Ch.	✓				
Representative Belter		✓			
Representative Jensen	✓				
Representative Kelsch	✓				
Representative Kempenich	✓				
Representative Price	✓				
Representative Sveen	✓				
Representative Weisz		✓			
Representative Grumbo	✓				
Representative Lemieux	✓				
Representative Mahoney	✓				
Representative Meyer					
Representative Schmidt	✓				

Total (Yes) 12 No 2

Absent 1

Floor Assignment Rep. Kelsch

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1291: Transportation Committee (Rep. Keiser, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1291 was placed on the Sixth order on the calendar.

Page 1, line 4, remove "39-06-03.1,", after the fifth comma insert "subsection 1 of section 39-06-14,", and after "and" insert "section"

Page 1, line 12, remove the overstrike over "~~To any person who is under the age of sixteen years, except that the director may~~"

Page 1, line 13, remove the overstrike over "~~issue~~" and insert immediately thereafter "an instructional permit,", remove the overstrike over "~~a restricted~~" and insert immediately thereafter "instructional", remove the overstrike over "~~permit~~" and insert immediately thereafter an underscored comma, remove the overstrike over "~~or~~" and insert immediately thereafter "restricted", remove the overstrike over "~~license~~", after "~~in~~" insert "under", remove the overstrike over "~~sections~~" and insert immediately thereafter "39-06-04,", and remove the overstrike over "~~39-06-05~~" and insert immediately thereafter an underscored comma

Page 1, remove the overstrike over line 14

Page 1, line 15, remove the overstrike over "~~2.~~"

Page 1, line 19, remove the overstrike over "~~3.~~" and remove "2."

Page 1, line 22, remove the overstrike over "~~4.~~" and remove "3."

Page 2, line 1, remove the overstrike over "~~5.~~" and remove "4."

Page 2, line 3, remove the overstrike over "~~6.~~" and remove "5."

Page 2, line 6, remove the overstrike over "~~7.~~" and remove "6."

Page 2, line 9, remove the overstrike over "~~8.~~" and remove "7."

Page 2, remove lines 13 through 21

Page 2, line 30, replace "twenty-two" with "eighteen"

Page 3, line 30, replace "twenty-two" with "eighteen"

Page 4, line 5, after "instruction" insert "as approved by the superintendent of public instruction"

Page 4, after line 6, insert:

"b. Completed fifty hours of driving with that minor's parent or guardian in compliance with the department rules designed for experience in various day and night driving conditions;"

Page 4, line 7, replace "b" with "c" and replace "an equal" with "a"

Page 4, line 10, replace "c" with "d" and replace "subdivisions a and b" with "this subsection"

Page 4, line 23, after "ranching" insert "or for driving directly between work, home, a sanctioned school activity, or a church activity"

Page 4, line 29, replace "twenty-two" with "eighteen"

Page 5, line 1, replace "eighteen" with "sixteen"

Page 5, line 8, remove "restricted"

Page 6, after line 31, insert:

"**SECTION 7. AMENDMENT.** Subsection 1 of section 39-06-14 of the North Dakota Century Code is amended and reenacted as follows:

1. The director, upon payment of a ten dollar fee, shall issue to every qualified applicant for a restricted license under section 39-06-17 an operator's license as applied for in the form prescribed by the director. The license must bear a distinguishing number assigned to the licensee, a color photograph of the licensee, the full name, date of birth, residence address, and a brief description of the licensee, and either a facsimile of the signature of the licensee or a space upon which the licensee shall write the licensee's usual signature. If the licensee is under the age of twenty-one, the photograph must be against a color border or background that is different from the color used for other licensees. If requested on the license application, the license issued by the director must include a statement making an anatomical gift under chapter 23-06.2. No license is valid until it has been signed by the licensee with the licensee's usual signature. The department shall develop a system to require each applicant for an operator's license or renewal of an operator's license to determine whether or not the applicant wishes to be a donor under chapter 23-06.2. For purposes of verification, an officer may require the licensee to write the licensee's signature in the presence of the officer. The director may adopt rules, pursuant to chapter 28-32, relating to the manner in which photographs are to be obtained and placed on operator's licenses. The photograph may be produced by digital imaging or other electronic means and is not a public record."

Page 7, line 3, remove "**permits and**"

Page 8, line 6, replace "eighteen" with "sixteen"

Page 8, line 13, after "or" insert "restricted"

Renumber accordingly

1999 SENATE TRANSPORTATION

HB 1291

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1291

Senate Transportation Committee

❑ Conference Committee

Hearing Date March 4, 1999

Tape Number	Side A	Side B	Meter #
1		x	5706-End
2	x		1-End
2		x	1-2355
March 11, 1999 - Tape 2	x		1,505-4655
March 19, 1999 - Tape 2	x		4,340-End
March 25, 1999		x	2,580-3873
March 25 - Tape 2	x		1,991-3012
Committee Clerk Signature Dori A. Schaefbauer			

Minutes:

SENATOR B. STENEHJEM opened the hearing on HB 1291. Committee members present included: Sens. Bob Stenehjem, R. Schobinger, D. Mutch, D. Cook, D. O'Connell, V. Thompson, and D. Bercier.

REPRESENTATIVE JOHN MAHONEY, DISTRICT 33 testified in support of HB 1291. We are all too well aware of the tragedies that occur. The fatalities for most drivers have actually dropped in the past two decades. The traffic deaths for newly licensed drivers have surged by 50%. Alcohol is not a significant factor in these deaths; it is just inexperience and not enough training. Most states only allow licensing once the person is sixteen. Twenty-four states have

passed the graduated license law (he referred to an article). There are four purposes to the graduated driver's license laws: (1) expanding the learning process for young drivers; (2) reducing the risk exposure; (3) improving the driving proficiency; and (4) too enhance the motivation for driving safely. Death rates in the last twenty years have dropped from 15 to 12 per 100,000 drivers. In the last twenty years for sixteen year olds, death rates have gone from 19 to 35 per 100,000. In terms of the bill, the significant provisions start on page 2 (he explained the changes).

SENATOR O'CONNELL Can you give me a bit of the House knowledge on why you changed some of the amendment?

REPRESENTATIVE MAHONEY Some students felt that the 22 year old provision was a real concern and many felt that an 18 year old would be more responsible than a 16 year old. There were some concerns from rural areas about the 18 year old provision for those who were in extracurricular activities. The requirements of the training, we worked with the driving schools and we looked at some rural areas that don't have driving schools.

SENATOR SCHOBINGER I've had calls from people who support the bill but the 18 years old with a permit holder, why not require that the driver has a driver's license for 2 or 3 years?

REPRESENTATIVE MAHONEY Under current law, they need to have a driver's license for at least a year. The experience of the driver is important.

SENATOR B. STENEHJEM Twenty-eight states have graduated driver's licenses. Twenty have it if you drop out of high school, you lose your permit or driver's license by the time you are 18. What are your feelings?

REPRESENTATIVE MAHONEY I guess that is something we can consider. We are primarily concerned with safety and training in regard to driving. I would consider that a little secondary. I don't know if it would be necessary when we only have the restricted licensing up to sixteen.

REPRESENTATIVE RAEANN KELSCH, DISTRICT 34 testified in support of HB 1291. Bob Gravelin put together a task force on graduated driver's licensing. We did not take this task on to try to punish anyone or say that the parents and youth of our state are not responsible. We did find astounding statistics dealing with the state of North Dakota. 4.65% of our total numbers of drivers in the state of North Dakota are between the ages of 14 and 17. This percentage of drivers are involved in 11.4% of all crashes, they were involved in 12.13% of all property damage crashes and 7.63% of all fatal crashes. These numbers reflect a ratio of 1.6 to 1 for fatalities and a ratio of 2.6 to 1 for property damage crashes. My kids are responsible but even if this bill does not pass, they will not go and get their driver's license. I would urge a Do Pass.

SENATOR BERCIER On page 1, line 20, Subsection 2- there seems to be better language to use than "habitual drunkard". How would you determine a habitual drunkard?

REPRESENTATIVE KELSCH The current statute contains this language and I surprised that, if that language is outdated, they didn't clean it up when they drafted the bill. That is something that could be done.

SENATOR THOMPSON How much more additional classroom training will this bill require?

REPRESENTATIVE KELSCH 30 hours and presently it is none.

SENATOR THOMPSON Can you elaborate on the year of mandating schools that are struggling for dollars to spend for those programs?

REPRESENTATIVE KELSCH We gave people three options: (1) classroom training and behind the wheel; (2) 50 hours of instruction from a parent-guidelines would be set up by the superintendents of schools or highway patrol; or (3) they may go to a commercial drivers training school.

SENATOR B. STENEHJEM They have to pass a written course. They can have 50 hours of driving with a parent or guardian in compliance with DOT. Do they have to come up with some administrative rules to address what they experience and what they have to teach them?

REPRESENTATIVE KELSCH They all have to have the classroom instruction. We're not sure who would set up the rules. We envisioned the Highway Patrol and DOT coming together and collaborating and putting together a set of rules that would apply that you would be able to use for instructional purposes.

SENATOR B. STENEHJEM The definition of department in our statutes means the Department of Transportation. In Section D, what does "a combination of the classes described in this subsection" mean? Does that mean I can combine part of a course and part of the driving?

REPRESENTATIVE KELSCH What would happen would probably be the classroom training and 50 hours with the parents or classroom training and the commercial driving.

SENATOR BERCIER Was there any discussion of the possibility of having drug and alcohol testing as a prerequisite?

REPRESENTATIVE KELSCH No.

SENATOR THOMPSON The classroom training is required.

REPRESENTATIVE KELSCH Yes. They have to have held their instructional permit for at least six months. They have to pass the course of classroom instruction as approved by the

Superintendent of Public Instruction. Also, they have to complete the 50 hours with a parent or successfully complete the course of a commercial driver's license.

SENATOR THOMPSON If local school districts cannot come up with the funding to provide that classroom instruction, where do you go to get that and who pays for it?

REPRESENTATIVE KELSCH I will refer that to Mr. Graveline.

SENATOR BERCIER Representative Mahoney, how would you feel about drug and alcohol testing as a prerequisite to the permitting process?

REPRESENTATIVE MAHONEY I would feel neutral about it. It might be good although statistics are showing the inexperience is creating more of the accidents then alcohol.

SENATOR O'CONNELL I want to go on record as supporting this bill. There are many parents who like the idea of getting that 50 hours in as a parent.

BOB GRAVELINE, ND SAFETY COUNCIL testified in support of HB 1291 (see testimony). He offered a few amendments.

SENATOR SCHOBINGER The theme seems to be the age of the driver. How do you respond when statistics are so close between 14-17 and 21-24?

BOB GRAVELINE Age has nothing to do with maturity. We can give a better education at an early age.

SENATOR O'CONNELL How would it work for those who want to go to church or school?

BOB GRAVELINE This is viewed as an enforcement like a curfew is. The police officers enforce those using common sense.

SENATOR THOMPSON I like a number of things in the bill. I do have concerns of the age dictating policy and not the expertise or responsibility (those hauling during harvesting). You

may be limiting some of those things. Are there requirements during harvest where there are potatoes and sugar beets being hauled around the clock.

BOB GRAVELINE With the way the bill is set up, they can still haul during harvest. Once you get your license after six months, you have the same license from 6 am to midnight that I have today. The only time there would be an impact is after midnight. There is an exemption in the bill that says if one is actively engaged in farming, ranching, work, church or school you have an exemption to drive in those hours. The only restrictions are the 14 and 15 year olds driving after midnight.

SENATOR THOMPSON Could you touch on the classroom training?

BOB GRAVELINE The bill requires classroom training for everyone under the age of 18. Classroom training would work if a youngster went to school, they could take driver's ed. and behind the wheel training if his high school offers it. If they didn't want to enroll into that program, the parent could dual drive for 50 hours with that child and they would have a log sheet prepared by DOT. They need the six hours behind the wheel in the different alternatives. There are several driving schools in ND and many folks from smaller communities come in and take that training.

SENATOR THOMPSON The process for 50 hours and log is all spelled out here.

BOB GRAVELINE Yes.

SENATOR SCHOBINGER If I were exempt for farming and drove a lot of hours, those hours wouldn't count for the 50 hours.

BOB GRAVELINE The 50 hours only pertains to the 6 months that you are driving under a permit. You are not exempt today from doing those farm activities if you only have a permit.

SENATOR SCHOBINGER How do you envision the 50 hours?

BOB GRAVELINE ND DOT will come up with some kind of driving log. I would hope that would be highway or city.

BRYAN HOIME, ND TOWNSHIP OFFICERS ASSOCIATION testified in support of HB 1291 (see testimony). He proposed some amendments.

SHAUN MCDONOUGH testified in support of HB 1291 (see testimony).

SENATOR BERCIER Do you have the original survey?

SHAUN MCDONOUGH It's in the House testimony.

SENATOR SCHOBINGER What was the overall response on the restriction between midnight and 6:00 am?

SHAUN MCDONOUGH That is what most of the students disagreed with.

KENT OLSON, EXECUTIVE DIRECTOR OF ND INSURANCE ASSOCIATION testified in support of HB 1291. We hope this will reduce claims or injuries. We can't guarantee but we hope the rates would come down.

CAROL HOLZER, STATE HEALTH DEPT. testified in a neutral position (she handed out some statistics).

SENATOR COOK Of 69 deaths, how many were a result of someone driving under the age of 16?

CAROL HOLZER I don't have that information.

SUSAN BEEHLER, MOTHER testified in a neutral position. I was opposed to this bill when I first heard this bill come out. I am concerned about what age group is next. I like the amendments. What would happen to a 14 and 15 year old that already has their license? I am

totally opposed to tying the driver's license in with dropping out of school. The driving time frame is unnecessary because we already have curfews. I ask you to proceed cautiously.

SENATOR B. STENEHJEM I was thinking more of a voluntarily dropout of school.

SUSAN BEEHLER It's voluntary when you don't get credit because of the days you've missed.

SENATOR SCHOBINGER I've had correspondence from the rural areas. They have a concern because what they have to do is a pretty good distance from town. This bill is written more for the cities.

SUSAN BEEHLER I agree. That is the same with the time limit.

TODD R. DEMOUTIGNY testified in opposition (see testimony).

SENATOR BERCIER What would you propose?

TODD DEMOUTIGNY Pass a seat belt law and dump this bill.

DAVID PESKE, ND MEDICAL ASSOCIATION testified in support of HB 1291.

COLONEL JIM HUGHES, ND HIGHWAY PATROL testified in a neutral position. A major concern is that there are changes in this law and no change in the penalty section. If an officer pulls over someone after midnight, they would be placed under arrest under a Class B misdemeanor. It is the same offense as drunk driving and it would be on their driving record and may restrict them to get into the military, etc. Our concern is the penalty for getting caught pass the curfew.

SENATOR O'CONNELL Does this put a trooper in a predicament for probable cause?

COLONEL JIM HUGHES The officer would need reasonable suspicion to pull car over in first place.

SENATOR O'CONNELL Just because they look like they are 14 or 15 doesn't give you probable cause to pull them over.

COLONEL JIM HUGHES Correct.

RICHARD BJORNSON, ND PEACE OFFICERS testified in support of HB 1291. I agree with comments from Colonel Hughes. All violations of driver's license are considered a Class B misdemeanor. Look at the other violations as well.

SENATOR B. STENEHJEM We will close the hearing on HB 1291.

March 11, 1999 - Tape # 2

BOB GRAVELINE proposed amendments. These amendments were offered in the House. They clearly state all drivers need classroom training and behind the wheel. The "dual driving" opportunity means they can have 50 hours of dual driving with their parent in lieu of the classroom training. This is to help those small towns that don't have the classroom training at their schools. They still need six hours behind the wheel.

SENATOR SCHOBINGER In the amendments in Subsection D, are you aware of how many hours an average classroom gets in the "behind the wheel" driving course?

BOB GRAVELINE They need a minimum of 30 hours in the classroom and no less than six behind the wheel.

SENATOR SCHOBINGER Are you pretty strong on keeping the requirement at 50 hours with a parent or guardian?

BOB GRAVELINE We set it at 50 because other states have 50 hours.

SENATOR THOMPSON This isn't going to make those driving criminals or anything. It is not so strict.

BOB GRAVELINE It clearly states that driving without a license is a $20 fine.

SENATOR O'CONNELL The amendments state that it is the same as driving without a license.

BOB GRAVELINE Yes, it eliminates any doubt.

SENATOR B. STENEHJEM What is the absolute minimum requirement for me to get my driver's license if I'm 14-17 years old?

BOB GRAVELINE You need to have your parent's permission. You take a written examination and receive a permit. With that permit, you can drive for six months with a supervising driver who will be 18 years of age with a minimum of one year's experience and hold a valid driver's license. During that six month period, you may as an option, go to your local high school (if they offer it) and take a 30 hour course of driver instruction and...

SENATOR B. STENEHJEM Why do we need to have DPI involved?

BOB GRAVELINE That is current law; we are not making any changes. It is on page 8, line 19 of the bill. They set the standards for public schools that want driver's ed. (There was some discussion on DPI involvement.) Now with a permit, if you can't get into a school to take the classroom instruction then you can take the 50 hours "dual driving" with your parent.

SENATOR B. STENEHJEM Do I as a parent have the right to do 50 hours without the six hours behind the wheel?

BOB GRAVELINE The six hours is required of everybody.

SENATOR THOMPSON Does the parent have the choice to give 50 hours even if the school offers it?

BOB GRAVELINE Yes. Under current law, once you hit 16 years of age, you are not required to take any driving classes period.

SENATOR SCHOBINGER How many schools would offer just the driving part without the classroom instruction?

BOB GRAVELINE It has never been offered before; they always offer both. The bill is written to give them the option.

SENATOR SCHOBINGER Can schools turn down the driver on the one if both aren't taken?

BOB GRAVELINE That is the school's decision.

SENATOR THOMPSON I'm willing to do the 50 hours of training as a parent, do I to send my child to a professional trainer to do that 6 hours.

BOB GRAVELINE Somewhere in that six month period, you have to send your child to a professional driving school.

SENATOR B. STENEHJEM In Section 8, a kid can't drive a car in town from 14-16 years old without all this training but another kid can drive a 50,000 lb truck?

BOB GRAVELINE If we didn't preserve those driving farm trucks this wouldn't pass.

SENATOR THOMPSON What about home schooling kids?

BOB GRAVELINE The same alternatives as everyone else.

SENATOR B. STENEHJEM Under the new legislation, what ages need the behind the wheel training?

BOB GRAVELINE Anyone under the age of 18 would require behind the wheel training and the classroom or "dual driving" training.

SENATOR B. STENEHJEM I want to propose amendment 98268.0202. Anyone under the age of 18 who is not in school is not eligible to get a license or it will be suspended until the age of 18. If he was suspended from school, he would not lose his license, but if he was expelled from

school, he would lose his license. There is a provision for a substantial hardship. If you absolutely needed the car to get to work to support your family. A number of students may stay in school because of this and those that aren't going to school won't be driving around.

SENATOR BERCIER What if he dropped out and got a job?

SENATOR B. STENEHJEM He would lose his license unless he needed to get a job for financial hardships.

SENATOR O'CONNELL Some say if you force them to be in school, they will be disruptive.

SENATOR B. STENEHJEM If they are disruptive they would be suspended or expelled. It's important for them to have a license. For people our age, it is important to have a driver's license.

SENATOR B. STENEHJEM We will hold HB 1291.

March 19, 1999 - Tape 1

SENATOR THOMPSON proposed an amendment.

SENATOR SCHOBINGER I move for amendment number 98268.0202.

SENATOR COOK I second for the sake of discussion.

SENATOR SCHOBINGER This bill is going to conference and I do think that one of the reasons kids drop out of school is because they are much too mobile. This says that driving is a privilege not a right. This has provisions that you are working toward your high school diploma.

SENATOR B. STENEHJEM Many other states have this idea and I tried to design this so there were as many escapes as reasonable. This is an incentive for kids to behave better. The schools can still suspend or expel if they don't behave. I don't see it as a hardship for any one other than the kids that don't want to go to school.

SENATOR SCHOBINGER I haven't heard anything negative from my district.

SENATOR THOMPSON I have heard from some school officials. Some of them don't like it because they don't want that kid back in school. They like it the way it is.

SENATOR SCHOBINGER That is basically saying we don't care.

SENATOR B. STENEHJEM We do pay the schools to care.

SENATOR COOK When it comes to K-12 education, you have three areas of responsibility: the state's, the parents' and the students'. The state's job is to provide the opportunity for everybody in the state from K-12. We, also as a state, allow children to walk away from that opportunity at the age of 16. This is something that parents can do to their kids. As a state, we think that are job is to force education into their mind but we can't do that. This goes a step too far and I will vote against it for that reason.

SENATOR SCHOBINGER I withdraw my motion for the amendment.

SENATOR COOK I withdraw my motion.

SENATOR THOMPSON My proposed amendments address problems with kids driving on gravel. This has been a problem with the township for many years and they felt this was the vehicle to address this.

SENATOR B. STENEHJEM What is the fiscal note on this?

SENATOR THOMPSON I don't know.

There was some discussion.

SENATOR B. STENEHJEM We will hold this bill.

March 25, 1999 - Tape 1

SENATOR COOK I do have amendments for this bill. I understand the concerns for the sponsors of this bill. My biggest concern that the bill as presented also affects a lot of young drivers today who are good drivers. The amendments will leave the procedure for getting a driver's license as it is. Once an individual gets a driver's license, anytime between then and when they reach 18, if they accumulate 6 points they must turn in their driver's license and it is basically as if they never had one and they have to start all over again. They need to start with an instructional permit and that will be for three months or longer. During that time, they have to complete either a course of classroom instruction and a course of "behind the wheel" instruction or successfully complete a course at an approved commercial driver training school. Then they can reapply for a driver's license.

There is another amendment that is coming.

SENATOR B. STENEHJEM As I look at these amendments, I see "special provisions for minor operators". Is minor defined as someone under 18 or 21?

SENATOR COOK Minor is someone under 18. The intent is for someone under the age of 18.

There was committee discussion.

SENATOR COOK I move the amendments that the 18 year old driver has to have three years of experience rather than one which is in existing law today.

SENATOR SCHOBINGER I second.

SENATOR THOMPSON The motion is for these amendments and the new amendment of driving experience. Are there exemptions in there for farmers?

SENATOR B. STENEHJEM That is in existing law.

SENATOR COOK Anyone under 18 who follows the correct procedure and never accumulates 6 points on their driving record or an alcohol related driving offense before they are 18 years will never know this law exists.

SENATOR COOK I will withdraw my original motion.

SENATOR SCHOBINGER I withdraw my motion.

SENATOR COOK I move to adopt 98268.0210.

SENATOR SCHOBINGER I second.

The amendment passed unanimously by a voice vote.

SENATOR O'CONNELL I'd like to see an amendment put on where in the "behind the wheel" instruction with at least two hours driving on gravel.

There was committee discussion.

SENATOR COOK Most of the language is susceptible to the director of DOT. Can't they require that something like that.

MARSHA LEMBKE We do not set up the standards for driving instruction in DOT in our division. The Highway Patrol and DPI do. Under their administrative rules we can be involved.

Tape 2

SENATOR COOK proposed amendments 98268.0211.

SENATOR COOK I would move to reconsider our action this morning when we approved amendments to HB1291.

SENATOR THOMPSON I second.

Action was reconsidered by a voice vote.

SENATOR COOK I move we reconsider the 98268.0210 amendments.

SENATOR O'CONNELL I second.

Amendments were removed by a voice vote.

SENATOR COOK I move amendments 98268.0211.

SENATOR THOMPSON I second.

SENATOR COOK explained the amendments.

Amendment 98268.0211 passed by a voice vote.

SENATOR SCHOBINGER I'd like to further amend it to six months for a permit instead of three.

SENATOR O'CONNELL I second.

There was committee discussion.

SENATOR COOK We don't want to affect those students who are good drivers; this would affect them.

The amendment failed by a voice vote.

SENATOR COOK I motion for a Do Pass as Amended.

SENATOR SCHOBINGER I second

The roll call vote was taken (6 Yeas, 0 Nays and 1 Absent and Not Voting).

Senator Cook will carry HB 1291.

98268.0202
Title.

Prepared by the Legislative Council staff for
Senator B. Stenehjem
March 4, 1999

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1291

Page 1, line 2, after "39-06-04.6" insert "and a new section to chapter 39-06"

Page 1, line 3, after "program" insert "and school attendance requirements"

Page 9, after line 19, insert:

"**SECTION 9.** A new section to chapter 39-06 of the North Dakota Century Code is created and enacted as follows:

School attendance required for minors. The department may not issue to a minor any license or permit to operate a motor vehicle unless the minor provides satisfactory proof that the minor has received a diploma or its equivalent, is attending a public or private school, is receiving home education under chapter 15-34.1, or is making satisfactory progress in a course of study leading to a general equivalency diploma. Each district superintendent shall notify the department of a student who is expelled or is no longer attending school or receiving home education for reasons other than receiving a diploma. The director shall suspend the license or permit of a minor for the same period of time as an expulsion. Unless the minor has received a diploma, the director shall suspend the license of a minor until the minor becomes eighteen years of age if the minor is not attending school or receiving home education for reasons other than receiving a diploma or is not making satisfactory progress in a course of study leading to a general equivalency diploma. The director may waive any provision of this section and allow a minor to have a license or permit if the lack of the license or permit would cause a substantial hardship to the minor or minor's family."

Renumber accordingly

Prepared by the Legislative Council staff for
Senator Thompson
March 15, 1999

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1291

Page 1, line 1, after "enact" insert "a new section to chapter 15-21 of the North Dakota Century Code, or in the alternative to create and enact a new section to chapter 15.1-02 of the North Dakota Century Code, and"

Page 1, after line 7, insert:

"**SECTION 1.** If House Bill No. 1034 does not become effective, a new section to chapter 15-21 of the North Dakota Century Code is created and enacted as follows:

Driver and traffic safety education program.

1. The driver and traffic safety education program committee consists of the superintendent; one member appointed by the North Dakota driver and traffic safety education association; one member appointed by the superintendent who has a business that offers a commercially available driver's education program; two members appointed by the superintendent of the highway patrol; one member appointed by the director of the department of transportation from the division of driver's license and traffic safety; and one member appointed by the North Dakota safety council. The superintendent or the superintendent's designee shall chair the committee.

2. The superintendent shall call a meeting in April of each year. The committee shall develop and approve the minimum content of the driver and traffic safety education classroom instruction and the minimum content of the behind-the-wheel instruction to be used by all driver and traffic safety education program instructors. In addition, the committee shall establish minimum credentialed requirements for driver and traffic safety education instructors. The superintendent or the superintendent's designee shall publish and provide for driver and traffic safety education instructors the content of the curriculum.

SECTION 2. A new section to chapter 15.1-02 of the North Dakota Century Code is created and enacted as follows:

Driver and traffic safety education program.

1. The driver and traffic safety education program committee consists of the superintendent; one member appointed by the North Dakota driver and traffic safety education association; one member appointed by the superintendent who has a business that offers a commercially available driver's education program; two members appointed by the superintendent of the highway patrol; one member appointed by the director of the department of transportation from the division of driver's license and traffic safety; and one member appointed by the North Dakota safety council. The superintendent or the superintendent's designee shall chair the committee.

2. The superintendent shall call a meeting in April of each year. The committee shall develop and approve the minimum content of the driver and traffic safety education classroom instruction and the minimum content of the behind-the-wheel instruction to be used by all driver and traffic safety

education program instructors. In addition, the committee shall establish minimum credentialed requirements for driver and traffic safety education instructors. The superintendent or the superintendent's designee shall publish and provide for driver and traffic safety education instructors the content of the curriculum."

Page 3, line 29, remove "as approved by the superintendent"

Page 3, line 30, remove "of public instruction"

Page 3, line 31, replace "superintendent of public instruction" with "driver and traffic safety education program committee"

Page 7, line 4, remove "for a restricted license under section 39-06-17" and overstrike "an operator's" and insert immediately thereafter "a"

Renumber accordingly

Prepared by the Legislative Council staff for
Senator Thompson
March 15, 1999

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1291

Page 1, line 2, remove "and" and after "39-06-04.6" insert ", and 39-06-04.7"

Page 3, line 3, replace "Six" with "Seven"

Page 3, line 29, replace "superintendent" with "director"

Page 3, line 30, remove "of public instruction"

Page 3, line 31, replace "superintendent of public instruction" with "driver and traffic safety education committee"

Page 5, after line 12, insert:

"**39-06-04.7. Driver and traffic safety education program.**

1. The driver and traffic safety education program committee consists of the director or the director's designee; one member appointed by the North Dakota driver and traffic safety education association; one member appointed by the director who has a business that offers a commercially available driver's education program; two members appointed by the superintendent of the highway patrol; one member appointed by the director from the driver's license and traffic safety division; and one member appointed by the North Dakota safety council.

2. The director shall call a meeting in April of each year. The committee shall develop and approve the minimum content of the driver and traffic safety education classroom instruction and the minimum content of the behind-the-wheel instruction to be used by all driver and traffic safety education program instructors. In addition, the committee shall establish minimum credential requirements for driver and traffic safety education instructors. The director or the director's designee shall publish and provide to driver and traffic safety education instructors the content of the curriculum."

Page 7, line 4, remove "for a restricted license under section 39-06-17" and overstrike "an operator's" and insert immediately thereafter "a"

Renumber accordingly

Prepared by the Legislative Council staff for
Senate Transportation
March 15, 1999

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1291

Page 3, line 30, remove "and a course of behind-the-wheel instruction as approved"

Page 3, line 31, remove "by the superintendent of public instruction"

Page 4, line 1, replace "fifty hours of driving with that minor's parent or guardian in" with "a course of behind-the-wheel instruction as approved by the superintendent of public instruction"

Page 4, remove line 2

Page 4, line 3, remove "and night driving conditions"

Page 4, line 7, replace "A combination of classes described in this subsection" with "In lieu of completing an approved classroom driver education session, completed fifty hours of dual driving with the permitholder's parent or guardian in accordance with guidelines established by the department so the young driver experiences various day- and night-driving conditions"

Page 7, line 4, remove "for a restricted license under section 39-06-17" and overstrike "an operator's" and insert immediately thereafter "a"

Page 9, line 9, after "person" insert "other than restrictions imposed under section 39-06-04.4"

Renumber accordingly

98268.0210
Title.

Prepared by the Legislative Council staff for
Senator Cook
March 24, 1999

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1291

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 39-06 of the North Dakota Century Code, relating to an operator's license for a person under eighteen years of age.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 39-06 of the North Dakota Century Code is created and enacted as follows:

Special provisions for minor operators.

1. The director shall cancel the permit or license to operate a motor vehicle of an individual who has committed acts resulting in an accumulated point total in excess of five points as provided for a violation under section 39-06.1-10 or has committed an alcohol-related offense while operating a motor vehicle, if:

   a. The acts or offenses were committed while the individual was a minor; and

   b. The individual admitted the violation, was found to have committed the violation by the official having jurisdiction, or pled guilty to, was found guilty of, or adjudicated to have committed the offense.

2. If an individual has had that individual's license or permit canceled under subsection 1, the director shall deem that individual to have never have had any license or permit to operate a motor vehicle and may not issue any license or permit to drive other than an instruction permit or a restricted instruction permit after the completion of any period of suspension or revocation. After the issuance or an instruction permit or restricted instruction permit, the director may not issue any other license or permit to that individual until, while using the permit issued under this section, that individual:

   a. (1) Completes a course of classroom instruction and a course of behind-the-wheel instruction acceptable to the director; or

      (2) Successfully completes a course at an approved commercial driver training school; and

   b. Satisfies all other requirements that apply to that individual for that license or permit."

~~Renumber~~ accordingly

INTENT -
this act applies to those less than 18 years

0212
98268.0211
Title. 0300

Prepared by the Legislative Council staff for
Senator Cook
March 25, 1999

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1291

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 39-06 of the North Dakota Century Code, relating to an operator's license for a person under eighteen years of age; and to amend and reenact section 39-06-04 of the ~~of the~~ North Dakota Century Code, relating to instructional permits.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-06-04 of the North Dakota Century Code is amended and reenacted as follows:

39-06-04. Instruction permit. Any person who is at least fourteen years of age may apply to the director for an instruction permit. The director may issue to the applicant an instruction permit ~~which~~ that entitles the applicant while having such permit in the permittee's immediate possession to drive a motor vehicle upon the public highways for a period of one year when accompanied by a licensed operator who holds a license corresponding to the vehicle the permittee operates ~~and~~, who has had at least ~~one year~~ three years of driving experience, and who is occupying a seat beside the driver. Persons holding an instruction permit for the operation of a motorcycle shall operate the motorcycle only during hours when the use of headlights is not required pursuant to section 39-21-01, and may not carry or transport any passenger. Any instruction permit may be renewed or a new permit issued for an additional period. A person who is not yet eighteen years of age is not eligible for a license until that person has had an instruction permit issued for at least three months. The director may recognize an instruction permit issued by another jurisdiction in computing the three-month instructional period.

SECTION 2. A new section to chapter 39-06 of the North Dakota Century Code is created and enacted as follows:

Special provisions for minor operators.

1. The director shall cancel the permit or license to operate a motor vehicle of an individual who has committed acts resulting in an accumulated point total in excess of five points as provided for a violation under section 39-06.1-10 or has committed an alcohol-related offense while operating a motor vehicle, if:

   a. The acts or offenses were committed while the individual was a minor; and

   b. The individual admitted the violation, was found to have committed the violation by the official having jurisdiction, or pled guilty to, was found guilty of, or adjudicated to have committed the offense.

2. If an individual has had that individual's license or permit canceled under subsection 1, the director shall deem that individual to have never have had any license or permit to operate a motor vehicle and may not issue any license or permit to drive other than an instruction permit or a restricted instruction permit after the completion of any period of suspension or revocation. After the issuance or an instruction permit or restricted instruction permit, the director may not issue any other license or permit to

that individual until, while using the permit issued under this section, that individual:

a. (1) Completes a course of classroom instruction and a course of behind-the-wheel instruction acceptable to the director; or

(2) Successfully completes a course at an approved commercial driver training school; and

b. Satisfies all other requirements that apply to that individual for that license or permit."

Renumber accordingly

Date: March 25, 1999

Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1291

Senate Transportation Committee

☐ Subcommittee on _____

or

☐ Conference Committee

Legislative Council Amendment Number 98268.0212

Action Taken Do Pass as amended

Motion Made By Sen. Cook Seconded By Sen. Schobinger

Senators	Yes	No	Senators	Yes	No
Sen. B. Stenehjem-Chairman	✓				
Sen. R. Schobinger-V. Chair	✓				
Sen. Duane Mutch	✓				
Sen. Dwight Cook	✓				
Sen. David O'Connell	✓				
Sen. Vern Thompson	✓				
Sen. Dennis Bercier					

Total (Yes) 6 No 0

Absent 1

Floor Assignment Senator Cook

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1291, as engrossed: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1291 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 39-06 of the North Dakota Century Code, relating to an operator's license for a person under eighteen years of age; and to amend and reenact section 39-06-04 of the North Dakota Century Code, relating to instructional permits.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-06-04 of the North Dakota Century Code is amended and reenacted as follows:

39-06-04. Instruction permit. Any person who is at least fourteen years of age may apply to the director for an instruction permit. The director may issue to the applicant an instruction permit ~~which~~ that entitles the applicant while having such permit in the permittee's immediate possession to drive a motor vehicle upon the public highways for a period of one year when accompanied by a licensed operator who holds a license corresponding to the vehicle the permittee operates ~~and~~, who has had at least ~~one year~~ three years of driving experience, and who is occupying a seat beside the driver. Persons holding an instruction permit for the operation of a motorcycle shall operate the motorcycle only during hours when the use of headlights is not required pursuant to section 39-21-01, and may not carry or transport any passenger. Any instruction permit may be renewed or a new permit issued for an additional period. A person who is not yet eighteen years of age is not eligible for a license until that person has had an instruction permit issued for at least three months. The director may recognize an instruction permit issued by another jurisdiction in computing the three-month instructional period.

SECTION 2. A new section to chapter 39-06 of the North Dakota Century Code is created and enacted as follows:

Special provisions for minor operators.

1. The director shall cancel the permit or license to operate a motor vehicle of an individual who has committed acts resulting in an accumulated point total in excess of five points as provided for a violation under section 39-06.1-10 or has committed an alcohol-related offense while operating a motor vehicle, if:

   a. The acts or offenses were committed while the individual was a minor; and

   b. The individual admitted the violation, was found to have committed the violation by the official having jurisdiction, or pled guilty to, was found guilty of, or adjudicated to have committed the offense.

2. If an individual has had that individual's license or permit canceled under subsection 1, the director shall deem that individual to have never have had any license or permit to operate a motor vehicle and may not issue any license or permit to drive other than an instruction permit or a restricted instruction permit after the completion of any period of suspension or revocation. After the issuance or an instruction permit or restricted instruction permit, the director may not issue any other license or

permit to that individual until, while using the permit issued under this section, that individual:

a. (1) Completes a course of classroom instruction and a course of behind-the-wheel instruction acceptable to the director; or

(2) Successfully completes a course at an approved commercial driver training school; and

b. Satisfies all other requirements that apply to that individual for that license or permit."

Renumber accordingly

1999 HOUSE TRANSPORTATION

HB 1291

CONFERENCE COMMITTEE

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1291

House Transportation Committee

☒ Conference Committee

Hearing Date April 1, 1999

Tape Number	Side A	Side B	Meter #
1	x		0-25.9
1(April 6, 1999)	x		0-30.0
1(April 7, 1999)	x		0-30.0
Committee Clerk Signature			

Minutes:

MADAM CHAIR RAEANN KELSCH OPENED THE CONFERENCE COMMITTEE HEARING ON HB 1291; A BILL RELATING TO GRADUATED MOTOR VEHICLE DRIVER LICENSING PROGRAM FOR MINORS; AND RELATING TO A GRADUATED MOTOR VEHICLE DRIVER LICENSING PROGRAM FOR MINORS; AND TO PROVIDE AN EFFECTIVE DATE.

SENATORS COOK, B. STENEHJEM, AND THOMPSON; REPS. PRICE, KELSCH, AND MAHONEY were all present as members of the Conference Committee.

SEN. STENEHJEM stated that they struggled hard and long with this and put it in what we thought was some really good condition. We amended out many parts of the bill and what is left states that if a person that is under the age of 18 that is driving a motor vehicle with a permit or license, accumulates six or more points or has any alcohol related offenses, they will lose their

license and or permit and start over from the beginning with a permit, take classroom instruction behind the wheel and retake the driver's test. The other part, as I understand it, is that you have to have an individual that is eighteen with three years of driving experience as the supervising driver. That is the bill as the Senate passed it out.

MADAM CHAIR KELSCH responded, I think that it says that you only have to have three years of driving experience.

SEN COOK said, No, it says 18 and 3 years.

SEN. STENEHJEM told the Representatives, we will check this out. To our belief, that was our intention - if it isn't in there we will put it in there.

MADAM CHAIR KELSCH asked what they are talking about is in the section where you amended it. You amended out the 18 years of age.

SEN. STENEHJEM said that appears to be correct, but that was not our intention.

SEN. COOK noted that he wonders if there isn't some other reference to 18 in the Code. That was not our intention.

REP. MAHONEY said that all it had to be was someone who had a years driving experience. This meant that they could be 15 and 3 months.

SEN. COOK: The intent was someone who has had at least 3 years of driving experience since they turned 18.

SEN. STENEHJEM: No, that wasn't the intent.

MADAM CHAIR KELSCH responded someone who is at least 18 years of age and has had 3 years of driving experience.

SEN. STENEHJEM said, I am looking at page 2 of the bill where it says "accompanied by a licensed driver who is at least 18 years of age" and maybe the Legislative Council looked at it and thought it was in there. I have no problem with amending it to read that.

SEN. THOMPSON said that when that bill was carried on the floor, that was talked about and was the intent.

MADAM CHAIR KELSCH mentioned the reasoning for taking out the restricted license and changing the permit time frame from 6 months back to 3 months was what?

SEN. STENEHJEM responded Madam Chair, it was our thought that why should we punish the people that aren't having a problem driving and aren't out there creating a problem. Why should we punish them? In an effort to do it the way that we put it into legislation, the only people that are punished are those that have problems driving.

REP. MAHONEY asked, could you explain to me Senator Stehehjem, what punishments did you take out? Where were we punishing good drivers.

SEN. STENEHJEM intervened excuse me Representative Mahoney, we took out the additional learning incentives or ideas that were in the bill and left this in so that there would be no problems with the drivers that abided by the law. I guess that maybe isn't a punishment, rather just how we looked at it.

REP. PRICE said she had a real concern with going back to three months with a permit. We have reached a point where a little more actual behind the wheel time with a supervised driver is needed. It might give them a little bit more of an opportunity to drive in different weather conditions and on gravel roads. We have seen more and more accidents where teen drivers are

involved and a lot of times, they are just not comfortable with what happens. I feel strongly about it staying at six months with a supervising driver.

SEN. COOK asked Madam Chair and Rep. Price, how many kids get licenses at 14 year, 3 months.

REP. PRICE replied that it's not even that I am looking at the difference between 14 years, 3 months and 14 years, 6 months - as it's actual experience behind the wheel. Rep. Mahoney had an experience yesterday with a driver less car, now had that been a youth - they are likely to just go in the other lane whether there is maybe a dump truck in the other lane of not. The second reason that I want six months is that if you pull their license because of drinking, they are going to be able to get it back in three months under this bill and I would just like to see a longer time period for that punishment.

SEN. COOK responded, I guess that even if they lose their license, the hoops that they have to jump through are the classroom training and the behind the wheel training. Granted if everything fell into place and they were able to get it all done quickly, they would have it back in that amount of time, but I think it would take a little longer. The other thing is that I think when most kids get their permit, I think there is quite a bit of time before they go get their driver's license and a lot of them fail the first time. It is a convenience thing when you want another driver. A lot of the rush is in the parents wanting to get the licenses. It is a continual learning process. Six months isn't enough experience - much will come with changing conditions after they get their license.

REP. PRICE said there is another option of raising the licensing age to 16.

SEN. COOK said one of the problems is that we have the tendency to look at the kids a lot of times. A good part of it has to do with the parent's eagerness to get their kids into cars. We need to make sure that the parents recognize this and realize that they can't be reluctant to spend that time with them teaching. Once they lose that driver's license, it is going to offer pain and discomfort to the child, but also a great inconvenience to the parents.

MADAM CHAIR KELSCH: Unfortunately, Senator Cook, there are a lot of other people who stand to be affected by that child's inability to drive. If we allow them to accumulate the points and possibly have an alcohol violation where maybe they crash into someone who is severely injured or maybe killed for that matter.

SEN. COOK said that none of this is going to stop that.

REP. MAHONEY responded, Pardon?

SEN. COOK said, I don't think any of this is going to stop that.

REP. MAHONEY noted that statistics have shown in studies of states that have graduated drivers licensing programs, that it does in fact save lives. We need to get over that hurdle right now. If your guy's contention is that it is not going to get through the Senate with all of the amendments on it, we do have to accept the fact that there is no question about whether it will do anything. It will.

SEN. COOK: Either way that the bill is passed, the result will be the same relating to deaths. If we want to stop it all, don't let them drive - but sooner or later, there will be accidents.

SEN. THOMPSON said that the bill that we have before us will have a positive impact in those statistics that have been talked about. I don't know if changing dates or age will have as much impact as we would like to see, but I do believe that a lot of it has to do with maturity. The

experience is important, but maturity is the key factor. Parents have to have a responsibility, but right now, without something like this legislation, it is in law that driving is a privilege and if they don't properly drive - they will lose their license. I think that is a step in the right direction.

MADAM CHAIR KELSCH: If the minor loses their license due to point accumulation or alcohol violation, and they go back to the permit, if they complete the classroom work at a commercial driving school that takes one week, do they get their license back after a week.

SEN. STENEHJEM replied no. The minimum would be three months. They have to take the course, be on permit for three months, and take behind the wheel even if it has already been taken. That is my understanding of it.

SEN. THOMPSON said, I concur with that. You would need to have the instructional permit for three months.

SEN. STENEHJEM reviewed that part of the Senate amendment regarding the driving training school.

MADAM CHAIR KELSCH: However, it says "or." In school students could go to the commercial school and take that test. It is not as in depth as to go to a school sanctioned class that lasts more than one week.

SEN. THOMPSON said the reason for that intent was to show these young people that driving is a privilege and not a right. When one kid finds out that he has to go through this, that will influence others.

REP. MAHONEY mentioned, I am hearing conflicting things here. I agree that driving is a privilege, then I hear Sen. Cook echoing the testimony we heard from one person regarding parental rights, and I am a little reminded by some of the health care and education issues that

have come up. In an ideal world, that is great, the parents should be in charge - but in this society that is not always the case. Times are changing. As a state's attorney, we can pick up 12 year old kids at 2:00 am and send them home and the next night they are out again. I think we have to do some things that directly affect the kids. I realize that there is going to have to be some compromise, but I don't know that 3 months is acceptable. Following our hearing on this bill, I received a letter from a family friend of the kids killed the night before where a teen was killed not wearing a seat belt. Col. Hughes spoke that he thought that was what we needed to hit on. This letter however said that it was because the driver was an inexperienced teen driver. It wasn't a seat belt issue. We need to make laws that will protect everyone. The Senate amendments to this bill have nothing in protection.

SEN. COOK: Rep. Mahoney, would you support a movement to not allow anyone to drive until they are 16 in the state of North Dakota?

REP. MAHONEY: Sen. Cook, what I am suggesting is the original bill that we sponsored. I think that in North Dakota, we are a rural state, we expect that the kids are going to start driving early on and if we are going to do that, it will take a good six months.

SEN. COOK: I just wanted to clarify that. The other thing about parents is something that we deal with all of the time. Granted we have bad adults and we look at it and we try to solve that problem and we end of causing more that solving. Would the House be more comfortable with six months on the permit?

MADAM CHAIR KELSCH: I think that it would be a step in the right direction. Just to make a comment about that, continually I have heard the discussion that we may be punishing good drivers by making them hold the permit for six months. However, we are not punishing anyone

because that would be the process that they would be going through to get their driver's license and we would not be punishing those kids that currently have their license or are in the permit phase.

SEN. COOK: Punish, not punish - whenever you take away something from someone, there are people that will look at that as a punishment.

MADAM CHAIR KELSCH: They don't have it now. My fourteen year old who is 14 and 3 months does not have it.

SEN. COOK: We have to understand that you said it is a step in the right direction. We sat as a committee and this bill was dead - we could have killed it. There were a lot of things I liked about it, and I worked hard to get something that I thought would not only make it through committee but also through the Senate chambers. I really would like to keep it as something that will pass through.

REP. PRICE gave statistics of other states. South Dakota passed their legislation of Graduated Driver's Licensing this session.

MADAM CHAIR KELSCH said it is almost identical to what we have.

SEN. STENEHJEM replied that we can play on punishment and additional restriction. It is something more that we have today. Maybe they need to have more training. But we need to keep this in perspective. I am concerned too, but in the end, we just overlook this and we are going to let a 14 year old kid get a farm license and operate a 50,000 pound truck. With everything else we want to do.

REP. PRICE said don't think that it is undue punishment for a 14 year old to wait until they are 14 and six months. That three month difference should not matter. They aren't working and if

you are right, Sen. Cook, there are not many 14 and three month year old kids getting their license.

REP. MAHONEY: I just want to point out that we are hung up on the punishment area. This is not an undue restriction. A little more practice certainly won't hurt them and in fact may protect them and save their lives.

MADAM CHAIR KELSCH closed the hearing on HB 1291.

April 7, 1999

MADAM CHAIR KELSCH reopened the hearing on HB 1291.

REP. MAHONEY explained his thoughts that the House and the Senate were still far apart from agreeing on this. I have seen it so much that midnight to 6:00 am is the trouble time. This seems to be a real troubling area though and I think that we need to put it in the proper form to pass the Senate. I favor the House bill with amendments, but I would like to get this out in some decent form. If you could refer me to three Senators who really have problems with this bill so I could talk to them and see how far we need to bend I would do it. I would like it if maybe we could recess for a day and then give this a fair shake on the floor.

SEN. COOK said that maybe the three Senators on the Conference Committee are the ones to be talking to. The restricted license is one issue that has very little chance of seeing Senate approval and I feel very strongly that we got the bill to something that got approvement and passed. Maybe a step we should take is that however this goes out if it does, that it should be revisited every two years.

REP. MAHONEY said that the House is historically called the "killing chamber" because it is so hard on bills, and he has heard some concerns, but is not hearing all of the concerns on this bill. In my opinion, the Senate version does very little of what we are trying to accomplish.

SEN. COOK said to look at the Senate version and it does do the right things. Anyone who has accumulated points has to go pack to the initial permit and start over. Same for those minors who get alcohol violations. I am surprised that you would risk losing that than losing the whole bill.

REP. MAHONEY pointed out that if you get a DUI you will lose your license anyway, and by the time you are to five or six points, it is unlikely that parents will allow you to keep your license with such high insurance rates.

SEN. THOMPSON reiterated his thoughts that driving is a privilege, and that any of those violations takes the minor back to square one. The value is in what we do.

REP. MAHONEY conceded to that, but that has very little to do with the whole package.

MADAM CHAIR KELSCH asked what the overall objections are that the Senate has to graduated drivers licensing

SEN. THOMPSON said that after it passed the house, then people started paying attention; the constituents response to it all is that it is too bureaucratic. Let's not kill the bill, rather make it a start in the right direction.

MADAM CHAIR KELSCH questioned how it is so bureaucratic.

SEN. THOMPSON said that the classroom work, the supervision for the driver, the hours that the parents have to spend. All of that is laid out with good intent, but it all adds up.

REP. PRICE noted that some things were taken out that maybe weren't meant to be.

SEN. COOK asked what else was different.

MADAM CHAIR KELSCH said that the supervising driver in the front seat was the main thing.

REP. PRICE said that she was trying to find some common ground.

SEN. STENEHJEM said that everything they were talking about is in there already.

MADAM CHAIR KELSCH asked if they felt that 14 years, 3 months was adequate?

SEN. COOK said that it is for some and not for others. The parents are in the best position to figure that out.

REP. PRICE said that the biggest hang-up seemed to be the restricted license. Is it all of it that the Senate objects to?

SEN. THOMPSON said that a number of communities have curfew for people under 18.

REP. PRICE said the kids are not getting killed in the community, not in the rural areas.

REP. MAHONEY said this would help in the cities and the counties, but the fact of the matter is that not all parents do approach it that way. Because it is so hazardous if they don't know what they are doing. Driving is a privilege and it is a very serious matter.

MADAM CHAIR KELSCH said that the students shouldn't have class just because the parents are not willing to tell them.

SEN. THOMPSON asked if it is practical.

MADAM CHAIR KELSCH asked where the complaints come from.

SEN. THOMPSON said the DOT.

MADAM CHAIR KELSCH said that this would offer some flexibility and beef it up a bit.

REP. PRICE asked if the Senate can support restricted licensing.

SEN. COOK said he wanted it clear that how it applied to under 16 years of age is Code.

MADAM CHAIR KELSCH questioned the deal with being seated beside the driver. That needs to be more clear in the bill. She also questioned holding the permit for three months or six months.

SEN. COOK said he liked three, but to just end this, he would be willing to go from three to six.

MADAM CHAIR KELSCH said the question still was there, do you like restricted licensing?

SEN. COOK said that the answer to that question is obvious.

MADAM CHAIR KELSCH closed the hearing on HB 1291.

April 8, 1999

MADAM CHAIR KELSCH reopened the hearing on HB 1291.

MADAM CHAIR KELSCH introduced amendments, LC number .0216. REP. MAHONEY moved the amendments. REP. PRICE seconded the motion. The motion failed.

ROLL CALL - 3 YEA, 3 NAE, 0 ABSENT AND NOT VOTING.

SEN. COOK introduced amendments, LC number .0215.

SEN. COOK moved the amendments. SEN. THOMPSON seconded the motion. The motion failed.

ROLL CALL - 3 YEA, 3 NAE, O ABSENT AND NOT VOTING.

SEN. THOMPSON moved that the Senate recede from their amendments. There was no second to the motion. The motion failed.

SEN. THOMPSON moved the same motion again. SEN. COOK seconded the motion. The motion failed.

ROLL CALL - 3 YEA, 3 NAE, 0 ABSENT AND NOT VOTING.

MADAM CHAIR KELSCH introduced amendments, LC number .0217 with changes noted.

The new amendment was .0218. The motion carried.

ROLL CALL - 3 YEA, 3 NAE, 0 ABSENT AND NOT VOTING.

FLOOR ASSIGNMENT - REP. KELSCH

ROLL CALL - 3 YEA, 3 NAE, O ABSENT AND NOT VOTING.

MADAM CHAIR KELSCH introduced amendments, LC number .0216.

ROLL CALL - 3 YEA, 3 NAE, O ABSENT AND NOT VOTING.

98268.0215
Title.

Prepared by the Legislative Council staff for
Senator Cook
April 6, 1999

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1291

That the Senate recede from its amendments as printed on pages 1037 and 1038 of the House Journal and pages 883 and 884 of the Senate Journal and that Engrossed House Bill No. 1291 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 39-06 of the North Dakota Century Code, relating to an operator's license for a person under eighteen years of age; and to amend and reenact section 39-06-04 of the North Dakota Century Code, relating to instructional permits.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-06-04 of the North Dakota Century Code is amended and reenacted as follows:

39-06-04. Instruction permit. Any person who is at least fourteen years of age may apply to the director for an instruction permit. The director may issue to the applicant an instruction permit ~~which~~ that entitles the applicant while having such permit in the permittee's immediate possession to drive a motor vehicle upon the public highways for a period of one year when accompanied by a licensed operator who holds a license corresponding to the vehicle the permittee operates ~~and~~, who is at least eighteen years of age, who has had at least ~~one year~~ three years of driving experience, and who is occupying a seat beside the driver. Persons holding an instruction permit for the operation of a motorcycle shall operate the motorcycle only during hours when the use of headlights is not required pursuant to section 39-21-01, and may not carry or transport any passenger. Any instruction permit may be renewed or a new permit issued for an additional period. A person who is not yet eighteen years of age is not eligible for a license until that person has had an instruction permit issued for at least ~~three~~ six months. The director may recognize an instruction permit issued by another jurisdiction in computing the ~~three-month~~ six-month instructional period.

SECTION 2. A new section to chapter 39-06 of the North Dakota Century Code is created and enacted as follows:

Special provisions for minor operators.

1. The director shall cancel the permit or license to operate a motor vehicle of an individual who has committed acts resulting in an accumulated point total in excess of five points as provided for a violation under section 39-06.1-10 or has committed an alcohol-related offense while operating a motor vehicle, if:

   a. The acts or offenses were committed while the individual was a minor; and

   b. The individual admitted the violation, was found to have committed the violation by the official having jurisdiction, or pled guilty to, was found guilty of, or adjudicated to have committed the offense.

2. If an individual has had that individual's license or permit canceled under subsection 1, the director shall deem that individual to have never have had any license or permit to operate a motor vehicle and may not issue any license or permit to drive other than an instruction permit or a restricted

instruction permit after the completion of any period of suspension or revocation. After the issuance or an instruction permit or restricted instruction permit, the director may not issue any other license or permit to that individual until, while using the permit issued under this section, that individual:

a. (1) Completes a course of classroom instruction and a course of behind-the-wheel instruction acceptable to the director; or

(2) Successfully completes a course at an approved commercial driver training school; and

b. Satisfies all other requirements that apply to that individual for that license or permit."

Renumber accordingly

Prepared by the Legislative Council staff for
Representative R. Kelsch
April 6, 1999

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1291

That the Senate recede from its amendments as printed on pages 1037 and 1038 of the House Journal and pages 883 and 884 of the Senate Journal and that Engrossed House Bill No. 1291 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 39-06 of the North Dakota Century Code, relating to an operator's license for a person under eighteen years of age; and to amend and reenact sections 39-06-04, 39-06-17, and 39-06.1-08 of the North Dakota Century Code, relating to operator's permits and licenses for minors.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-06-04 of the North Dakota Century Code is amended and reenacted as follows:

39-06-04. Instruction permit. Any person who is at least fourteen years of age may apply to the director for an instruction permit. The director may issue to the applicant an instruction permit ~~which~~ that entitles the applicant while having such permit in the permittee's immediate possession to drive a motor vehicle upon the public highways for a period of one year when accompanied by a licensed operator who holds a license corresponding to the vehicle the permittee operates ~~and~~, who is at least eighteen years of age, who has had at least ~~one year~~ three years of driving experience, and who is occupying a seat beside the driver. An individual other than the supervising driver and the permitholder may not be in the front seat unless the vehicle has only a front seat, in which case, the supervising driver must be seated next to the permitholder. Persons holding an instruction permit for the operation of a motorcycle shall operate the motorcycle only during hours when the use of headlights is not required pursuant to section 39-21-01, and may not carry or transport any passenger. Any instruction permit may be renewed or a new permit issued for an additional period. A person who is not yet eighteen years of age is not eligible for a license until that person has had an instruction permit issued for at least ~~three~~ six months. The director may recognize an instruction permit issued by another jurisdiction in computing the ~~three month~~ six-month instructional period.

SECTION 2. AMENDMENT. Section 39-06-17 of the North Dakota Century Code is amended and reenacted as follows:

39-06-17. Restricted licenses - Penalty for violation.

1. The director, upon issuing an operator's license or a temporary restricted operator's license pursuant to section 39-06.1-11, has authority to impose restrictions suitable to the licensee's driving ability with respect to the type of or special mechanical control devices required on a motor vehicle which the licensee may operate or such other restrictions applicable to the licensee as the director may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

2. The director may either issue a special restricted license or may set forth such restrictions upon the usual license form. The director shall likewise restrict licenses pursuant to the requirements of section 39-16.1-09.

3. A restricted operator's license or permit to operate the parent's or guardian's automobile, or an automobile which is equipped with dual controls and while accompanied by a qualified instructor, may be issued to any child, who is at least fourteen years of age, and otherwise qualified, upon the written recommendation of the parent or guardian. No operator's license may be issued until the child, accompanied by the parent or guardian, appears in person and satisfies the director that:

   a. The child is at least fourteen years of age.

   b. The child is qualified to operate an automobile safely.

   c. It is necessary for the child to drive the parent's or guardian's automobile without being accompanied by an adult.

   d. The child has ~~completed~~:

      (1) Completed a course of classroom instruction and a course of behind-the-wheel instruction acceptable to the director; ~~or, in the alternative, has successfully~~

      (2) Successfully completed a course at an approved commercial driver training school; or

      (3) Completed fifty hours of driving with that minor's parent or guardian in compliance with the department rules designed for experience in various day and night driving conditions.

   The parent or guardian at all times is responsible for any and all damages growing out of the negligent operation of a motor vehicle by any such child. The provisions of this subsection do not authorize the child to drive a commercial truck, motorbus, or taxicab except the holder of a class D license, fourteen or fifteen years of age, may drive a farm motor vehicle having a gross weight of fifty thousand pounds [22679.62 kilograms] when used to transport agricultural products, farm machinery, or farm supplies to or from a farm when so operated within one hundred fifty miles [241.40 kilometers] of the driver's farm.

4. The director may upon receiving satisfactory evidence of any violation of the restrictions of such license suspend or revoke the same but the licensee is entitled to a hearing as upon a suspension or revocation under this chapter.

5. It is a class B misdemeanor for any person to operate a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to that person other than restrictions imposed under subsection 6. If the restricted license was issued under section 39-06.1-11 and the underlying suspension was imposed for a violation of section 39-08-01 or equivalent ordinance, or is governed by chapter 39-20, punishment is as provided in subsection 2 of section 39-06-42 and upon receiving notice of the conviction the director shall revoke, without opportunity for hearing, the licensee's restricted license and shall extend the underlying suspension for a like period of not more than one year. The director may not issue a restricted license for the extended period of suspension imposed under this subsection. If the conviction referred to in this section is reversed by an appellate court, the director shall restore the person to the status held by the person prior to the conviction, including restoration of driving privileges if appropriate.

6. A restricted license issued under subsection 3 to a child at least fourteen years of age to operate a parent's or guardian's automobile authorizes the licenseholder to drive the type or class of motor vehicle specified on the restricted license only under the following conditions:

   a. A restricted licenseholder must be in possession of the license while operating the motor vehicle.

   b. A restricted licenseholder may drive without supervision:

      (1) From six a.m. to twelve midnight; or

      (2) When driving or operating any motor vehicle for the purpose of farming or ranching, for driving directly between work, home, a sanctioned school activity, or a church activity, but may carry passengers only during the hours listed in paragraph 1 unless accompanied by a supervising driver.

   c. A restricted licenseholder may drive at any time when accompanied by a supervising driver who is seated in the front seat next to the licenseholder when the vehicle is in motion. A supervising driver must hold a valid license corresponding to the vehicle the restricted licensee operates, have at least three years driving experience, and be at least eighteen years of age.

   d. An individual holding a restricted driver's license driving a motor vehicle may not carry more passengers than the vehicle manufacturer's suggested passenger capacity.

SECTION 3. A new section to chapter 39-06 of the North Dakota Century Code is created and enacted as follows:

Special provisions for minor operators.

1. The director shall cancel the permit or license to operate a motor vehicle of an individual who has committed acts resulting in an accumulated point total in excess of five points as provided for a violation under section 39-06.1-10 or has committed an alcohol-related offense while operating a motor vehicle, if:

   a. The acts or offenses were committed while the individual was a minor; and

   b. The individual admitted the violation, was found to have committed the violation by the official having jurisdiction, or pled guilty to, was found guilty of, or adjudicated to have committed the offense.

2. If an individual has had that individual's license or permit canceled under subsection 1, the director shall deem that individual to have never have had any license or permit to operate a motor vehicle and may not issue any license or permit to drive other than an instruction permit or a restricted instruction permit after the completion of any period of suspension or revocation. After the issuance or an instruction permit or restricted instruction permit, the director may not issue any other license or permit to that individual until, while using the permit issued under this section, that individual:

   a. (1) Completes a course of classroom instruction and a course of behind-the-wheel instruction acceptable to the director; or

(2) Successfully completes a course at an approved commercial driver training school; and

b. Satisfies all other requirements that apply to that individual for that license or permit.

SECTION 4. AMENDMENT. Section 39-06.1-08 of the North Dakota Century Code is amended and reenacted as follows:

39-06.1-08. Nonmoving violation defined. For the purposes of section 39-06.1-06, a "nonmoving violation" means:

1. A violation of section 39-04-11, subsection 6 of section 39-06-17, and section 39-06-44, 39-06-45, 39-10-47, 39-10-49, 39-10-50, 39-10-51, 39-10-54.1, 39-21-08, 39-21-10, 39-21-11, or 39-21-14, or a violation of any municipal ordinance equivalent to the foregoing sections.

2. A violation, discovered at a time when the vehicle is not actually being operated, of section 39-21-03, 39-21-05, 39-21-13, 39-21-19, 39-21-32, 39-21-37, 39-21-39, or 39-21-44.2, or a violation of any municipal ordinance equivalent to the foregoing sections."

Renumber accordingly

98268.0217
Title.

Prepared by the Legislative Council staff for
Representative R. Kelsch
April 7, 1999

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1291

That the Senate recede from its amendments as printed on pages 1037 and 1038 of the House Journal and pages 883 and 884 of the Senate Journal and that Engrossed House Bill No. 1291 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 39-06 of the North Dakota Century Code, relating to an operator's license for a person under eighteen years of age; and to amend and reenact sections 39-06-04, 39-06-17, and 39-06.1-08 of the North Dakota Century Code, relating to operator's permits and licenses for minors.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-06-04 of the North Dakota Century Code is amended and reenacted as follows:

39-06-04. Instruction permit. Any person who is at least fourteen years of age may apply to the director for an instruction permit. The director may issue to the applicant an instruction permit ~~which~~ that entitles the applicant while having such permit in the permittee's immediate possession to drive a motor vehicle upon the public highways for a period of one year when accompanied by a licensed operator who holds a license corresponding to the vehicle the permittee operates ~~and~~, who is at least eighteen years of age, who has had at least ~~one year~~ three years of driving experience, and who is occupying a seat beside the driver. An individual other than the supervising driver and the permitholder may not be in the front seat unless the vehicle has only a front seat, in which case, the supervising driver must be seated next to the permitholder. Persons holding an instruction permit for the operation of a motorcycle shall operate the motorcycle only during hours when the use of headlights is not required pursuant to section 39-21-01, and may not carry or transport any passenger. Any instruction permit may be renewed or a new permit issued for an additional period. A person who is not yet eighteen years of age is not eligible for a license until that person has had an instruction permit issued for at least ~~three~~ six months. The director may recognize an instruction permit issued by another jurisdiction in computing the ~~three-month~~ six-month instructional period.

SECTION 2. AMENDMENT. Section 39-06-17 of the North Dakota Century Code is amended and reenacted as follows:

39-06-17. Restricted licenses - Penalty for violation.

1. The director, upon issuing an operator's license or a temporary restricted operator's license pursuant to section 39-06.1-11, has authority to impose restrictions suitable to the licensee's driving ability with respect to the type of or special mechanical control devices required on a motor vehicle which the licensee may operate or such other restrictions applicable to the licensee as the director may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

2. The director may either issue a special restricted license or may set forth such restrictions upon the usual license form. The director shall likewise restrict licenses pursuant to the requirements of section 39-16.1-09.

3. A restricted operator's license or permit to operate the parent's or guardian's automobile, or an automobile which is equipped with dual controls and while accompanied by a qualified instructor, may be issued to any child, who is at least fourteen years of age, and otherwise qualified, upon the written recommendation of the parent or guardian. No operator's license may be issued until the child, accompanied by the parent or guardian, appears in person and satisfies the director that:

   a. The child is at least fourteen years of age.

   b. The child is qualified to operate an automobile safely.

   c. It is necessary for the child to drive the parent's or guardian's automobile without being accompanied by an adult.

   d. The child has ~~completed~~:

      (1) Completed a course of classroom instruction and a course of behind-the-wheel instruction acceptable to the director; ~~or, in the alternative, has successfully~~

      (2) Successfully completed a course at an approved commercial driver training school; or

      (3) Completed fifty hours of ~~driving with that minor's parent or guardian in compliance with the department rules designed for experience in various day and night driving conditions~~.

   The parent or guardian at all times is responsible for any and all damages growing out of the negligent operation of a motor vehicle by any such child. The provisions of this subsection do not authorize the child to drive a commercial truck, motorbus, or taxicab except the holder of a class D license, fourteen or fifteen years of age, may drive a farm motor vehicle having a gross weight of fifty thousand pounds [22679.62 kilograms] when used to transport agricultural products, farm machinery, or farm supplies to or from a farm when so operated within one hundred fifty miles [241.40 kilometers] of the driver's farm.

4. The director may upon receiving satisfactory evidence of any violation of the restrictions of such license suspend or revoke the same but the licensee is entitled to a hearing as upon a suspension or revocation under this chapter.

5. It is a class B misdemeanor for any person to operate a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to that person other than restrictions imposed under subsection 6. If the restricted license was issued under section 39-06.1-11 and the underlying suspension was imposed for a violation of section 39-08-01 or equivalent ordinance, or is governed by chapter 39-20, punishment is as provided in subsection 2 of section 39-06-42 and upon receiving notice of the conviction the director shall revoke, without opportunity for hearing, the licensee's restricted license and shall extend the underlying suspension for a like period of not more than one year. The director may not issue a restricted license for the extended period of suspension imposed under this subsection. If the conviction referred to in this section is reversed by an appellate court, the director shall restore the person to the status held by the person prior to the conviction, including restoration of driving privileges if appropriate.

6. A restricted license issued under subsection 3 to a child at least fourteen years of age to operate a parent's or guardian's automobile authorizes the licenseholder to drive the type or class of motor vehicle specified on the restricted license only under the following conditions:

   a. A restricted licenseholder must be in possession of the license while operating the motor vehicle.

   b. An individual holding a restricted driver's license driving a motor vehicle may not carry more passengers than the vehicle manufacturer's suggested passenger capacity.

SECTION 3. A new section to chapter 39-06 of the North Dakota Century Code is created and enacted as follows:

Special provisions for minor operators.

1. The director shall cancel the permit or license to operate a motor vehicle of an individual who has committed acts resulting in an accumulated point total in excess of five points as provided for a violation under section 39-06.1-10 or has committed an alcohol-related offense while operating a motor vehicle, if:

   a. The acts or offenses were committed while the individual was a minor; and

   b. The individual admitted the violation, was found to have committed the violation by the official having jurisdiction, or pled guilty to, was found guilty of, or adjudicated to have committed the offense.

2. If an individual has had that individual's license or permit canceled under subsection 1, the director shall deem that individual to have never have had any license or permit to operate a motor vehicle and may not issue any license or permit to drive other than an instruction permit or a restricted instruction permit after the completion of any period of suspension or revocation. After the issuance or an instruction permit or restricted instruction permit, the director may not issue any other license or permit to that individual until, while using the permit issued under this section, that individual:

   a. (1) Completes a course of classroom instruction and a course of behind-the-wheel instruction acceptable to the director; or

   (2) Successfully completes a course at an approved commercial driver training school; and

   b. Satisfies all other requirements that apply to that individual for that license or permit.

SECTION 4. AMENDMENT. Section 39-06.1-08 of the North Dakota Century Code is amended and reenacted as follows:

39-06.1-08. Nonmoving violation defined. For the purposes of section 39-06.1-06, a "nonmoving violation" means:

1. A violation of section 39-04-11, subsection 6 of section 39-06-17, and section 39-06-44, 39-06-45, 39-10-47, 39-10-49, 39-10-50, 39-10-51, 39-10-54.1, 39-21-08, 39-21-10, 39-21-11, or 39-21-14, or a violation of any municipal ordinance equivalent to the foregoing sections.

2. A violation, discovered at a time when the vehicle is not actually being operated, of section 39-21-03, 39-21-05, 39-21-13, 39-21-19, 39-21-32, 39-21-37, 39-21-39, or 39-21-44.2, or a violation of any municipal ordinance equivalent to the foregoing sections."

Renumber accordingly

98268.0218
Title.0400

Adopted by the Conference Committee
April 7, 1999

VR
4/7/99
1 of 3

CONFERENCE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1291

That the Senate recede from its amendments as printed on pages 1037 and 1038 of the House Journal and pages 883 and 884 of the Senate Journal and that Engrossed House Bill No. 1291 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 39-06 of the North Dakota Century Code, relating to an operator's license for a person under eighteen years of age; and to amend and reenact sections 39-06-04, 39-06-17, and 39-06.1-08 of the North Dakota Century Code, relating to operator's permits and licenses for minors.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-06-04 of the North Dakota Century Code is amended and reenacted as follows:

39-06-04. Instruction permit. Any person who is at least fourteen years of age may apply to the director for an instruction permit. The director may issue to the applicant an instruction permit ~~which~~ that entitles the applicant while having such permit in the permittee's immediate possession to drive a motor vehicle upon the public highways for a period of one year when accompanied by a licensed operator who holds a license corresponding to the vehicle the permittee operates ~~and~~, who is at least eighteen years of age, who has had at least ~~one year~~ three years of driving experience, and who is occupying a seat beside the driver. An individual other than the supervising driver and the permitholder may not be in the front seat unless the vehicle has only a front seat, in which case, the supervising driver must be seated next to the permitholder. Persons holding an instruction permit for the operation of a motorcycle shall operate the motorcycle only during hours when the use of headlights is not required pursuant to section 39-21-01, and may not carry or transport any passenger. Any instruction permit may be renewed or a new permit issued for an additional period. A person who is not yet eighteen years of age is not eligible for a license until that person has had an instruction permit issued for at least ~~three~~ six months. The director may recognize an instruction permit issued by another jurisdiction in computing the ~~three-month~~ six-month instructional period.

SECTION 2. AMENDMENT. Section 39-06-17 of the North Dakota Century Code is amended and reenacted as follows:

39-06-17. Restricted licenses - Penalty for violation.

1. The director, upon issuing an operator's license or a temporary restricted operator's license pursuant to section 39-06.1-11, has authority to impose restrictions suitable to the licensee's driving ability with respect to the type of or special mechanical control devices required on a motor vehicle which the licensee may operate or such other restrictions applicable to the licensee as the director may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

2. The director may either issue a special restricted license or may set forth such restrictions upon the usual license form. The director shall likewise restrict licenses pursuant to the requirements of section 39-16.1-09.

3. A restricted operator's license or permit to operate the parent's or guardian's automobile, or an automobile which is equipped with dual

controls and while accompanied by a qualified instructor, may be issued to any child, who is at least fourteen years of age, and otherwise qualified, upon the written recommendation of the parent or guardian. No operator's license may be issued until the child, accompanied by the parent or guardian, appears in person and satisfies the director that:

a. The child is at least fourteen years of age.

b. The child is qualified to operate an automobile safely.

c. It is necessary for the child to drive the parent's or guardian's automobile without being accompanied by an adult.

d. The child has ~~completed~~:

(1) Completed a course of classroom instruction and a course of behind-the-wheel instruction acceptable to the director; or~~, in the alternative, has successfully~~

(2) Successfully completed a course at an approved commercial driver training school.

The parent or guardian at all times is responsible for any and all damages growing out of the negligent operation of a motor vehicle by any such child. The provisions of this subsection do not authorize the child to drive a commercial truck, motorbus, or taxicab except the holder of a class D license, fourteen or fifteen years of age, may drive a farm motor vehicle having a gross weight of fifty thousand pounds [22679.62 kilograms] when used to transport agricultural products, farm machinery, or farm supplies to or from a farm when so operated within one hundred fifty miles [241.40 kilometers] of the driver's farm.

4. The director may upon receiving satisfactory evidence of any violation of the restrictions of such license suspend or revoke the same but the licensee is entitled to a hearing as upon a suspension or revocation under this chapter.

5. It is a class B misdemeanor for any person to operate a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to that person other than restrictions imposed under subsection 6. If the restricted license was issued under section 39-06.1-11 and the underlying suspension was imposed for a violation of section 39-08-01 or equivalent ordinance, or is governed by chapter 39-20, punishment is as provided in subsection 2 of section 39-06-42 and upon receiving notice of the conviction the director shall revoke, without opportunity for hearing, the licensee's restricted license and shall extend the underlying suspension for a like period of not more than one year. The director may not issue a restricted license for the extended period of suspension imposed under this subsection. If the conviction referred to in this section is reversed by an appellate court, the director shall restore the person to the status held by the person prior to the conviction, including restoration of driving privileges if appropriate.

6. A restricted license issued under subsection 3 to a child at least fourteen years of age to operate a parent's or guardian's automobile authorizes the licenseholder to drive the type or class of motor vehicle specified on the restricted license only under the following conditions:

a. A restricted licenseholder must be in possession of the license while operating the motor vehicle.

b. An individual holding a restricted driver's license driving a motor vehicle may not carry more passengers than the vehicle manufacturer's suggested passenger capacity.

SECTION 3. A new section to chapter 39-06 of the North Dakota Century Code is created and enacted as follows:

Special provisions for minor operators.

1. The director shall cancel the permit or license to operate a motor vehicle of an individual who has committed acts resulting in an accumulated point total in excess of five points as provided for a violation under section 39-06.1-10 or has committed an alcohol-related offense while operating a motor vehicle, if:

   a. The acts or offenses were committed while the individual was a minor; and

   b. The individual admitted the violation, was found to have committed the violation by the official having jurisdiction, or pled guilty to, was found guilty of, or adjudicated to have committed the offense.

2. If an individual has had that individual's license or permit canceled under subsection 1, the director shall deem that individual to have never have had any license or permit to operate a motor vehicle and may not issue any license or permit to drive other than an instruction permit or a restricted instruction permit after the completion of any period of suspension or revocation. After the issuance or an instruction permit or restricted instruction permit, the director may not issue any other license or permit to that individual until, while using the permit issued under this section, that individual:

   a. (1) Completes a course of classroom instruction and a course of behind-the-wheel instruction acceptable to the director; or

   (2) Successfully completes a course at an approved commercial driver training school; and

   b. Satisfies all other requirements that apply to that individual for that license or permit.

SECTION 4. AMENDMENT. Section 39-06.1-08 of the North Dakota Century Code is amended and reenacted as follows:

39-06.1-08. Nonmoving violation defined. For the purposes of section 39-06.1-06, a "nonmoving violation" means:

1. A violation of section 39-04-11, subsection 6 of section 39-06-17, and section 39-06-44, 39-06-45, 39-10-47, 39-10-49, 39-10-50, 39-10-51, 39-10-54.1, 39-21-08, 39-21-10, 39-21-11, or 39-21-14, or a violation of any municipal ordinance equivalent to the foregoing sections.

2. A violation, discovered at a time when the vehicle is not actually being operated, of section 39-21-03, 39-21-05, 39-21-13, 39-21-19, 39-21-32, 39-21-37, 39-21-39, or 39-21-44.2, or a violation of any municipal ordinance equivalent to the foregoing sections."

Renumber accordingly

REPORT OF CONFERENCE COMMITTEE
(ACCEDE/RECEDE) - 420

07398

(Bill Number) 1291 (, as (re)engrossed):

Your Conference Committee

VOTE	For the Senate:	Roll 4/1	4/6	4/7
N	Cook	x	x	x
N	Stenehjem	x	x	x
N	Thompson	x	x	x

VOTE	For the House:	4/1	no 4/6	4/7
Y	Kelsch	x	x	x
Y	Price	x	x	x
Y	Mahoney	x	x	x

(1) more am (2) further am

☒ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)
723/724 725/726 S724/H726 S723/H725
the (Senate/House) amendments on (SJ/HJ) page(s) 1031 - 1038

☐ and place _____ on the Seventh order.
727

☒ , adopt (further) amendments as follows, and place 1291 on the Seventh order:

☐ having been unable to agree, recommends that the committee be discharged and a new committee be appointed. 690/515

((Re)Engrossed) _____ was placed on the Seventh order of business on the calendar.

(3)	(4)	
Cook Y	Y	
Sten Y	Y	
Thomp Y	Y	

(3)	(4)	
Kelsch N	Y	
Price N	Y	
Mahoney N	Y	

DATE: 04/01/99

CARRIER: Rep. Kelsch

LC NO. 98168 . 028 of amendment

LC NO. 98168 . 0400 of engrossment

Emergency clause added or deleted —

Statement of purpose of amendment —

(1) LC (2) LC (3) DESK (4) COMM.

REPORT OF CONFERENCE COMMITTEE

HB 1291, as engrossed: Your conference committee (Sens. Cook, B. Stenehjem, Thompson and Reps. R. Kelsch, Mahoney, Price) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1037-1038, adopt further amendments as follows, and place HB 1291 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1037 and 1038 of the House Journal and pages 883 and 884 of the Senate Journal and that Engrossed House Bill No. 1291 be amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 39-06 of the North Dakota Century Code, relating to an operator's license for a person under eighteen years of age; and to amend and reenact sections 39-06-04, 39-06-17, and 39-06.1-08 of the North Dakota Century Code, relating to operator's permits and licenses for minors.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-06-04 of the North Dakota Century Code is amended and reenacted as follows:

39-06-04. Instruction permit. Any person who is at least fourteen years of age may apply to the director for an instruction permit. The director may issue to the applicant an instruction permit ~~which~~ that entitles the applicant while having such permit in the permittee's immediate possession to drive a motor vehicle upon the public highways for a period of one year when accompanied by a licensed operator who holds a license corresponding to the vehicle the permittee operates ~~and~~, who is at least eighteen years of age, who has had at least ~~one year~~ three years of driving experience, and who is occupying a seat beside the driver. An individual other than the supervising driver and the permitholder may not be in the front seat unless the vehicle has only a front seat, in which case, the supervising driver must be seated next to the permitholder. Persons holding an instruction permit for the operation of a motorcycle shall operate the motorcycle only during hours when the use of headlights is not required pursuant to section 39-21-01, and may not carry or transport any passenger. Any instruction permit may be renewed or a new permit issued for an additional period. A person who is not yet eighteen years of age is not eligible for a license until that person has had an instruction permit issued for at least ~~three~~ six months. The director may recognize an instruction permit issued by another jurisdiction in computing the ~~three-month~~ six-month instructional period.

SECTION 2. AMENDMENT. Section 39-06-17 of the North Dakota Century Code is amended and reenacted as follows:

39-06-17. Restricted licenses - Penalty for violation.

1. The director, upon issuing an operator's license or a temporary restricted operator's license pursuant to section 39-06.1-11, has authority to impose restrictions suitable to the licensee's driving ability with respect to the type of or special mechanical control devices required on a motor vehicle which the licensee may operate or such other restrictions applicable to the licensee as the director may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

2. The director may either issue a special restricted license or may set forth such restrictions upon the usual license form. The director shall likewise restrict licenses pursuant to the requirements of section 39-16.1-09.

3. A restricted operator's license or permit to operate the parent's or guardian's automobile, or an automobile which is equipped with dual controls and while accompanied by a qualified instructor, may be issued to any child, who is at least fourteen years of age, and otherwise qualified, upon the written recommendation of the parent or guardian. No operator's license may be issued until the child, accompanied by the parent or guardian, appears in person and satisfies the director that:

   a. The child is at least fourteen years of age.

   b. The child is qualified to operate an automobile safely.

   c. It is necessary for the child to drive the parent's or guardian's automobile without being accompanied by an adult.

   d. The child has ~~completed~~:

      (1) Completed a course of classroom instruction and a course of behind-the-wheel instruction acceptable to the director; or~~, in the alternative, has successfully~~

      (2) Successfully completed a course at an approved commercial driver training school.

   The parent or guardian at all times is responsible for any and all damages growing out of the negligent operation of a motor vehicle by any such child. The provisions of this subsection do not authorize the child to drive a commercial truck, motorbus, or taxicab except the holder of a class D license, fourteen or fifteen years of age, may drive a farm motor vehicle having a gross weight of fifty thousand pounds [22679.62 kilograms] when used to transport agricultural products, farm machinery, or farm supplies to or from a farm when so operated within one hundred fifty miles [241.40 kilometers] of the driver's farm.

4. The director may upon receiving satisfactory evidence of any violation of the restrictions of such license suspend or revoke the same but the licensee is entitled to a hearing as upon a suspension or revocation under this chapter.

5. It is a class B misdemeanor for any person to operate a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to that person other than restrictions imposed under subsection 6. If the restricted license was issued under section 39-06.1-11 and the underlying suspension was imposed for a violation of section 39-08-01 or equivalent ordinance, or is governed by chapter 39-20, punishment is as provided in subsection 2 of section 39-06-42 and upon receiving notice of the conviction the director shall revoke, without opportunity for hearing, the licensee's restricted license and shall extend the underlying suspension for a like period of not more than one year. The director may not issue a restricted license for the extended period of suspension imposed under this subsection. If the conviction referred to in this section is reversed by an appellate court, the director shall restore the person to the status held by the person prior to the conviction, including restoration of driving privileges if appropriate.

6. A restricted license issued under subsection 3 to a child at least fourteen years of age to operate a parent's or guardian's automobile authorizes the

licenseholder to drive the type or class of motor vehicle specified on the restricted license only under the following conditions:

a. A restricted licenseholder must be in possession of the license while operating the motor vehicle.

b. An individual holding a restricted driver's license driving a motor vehicle may not carry more passengers than the vehicle manufacturer's suggested passenger capacity.

SECTION 3. A new section to chapter 39-06 of the North Dakota Century Code is created and enacted as follows:

Special provisions for minor operators.

1. The director shall cancel the permit or license to operate a motor vehicle of an individual who has committed acts resulting in an accumulated point total in excess of five points as provided for a violation under section 39-06.1-10 or has committed an alcohol-related offense while operating a motor vehicle, if:

   a. The acts or offenses were committed while the individual was a minor; and

   b. The individual admitted the violation, was found to have committed the violation by the official having jurisdiction, or pled guilty to, was found guilty of, or adjudicated to have committed the offense.

2. If an individual has had that individual's license or permit canceled under subsection 1, the director shall deem that individual to have never have had any license or permit to operate a motor vehicle and may not issue any license or permit to drive other than an instruction permit or a restricted instruction permit after the completion of any period of suspension or revocation. After the issuance or an instruction permit or restricted instruction permit, the director may not issue any other license or permit to that individual until, while using the permit issued under this section, that individual:

   a. (1) Completes a course of classroom instruction and a course of behind-the-wheel instruction acceptable to the director; or

   (2) Successfully completes a course at an approved commercial driver training school; and

   b. Satisfies all other requirements that apply to that individual for that license or permit.

SECTION 4. AMENDMENT. Section 39-06.1-08 of the North Dakota Century Code is amended and reenacted as follows:

39-06.1-08. Nonmoving violation defined. For the purposes of section 39-06.1-06, a "nonmoving violation" means:

1. A violation of section 39-04-11, subsection 6 of section 39-06-17, and section 39-06-44, 39-06-45, 39-10-47, 39-10-49, 39-10-50, 39-10-51, 39-10-54.1, 39-21-08, 39-21-10, 39-21-11, or 39-21-14, or a violation of any municipal ordinance equivalent to the foregoing sections.

2. A violation, discovered at a time when the vehicle is not actually being operated, of section 39-21-03, 39-21-05, 39-21-13, 39-21-19, 39-21-32, 39-21-37, 39-21-39, or 39-21-44.2, or a violation of any municipal ordinance equivalent to the foregoing sections."

Renumber accordingly

Engrossed HB 1291 was placed on the Seventh order of business on the calendar.

1999 TESTIMONY

HB 1291

HB-1291 -- GRADUATED DRIVER LICENSING

TO: Members of the House Transportation Committee

FROM: Bob Graveline, North Dakota Safety Council

Because of concerns that have come to our attention as we have been visiting with Legislators about graduated driver licensing, we will offer three different amendments to HB-1291 for your consideration. Brief descriptions of these amendments are listed below and copies of each of the amendments are attached.

Amendment number one:

This amendment will allow the ND DOT to charge a fee for the GDL and should reduce the overall fiscal impact to about $25 to $30,000 per year once the program is put into place. We expect DOT to also have a fiscal note showing a first year impact of some $39-$55,000. It was our intention to have this section added to the bill draft by Legislative Council when the bill was drafted, but it was overlooked.

Amendment number two:

It has always been our intent to require classroom instruction for all drivers below the age of eighteen. This amendment is offered to clarify that intent because some people expressed confusion upon reading the bill.

Additionally, because some schools do not offer classroom driver education, some concern has been expressed about how those students would meet the requirement. This amendment will allow a young driver to complete a specified fifty-hour dual-driving curriculum with their parent or guardian as an alternative to classroom driver education. ND DOT will set the criteria for this dual driving program and would require the parent or guardian to sign an affidavit of completion at the time the behind the wheel test is administered.

Amendment number three:

Because there is an exception to the curfew for young drivers involved in farming and ranching activities, it was felt an exemption for other work, school, or church activities should also be provided. This amendment provides such and exemption.

AMENDMENT TO HOUSE BILL NO. 1291

Page 1, line 4, after "39-06-08," insert "subsection 1 of section 39-06-14,"

Page 1, line 4, after "and" insert "section"

Page 7, line 1, after "**AMENDMENT.**" insert "Subsection 1 of section 39-06-014 of the North Dakota Century Code is hereby amended and reenacted as follows:

1. The director, upon payment of a ten dollar fee, shall issue to every qualified applicant for a restricted license under section 39-06-04.3 or an operator's license as applied for in the form prescribed by the director. The license must bear a distinguishing number assigned to the licensee, a color photograph of the licensee, the full name, date of birth, residence address, and a brief description of the licensee, and either a facsimile of the signature of the licensee or a space upon which the licensee shall write the licensee's usual signature. If the licensee is under the age of twenty-one, the photograph must be against a color border or background that is different from the color used for other licensees. If requested on the license application, the license issued by the director must include a statement making an anatomical gift under chapter 23-06.2. No license is valid until it has been signed by the licensee with the licensee's usual signature. The department shall develop a system to require each applicant for an operator's license or renewal of an operator's license to determine whether or not the applicant wishes to be a donor under chapter 23-06.1. For purposes of verification, an officer may require the licensee to write the licensee's signature in the presence of the officer. The director may adopt rules, pursuant to chapter 28-32, relating to the manner in which photographs are to be obtained and placed on operator's licenses. The photograph may be produced by digital imaging or other electronic means and is not a public record."

Renumber accordingly.

1

AMENDMENT TO HOUSE BILL NO. 1291

Page 4, line 5, remove "and a course of behind-the-wheel" and insert ":"

Page 4, remove lines 6 through 10 and insert:

b. A course of behind-the-wheel instruction as approved by the superintendent of public instruction;

c. Successfully completed an equal course at a commercial driving training school which has been approved by the superintendent of the state highway patrol pursuant to chapter 39-25; or

d. A combination of classes thereof.

In lieu of completing an approved classroom session, the permitholder must complete fifty hours of driving with their parent or guardian. These fifty hours of dual driving must follow guidelines established by the department of transportation designed so the young driver experiences various day and night driving conditions."

Renumber accordingly

AMENDMENT TO HOUSE BILL NO. 1291

Page 4, line 23, after "ranching." insert "or when driving or operating any motor vehicle if driving directly to or from home and work or directly to or from home and a sanctioned school or church activity."

Renumber accordingly

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1291

Page 1, line 1, after "enact" insert "a new section to chapter 15-21 and"

Page 1, line 2, after "relating" insert "to a Driver and Traffic Safety Education Program;"

Page 1, after line 7, insert:

Section 1. A new section to chapter 15-21 of the North Dakota Century Code is created and enacted as follows:

Driver and Traffic Safety Education Program - The superintendent of public instruction or the superintendent's designee shall preside over the Driver and Traffic Safety Education Program committee, whose makeup shall include:

a. one member appointed by the North Dakota Driver and Traffic Safety Education Association,
b. one member whose business offers a commercially available driver's education program,
c. two members appointed by the state highway patrol superintendent,
d. one member appointed by the director of the Department of Transportation from the Driver's License and Traffic Safety division,
e. and one member appointed by the North Dakota Safety Council.

Section 2. The committee shall meet some time in April of each year and shall develop and approve the minimum content of the Driver and Traffic Safety Education classroom instruction and the minimum content of the behind-the-wheel instruction to be used by all Driver and Traffic Safety Education Program instructors. The committee shall also establish minimum credential requirements for driver and traffic safety education instructors. The superintendent of public instruction or the superintendents designee shall act as facilitator for all meetings and shall publish and provide to driver and traffic safety education instructors the content of the curriculum.

Page 4, line 6, after the second "instruction" insert "pursuant to section one of this act"

renumber accordingly

1291 test.

FAX FOR REPRESENTATIVE HOWARD GRUMBO

Peter Leedahl
15470 County Road 2
Leonard, ND 58052

January 26, 1999

Dear Mr. Grumbo,

I was not happy to hear of the proposed bill to change drivers license requirements. My mother said that if I write to you, you might have what I write introducced as testimony in the hearing of House Bill 1291. Here is what I want to say.

Sincerely,
Peter Leedahl

My name is Peter Leedahl, I will be thirteen in March. I live on a farm at Leonard. I am against HB 1291.

I am against the part that says a permittee must be accompanied by a licensed operator who is at least twenty-two years of age. I think my parents should decide who accompanies me when I drive. My brother will be nineteen years old when I am learning to drive. My parents say that my brother is a responsible driver. He drives semi trucks of grain to towns 50 miles away. He has a private pilot's license. He has a clear driving record. My parents should be able to let him sit with me when I drive. I will get more practice in driving if my brother is with me.

The other thing that I am against is that I have to have my permit for six months. If my parents think I'm ready after three months I should be able to get my license. It will be helpful to them if I could drive nine miles to town and get parts for our farming operation.

Please consider what I have said.

TESTIMONY BEFORE THE
HOUSE TRANSPORTATION COMMITTEE
REGARDING
HB-1291 – GRADUATED DRIVER LICENSING
January 29, 1999

MR. CHAIRMAN, AND MEMBERS OF THE COMMITTEE, MY NAME IS BOB GRAVELINE AND I AM THE EXECUTIVE DIRECTOR OF THE NORTH DAKOTA SAFETY COUNCIL, INC. WE ARE A NON-GOVERNMENT, NOT-FOR-PROFIT, MEMBERSHIP SUPPORTED ORGANIZATION DEDICATED TO HELPING MAKE NORTH DAKOTA A SAFER AND HEALTHIER PLACE TO LIVE.

I APPEAR BEFORE YOU TODAY IN SUPPORT OF HB-1291, AND I URGE YOUR PASSAGE OF THIS VERY IMPORTANT TRAFFIC SAFETY BILL.

LATE IN 1997 THE NORTH DAKOTA SAFETY COUNCIL FORMED A COMMITTEE OF 27 INDIVIDUALS INTERESTED IN TRAFFIC SAFETY TO DISCUSS GRADUATED DRIVER LICENSING. THE COMMITTEE WAS CHARGED WITH EVALUATING THE YOUNG DRIVER SITUATION IN NORTH DAKOTA TO DETERMINE IF A PROBLEM EXISTED. AND IF SO, TO ARRIVE AT SUGGESTIONS FOR CHANGE.

AFTER SEVERAL MEETINGS AND MUCH DISCUSSION, THE COMMITTEE CAME TO THE CONCENSUS POSITION PRESENTED TO YOU HERE AS HB-1291.

THIS COMMITTEE WAS COMPRISED OF TRAFFIC SAFETY, LAW ENFORCEMENT, AND MEDICAL PROFESSIONALS. THERE WERE INSURANCE REPRESENTATIVES, A HIGH SCHOOL STUDENT, AND THREE LEGISLATORS WHO ARE LISTED ON THE BILL AS CO-SPONSORS.

FURTHER, THERE WERE REPRESENTATIVES OF SEVERAL STATE AGENCIES SERVING AS RESOURCE PEOPLE TO THE COMMITTEE.

NATIONAL STATISTICS REPORTED BY THE NATIONAL SAFETY COUNCIL AND STATEWIDE STATISTICS REPORTED BY THE NORTH DAKOTA STATE DEPARTMENT OF HEALTH SHOW US THE SAME SAD FACT. MORE YOUNG PEOPLE DIE FROM TRAFFIC CRASHES THAN FROM ANY OTHER CAUSE.

TRAFFIC DEATHS AND INJURIES HAVE BEEN A PART OF OUR LIVES FOR SO VERY LONG WE SELDOM EVEN ACKNOWLEDGE THESE CRASH NEWS STORIES WE READ AND HEAR NEARLY EACH AND EVERY DAY. WE SEEM TO BE ACCEPTING OF TRAFFIC CRASH DEATHS AND INJURIES AS A RITE OF PASSAGE RATHER THAN AS SOMETHING WE CAN PREVENT.

MORE YOUNG PEOPLE DIE IN TRAFFIC CRASHES EACH YEAR THAN DIE IN FIRES, THAN DIE FROM DISEASES, THAN DIE FROM HOMICIDES OR DOMESTIC VIOLENCE. YET WE SEE ALL SORTS OF RULES, REGULATIONS, AND CAMPAIGNS DESIGNED TO PREVENT DEATHS FROM THESE OTHER CAUSES.

AS A SOCIETY, WE WORK VERY HARD TO MAKE SURE WE DO WHAT WE CAN TO PREVENT OUR CHILDREN OR GRANDCHILDREN FROM BEING EXPOSED TO HAZARDS THAT WE CAN CONTROL. AND WE HAVE BEEN VERY SUCCESSFUL.

NOW I SUGGEST, THE TIME HAS COME TO TAKE A STRONG AND DEFINATIVE STEP IN WORKING TO ATTACK THE NUMBER ONE CAUSE OF DEATHS AND INJURIES TO OUR YOUNG PEOPLE.

THAT CAUSE --- <u>IS YOUNG PEOPLE THEMSELVES.</u>

ATTACHED TO THIS STATEMENT IS A PAGE OF DRIVING STATISTICS PREPARED BY THE ND DOT TRAFFIC SAFETY DEPARTMENT. THIS PAGE SHOWS US THAT DURING 1997, THE MOST CURRENT YEAR FOR WHICH STATISTICS ARE AVAILABLE, 4.65 PERCENT OF OUR TOTAL NUMBER OF DRIVERS WERE BETWEEN THE AGES OF 14 AND 17.

YET, THIS SMALL PERCENTAGE OF DRIVERS WAS INVOLVED IN 11.14 % OF ALL CRASHES. THEY WERE INVOLVED IN 12.13 % OF ALL PROPERTY DAMAGE CRASHES AND WERE INVOLVED IN 7.63 % OF ALL FATAL CRASHES.

THESE NUMBERS REFLECT A RATIO OF 1.6:1 FOR FATALITIES AND A RATIO OF 2.6:1 FOR PROPERTY DAMAGE CRASHES. AS YOU LOOK OVER THE TABLE YOU WILL SEE OTHER YEARS' STATISTICS ARE EVEN WORSE.

AS YOU CONSIDER THESE STATISTICS, PLEASE KEEP IN MIND, THAT FOR MANY OF US, THEY ARE JUST NUMBERS. HOWEVER, FOR SOME NORTH DAKOTANS WHO HAVE RECEIVED DREADED NIGHTTIME CALLS FROM A LAW ENFORCEMENT OFFICER, OR FROM THEIR CLERGY, THESE NUMBERS REPRESENT PERSONAL TRAGEDIES.

WE BELIEVE NOW IS THE TIME TO START TO CHANGE THIS CONTINUING TREND THAT IS RESPONSIBLE FOR SOME 30 PERCENT OF ALL DEATHS FOR THIS AGE GROUP. FURTHER, WE BELIEVE GRADUATED DRIVERS LICENSING IS THE BEST WAY TO ADDRESS THE PROBLEM.

IN A NUT SHELL, GRADUATED DRIVER LICENSING IS ALL ABOUT THE EDUCATION OF YOUNG DRIVERS. AS YOUNG PERMIT HOLDERS GAIN EXPERIENCE AND MATURITY, THEY ARE ADVANCED TO THE NEXT TIER FOR FURTHER EXPERIENCE AND MATURITY UNTIL THEY OBTAIN FULL LICENSE AT 18 YEARS OF AGE.

FURTHERMORE, YOUNG DRIVERS THAT STEP OUT OF LINE AND IGNORE TRAFFIC RULES AND REGULATIONS ARE MOVED BACKWARD WHILE DRIVERS THAT OBEY THE RULES CONTINUE TO ENJOY THEIR DRIVING PRIVILEDGES.

QUITE SIMPLY, GOOD BEHAVIOR IS REWARDED WHILE BAD BEHAVIOR IS PUNISHED.

UNDER GRADUATED DRIVER LICENSING AS IT IS BEFORE THIS COMMITTEE TODAY, THE FEW CHANGES BEING SUGGESTED FOR OUR YOUNG DRIVER LICENSING ARE DESIGNED TO HELP EDUCATE OUR YOUNG DRIVERS.

16.4

HB-1291, WHICH WOULD GOVERN DRIVERS BETWEEN FOURTEEN AND EIGHTEEN YEARS OF AGE WOULD REQUIRE: * 3 to 6

- ALL YOUNG DRIVERS TO HOLD THEIR PERMITS FOR SIX MONTHS
- CLASSROOM AND BEHIND THE WHEEL TRAINING FOR ALL MINORS
- SUPERVISING DRIVER WOULD NEED TO BE 22 YEARS OF AGE
- NO DRIVING BETWEEN MIDNIGHT AND 6:00 A.M. UNLESS ACCOMPANIED BY A SUPERVISING DRIVER
- CARRY ONLY AS MANY PASSENGERS AS THE MANUFACTURER RECOMMENDS
- VIOLATE LIQUOR LAWS OR ACCUMULATE MORE THAN 6 POINTS DURING ANY 12 MONTH PERIOD AND RETURN TO PERMIT STATUS
- FULL LICENSE AT AGE 18

Drivers Ed recommended - not a grad. req.

14 - 16 before → 22 - college grad. age

Curfews are present in nearly every city - placing curfew in rural parts of state

→ Only 40% backing up

obviously haven't learned - need a refresher course

GRADUATED DRIVER LICENSING IS GAINING ACCEPTANCE ALL ACROSS THE NATION AS THE BEST SOLUTION TO REDUCING THE NUMBER OF DEATHS OF YOUNG DRIVERS AND THEIR PASSENGERS.

AS OF THE FIRST OF THE YEAR, SOME 24 STATES HAD ENACTED NEW LAWS AND THERE ARE PROPOSALS BEING DEBATED IN SEVERAL OTHER STATES AS WELL.

ACCORDING TO STATISTICS FURNISHED BY THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA), TEEN DRIVERS AS A GROUP HAVE 20 CRASHES PER ONE MILLION MILES WHEN ALL OTHER DRIVERS EXPERIENCE 5 CRASHES PER ONE MILLION MILES.

SIXTEEN-YEAR-OLD DRIVERS BY THEMSELVES EXPERIENCE THE HIGHEST CRASH RATE AT 43 CRASHES PER ONE MILLION MILES TRAVELLED.

THESE NATIONAL STATISTICS SEEM TO BE REPRESENTATIVE OF YOUNG DRIVERS AND THE RISKS THEY TAKE HERE IN NORTH DAKOTA AS WELL. FOR EXAMPLE, ACCORDING TO FIGURES PROVIDED BY THE ND DOT, SOME 35,841 DRIVERS UNDER THE AGE OF EIGHTEEN POSSESSED DRIVERS LICENSES IN 1997.

THERE WERE 6,332 FOURTEEN YEAR OLD DRIVERS; 8,987 FIFTEEN YEAR OLD DRIVERS; 9,963 SIXTEEN YEAR OLD DRIVERS, AND THERE WERE 10,559 SEVENTEEN YEAR OLD DRIVERS.

DURING 1997, 166 TRAFFIC CITATIONS WERE ISSUED TO FOURTEEN-YEAR-OLD DRIVERS WHICH REPRESENTS TWO PERCENT OF THE LICENSED FOURTEEN YEAR OLD DRIVERS.

FIFTEEN-YEAR-OLD DRIVERS RECEIVED 1,196 CITATIONS WHICH REPRESENTS 13 PERCENT OF LICENSED FIFTEEN-YEAR-OLD DRIVERS. SIXTEEN-YEAR-OLD DRIVERS RECEIVED 3,163 TRAFFIC CITATIONS WHICH REPRESENTS 31 PERCENT OF TOTAL SIXTEEN-YEAR-OLD DRIVERS.

BUT THE SEVENTEEN-YEAR-OLD DRIVERS WIN THE PRIZE. DURING 1997 5,197 CITATIONS WERE ISSUED TO SEVENTEEN YEAR OLD DRIVERS AND THAT REPRESENTS FORTY-NINE PERCENT OF SEVENTEEN YEAR OLD DRIVERS.

THESE NUMBERS ARE CUMULATIVE AND WHILE MOST DRIVERS DID NOT RECEIVE CITATIONS, MANY YOUNG DRIVERS RECEIVED MORE THAN ONE CITATION DURING THE YEAR.

GRADUATED DRIVER LICENSING IS ABOUT SAFETY AND MAKING YOUNG DRIVERS RESPONSIBLE. CLEARLY, THE TRAFFIC CITATION STATISTICS I JUST RECITED POINT TO A PROBLEM WITH SOME YOUNG DRIVERS, AND THEIR OBVIOUS DISREGARD FOR TRAFFIC RULES AND REGULATIONS.

THE BILL BEFORE YOU TODAY ADDRESSES YOUNG DRIVERS WHO IGNORE TRAFFIC RULES AND REGULATIONS BY RETURNING THEM TO PERMIT STATUS. BUT THE PROVISION TO REVERT TO PERMIT STATUS ALLOWS SOME LENIENCY.

IT IS ONLY AFTER A YOUNG DRIVER ACCUMULATES SIX POINTS IN ANY TWELVE-MONTH TIME PERIOD, OR IF THEY VIOLATE ANY OF THE STATE'S ALCOHOL LAWS THAT THEY ARE RETURNED TO THE PERMIT LEVEL.

THOSE OF US IN SAFETY FOLLOW A VERY BASIC TENET. WHAT CAN BE PREDICTED CAN BE PREVENTED.

WE PREDICT CURRENT DRIVER LICENSING LAWS CONTINUED INTO THE FUTURE WILL GIVE US THE SAME TRAGIC CRASH RESULTS WE HAVE SEEN IN THE PAST.

THE TIME TO MAKE A CHANGE IS NOW. STATES THAT HAVE IMPLEMENTED GRADUATED DRIVER LICENSING ARE NOTICING VERY FAVORABLE RESULTS, AND NORTH DAKOTA CAN TOO.

FOR EXAMPLE, MARYLAND SHOWED A FIVE PERCENT REDUCTION IN CRASHES AND A 10 PERCENT REDUCTION IN CONVICTIONS FOR ALL 16 AND 17 YEAR OLD DRIVERS. CALIFORNIA, UNDER THEIR ORIGINAL 1983 BILL FOUND A 5.3 PERCENT REDUCTION IN THE RATE OF CRASHES INVOLVING 15 – 17 YEAR OLD DRIVERS. CALIFORNIA STIFFENED THEIR GRADUATED DRIVER LICENSING LAW LAST YEAR AND ARE EXPECTING EVEN GREATER RESULTS.

OREGON'S PROGRAM TOOK EFFECT IN 1989 AND HAS SHOWN GREAT RESULTS WITH YOUNG MALE DRIVERS SHOWING A 16 PERCENT REDUCTION IN CRASHES. FLORIDA'S 1997 RESULTS SHOW A 9 PERCENT REDUCTION IN FATAL AND INJURY CRASHES FOR 15-17 YEAR OLD DRIVERS. FURTHERMORE, FLORIDA'S NIGHTTIME CRASHES FOR 15 –17 YEAR OLD DRIVERS WERE 17 PERCENT BELOW WHAT WOULD HAVE BEEN EXPECTED WITHOUT THE CHANGE IN THEIR LAW.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, THE NORTH DAKOTA SAFETY COUNCIL URGES YOUR DO PASS RECOMMENDATION ON HB-1291 AS A VERY GOOD AND POSITIVE STEP TO IMPROVE TRAFFIC SAFETY IN NORTH DAKOTA.

Neutral

Motor Vehicle Fatalities & Injuries In North Dakota

- From 1993 to 1997, there were 198 deaths to North Dakota children ages 14-19. The leading cause of death 34.8 percent (69 deaths) was motor vehicles.

Leading Causes of Death
North Dakota Residents – Ages 14-19
1993-1997

Cause	*#*	*Percent*
Motor Vehicle Accidents	*69*	*34.8*
Suicide	*54*	*27.3*
Other Accidents	*33*	*16.7*
Other	*24*	*12.1*
Cancer	*8*	*4.0*
Homicide	*6*	*3.0*
Heart	*4*	*2.0*
	198	*100%*

- From 1995 to 1997, North Dakota ambulances responded to 10,421 calls involving children aged 0-21. Trauma calls (47.6 percent) accounted for the largest portion of ambulance runs in the pediatric population, followed by medical illness (26.7 percent) and transfers/other (25.7 percent).

- Of the trauma calls, 55 percent were for motor vehicle crashes, followed by other, falls, assaults, bicycle, and pedestrian.

Sources: ND Department of Health, Division of Vital Records
ND Department of Health, Emergency Health Services

Carol Holzer test.

Mr. Chairman and members of the committee,

My name is Shaun McDonough. I'm a senior at Century High School, here in Bismarck, and am here in general support of House Bill 1291. In the US News and World Report's Outlook 1998, one of the 16 smart ideas to fix the world was to reduce teenager's road accidents by making teens earn driving privileges with "graduated licenses". This is a good idea.

I received my license on my first try a little after I turned 16 and had had my permit for close to a year. I have never gotten in an accident, but have come close to one a couple of times. It would have been my own driving error and would have occurred not long after I had my license. This new system that would be set up by House Bill 1291 would help young drivers gain more experience and would hopefully prevent some accidents and motor vehicle fatalities.

I passed out a Graduated Driver's License survey and will have the results analyzed in a few days. Depending on how soon you vote on this bill, I could get you the results. 109 people, mainly students grades 10 through 12, took part in this survey. It was given to an 11th grade English/History, 12th grade English, the Orchestra (grades 10-12), and a Physics (grades 11 and 12) class at Century. Here is a copy of the survey and six students comments and views.

From a preliminary analysis, it looks like most students do support the bill or the basis concept of it. All the teachers who's class participated in this survey said that the students took the survey very seriously and wanted to debate the subject afterwards. Out of the seven survey questions, the return to an instructional permit if 6 or more points accumulated in 12 months or an alcohol violation occurred was the most agreed with question. I think this is the best part of the bill. The least agreed with was the restriction of driving between 12am and 6am. This was not only opposed by students, but by teachers. One teacher commented that... "I strongly endorse this idea (bill)- but disagree with (the restricting of teenage driving between 12am and 6am) because this makes it difficult for these drivers to get home." School activities can both go before 6am and after 12am. Work can also go after 12am and the curfew for 16-17yr. olds is 1am in Bismarck. It would be an inconvenience to not only young people, but also to parents if the restriction was 12 to 6. I think that a 1am to 5am restriction or having a less restricted license at the age of 16 would be a good change. Having no traffic offenses in the last 6 months to get a restricted license and having the

supervising driver be at least 22yrs. old were also objected to. I think the first is somewhat reasonable, but the second should be lowered.

This bill is a good idea, but there should probably be changes made to help avoid conflicts and be more reasonable to both parents and young drivers. I'd be happy to answer any questions you may have.

Mr. Chairman and members of the committee,

My name is Shaun McDonough. I'm a senior at Century High School, here in Bismarck, and am here in support of House Bill 1291. In the US News and World Report's Outlook 1998, one of the 16 smart ideas to fix the world was to reduce teenager's road accidents by making teens earn driving privileges with "graduated licenses". This **is** a good idea.

I received my license on my first try a little after I turned 16 and had had my permit for close to a year. I have never gotten in an accident, but have come close to one a couple of times. It would have been my own driving error and would have occurred not long after I had my license. This new system that would be set up by House Bill 1291 would help young drivers gain more experience and would hopefully prevent some accidents and motor vehicle fatalities.

I passed out a Graduated Driver's License survey about a month ago to an 11th grade English/History, 12th grade English, the Orchestra (grades 10-12), and a Physics (grades 11 and 12) class at Century. 106 people took part in this survey. All the teachers who's class participated in this survey said that the students took the survey very seriously and wanted to debate the subject afterwards.

The survey was of the original bill and included seven questions. Here is a copy of the survey and my testimony. The return to an instructional permit if 6 or more points accumulated in 12 months or an alcohol violation occurred was the most agreed with question. I think this is the best part of the bill. I really like it. The only other part that the majority of students agreed with was changing the time an instructional permit must be held from three months to six. The least agreed with was the restriction of driving between 12am and 6am. This was disagreed with primarily because of the bill interfering with school and work. That problem was already addressed and amended in the house. A supervising driver of 18 years of age was suggested by students instead of 22. That was also changed. The full license was amended down to 16 years old. I didn't mind having it at 18, but 16 is much more reasonable.

The changes that have been made, take away the major reasons for opposition of House Bill 1291. This bill is a good idea, and the changes to help avoid conflicts and be more reasonable to both parents and young drivers have already been made. I'd be happy to answer any questions you may have.

GRADUATED DRIVER'S LICENSE BILL SURVEY

This is a survey to see how senior high school students and teachers feel about the graduated driver's license legislation that is currently being considered in the North Dakota Legislature. The graduated driver's license bill would change how a teenager would go about getting a driver's license and is designed to reduce traffic accidents and fatalities among inexperienced young drivers.

The learner's permit would be changed to an instructional permit and is given additional restrictions. A restricted license would be given after the instructional (learner's) permit until the age of 18.

- The time one must hold an instructional (learner's) permit would change from 3 months to 6 months and holder must drive with a person that is at least 22yrs. old that has had driver's license for more than 1yr.
- The new restricted license would be given once the instructional permit holder has met the above requirement, had classroom and behind-the-wheel instruction, received no traffic offense in the last 6 months, and passed the driving (road) test.
- The restricted license would be no different from a driver's license from 6am to midnight, but would require that the number of passengers not exceed the manufacturer's passenger load, impose limitations on 12am-6am driving (holder unable to carry passengers or drive unless with a supervising driver), and require a return to the instruction permit status for 6 months after any penalty if the driver has 6 or more points on their record in 12 consecutive months or has any alcohol law violation.
- At the age of 18, an unrestricted (driver's) license would be given.
- There are exceptions for drivers on farms or ranches.

Twenty-four states, six Canadian provinces, New Zealand and Australia have a graduated license programs or key parts of it. The other 26 states and the District of Columbia are considering such legislation this year.

Grade: _____ Age: _____

How do you feel about...	Strongly Agree	Somewhat Agree	Neutral	Somewhat Disagree	Strongly Disagree
Changing the time an instructional permit must be held from 3 to 6m.:					
Having the supervising driver be at least 22yrs. old:					
Instituting a restricted license:					
Restricting teenage driving between 12am and 6am:					
Restricting the number of passengers in the vehicle:					
Returning to instructional permit if 6+pts. or alcohol violation occurs					
The bill overall:					

Comments: _____

_____

_____

_____

1997 NORTH DAKOTA RESIDENT OCCURRENCE TRAUMA DEATHS
AGE 14-19

TYPE OF TRAUMA DEATH

		TRAFFIC ACCIDENT	OTHER ACCIDENT	SUICIDE	TOTAL
AGE	14	1	1	2	4
	15	3	2	2	7
	16	1		1	2
	17	9		1	10
	18	4		2	6
	19	4		2	6
Total		22	3	10	35

1998 NORTH DAKOTA RESIDENT OCCURRENCE TRAUMA DEATHS
AGE 14-19

TYPE OF TRAUMA DEATH

		TRAFFIC ACCIDENT	OTHER ACCIDENT	SUICIDE	HOMICIDE	TOTAL
AGE	14	1	1	1		3
	15	3	1			4
	16	1	2	1		4
	17	6		1		7
	18	7		1		8
	19	4	2	4	1	12
Total		22	6	8		38

SOURCE: VITAL RECORDS, NORTH DAKOTA DEPARTMENT OF HEALTH

ATTACHMENT 1
STATISTICAL INFORMATION

North Dakota has **35,841** licensed drivers under the age of 18. We have:

- 6,332 14-year-olds
- 8,987 15-year-olds
- 9,963 16-year-olds
- 10,559 17-year-olds

From these numbers, it appears that:

- 6,332 drivers get their license when they are 14 years of age
- 2,655 drivers get their license when they are 15 years of age
- 976 drivers get their license when they are 16 years of age
- 596 drivers get their license when they are 17 years of age

These numbers show that the 14- and 15-year-old drivers would renew their drivers licenses at age 18, while the 16- and 17-year-old drivers would not renew their drivers license until age 20. Out of the above number of license drivers under 18 years of age, there have been **9,722** citations placed on the driving records:

- 166 citations placed on the driving records of 14-year-olds
- 1,196 citations placed on the driving records of 15-year-olds
- 3,163 citations placed on the driving records of 16-year-olds
- 5,197 citations placed on the driving records of 17-year-olds

Of the 15-year-old age group (**only** the 15-year-old age group numbers were pulled from the data base), **201** drivers are repeat offenders (drivers getting more than one violation within a 12-month period) with a total of **571** citations.

- 2% of the 14-year-old drivers received a citation within the last 12 months
- 13% of the 15-year-old drivers received a citation within the last 12 months
- 31% of the 16-year-old drivers received a citation within the last 12 months
- 49% of the 17-year-old drivers received a citation within the last 12 months

The Forum

TUESDAY, DECEMBER 29, 1998

Graduated licensing a good idea

Orlando, Fla.

Just yesterday, it seems, I was saying: "Don't run with the scissors, sweetie." Just yesterday, I said: "Wear your seatbelt!"

KATHLEEN PARKER
Tribune Media Services

I'm sorry, teens of America, but the psychic leap from running with scissors to driving a car is just too vast for parents to bridge in a single lifetime. Maybe you can drive in your next life.

My child isn't driving yet — he's just 14 — but some of his 15-year-old friends are. Against every instinct in my soul, I stand by and watch him get into the passenger seat of his best friend's car.

His friend is a good driver, I have no doubt. He's responsible, a good student, a polite boy to whom I'd entrust almost anything — except my son's life. Yet I do it. Do I have a choice?

Traffic accidents are the No. 1 killer of teens.

Not really. I could forbid my son to ride with a friend to meet their cronies for lunch, but the alternative would be unbearably humiliating to him. Mommy would have to drop him off, whereupon his friends would chide him about his obsessively protective mother. Not a good option.

Instead, I lecture. I cite statistics. I tell him: "I'm not trying to make your life miserable; I'm just trying to keep you alive."

The statistics on teen drivers are grimly convincing. Traffic accidents are the No. 1 killer of teens. One in four teens will have a crash during their first year of driving, according to the National Safety Council.

Nationwide, teens comprise 5 percent of the driving population but account for 14 percent of auto fatalities, according to the National Association of Independent Insurers. In 1996, 6,319 young people ages 15 to 20 died in motor vehicle accidents.

Add to the statistics my experience as a teen driver. Even though I received an A-plus in driver's education, I managed to drive my brother's Jeep into a stationary oak tree when I was 16. Without provocation. All it took was a little rain, a little speed and a curve in the road.

Today, 31 years later, I still limp on the leg that was reluctant to leave the Jeep with me when I was propelled through the door opening at 50 miles an hour. (I had turned to jump.) I still flinch at the thought that my friend, Sarah, whom I'd dropped off minutes before, probably would have died that day.

Today, roads are more dangerous than ever and teens, last time I checked, hadn't changed much. They're still in too big a hurry. They still drive aggressively. Many don't wear seatbelts. Of drivers 16 to 20 who died in 1996, 71 percent weren't wearing seatbelts, according to the National Highway Traffic Safety Administration.

Most important, teens don't have the experience needed to avoid the mistakes of other drivers. Thus, to the chagrin of teens eager for freedom, many states are passing "graduated licensing" laws that ease young drivers into full driving privileges. Typically, a graduated licensing system has three phases:

- ▶ A learner's permit phase during which teens drive only with an adult driver.
- ▶ A provisional "restricted" phase of three to 12 months, depending on the state, when teens may drive unsupervised only during the day.
- ▶ Full privileges, assuming no violations or accidents, at age 16 to 18.

The graduated licensing system is relatively new, but some states already are reporting a reduction in teen traffic accidents. In California, for example, teen accidents have dropped 5 percent in just one year.

Given that traffic accidents are the No. 1 killer of teens, graduated licensing seems the least we can do, even if our kids hate us for a while. I could learn to love the glare of an angry teen when his funeral might be the alternative. Besides, they're so cute when they're mad.

(Parker, an Orlando Sentinel columnist, welcomes comments via e-mail at kparker@kparker.com)

Graduated licenses now getting looks

WASHINGTON (AP) — Graduated driver's licenses have taken root in the East Coast and will be debated by 15 Western states this year, including North Dakota, but a study indicates that some laws may save more lives than others.

Graduated-license laws phase in the times and situations under which young people can get behind the wheel. The laws' most critical elements are restrictions on teen-agers' nighttime driving and a requirement that initial driving be supervised by an adult.

Traffic experts also believe it helps to ban or limit teen-age passengers and to withhold full driving privileges until a driver reaches age 18.

"Not all graduated systems are created equal, and not all will have the same benefits," Allan Williams, senior vice president of research at the Insurance Institute for Highway Safety, said Wednesday.

Under current law, North Dakotans can obtain a driving permit at age 14 and an unrestricted license at age 16. The North Dakota Safety Council is supporting legislation that would restrict the driving hours of people under age 18.

A driver with a clean record would get an unrestricted license at age 18.

The institute, in conjunction with the Traffic Injury Research Foundation in Canada, released research Wednesday that showed effects of the graduated driving law adopted by Florida in 1996.

It requires a six-month learner's period, bans driving by 16-year-olds between 11 p.m. and 6 a.m. and withholds full privileges until a driver reaches 18. All drivers below 21 are subject to a zero-tolerance policy on drinking and driving.

Since then, 23 other states have made varying changes to their laws. Most of the other 27 states and the District of Columbia are expected to debate an array of changes during their current legislative sessions. With the exception of California, which has already updated its teen-driving law, the majority of remaining states are west of the Mississippi River.

The Insurance Institute found that during 1997, the number of fatal and injury crashes involving 15- to 17-year-olds in Florida was 9 percent below what would have been expected without the licensing change.

Crashes declined most for 15-year-olds, the study found. And nighttime crashes involving those from 15 to 17 years old were 17 percent below what otherwise would have been expected.

The institute, a research group funded by insurance companies, found that there was no change in fatal and injury crashes in neighboring Alabama, which has yet to change its teen driving law.

"Both inexperience and immaturity contribute to high crash rates with young drivers," said Daniel Mayhew, senior vice president at the Traffic Injury Research Foundation. "Graduated systems can address both by delaying the age of full-license driving until 18."

Williams and Mayhew said that while the Florida study shows graduated licensing saves lives, the ideal system should have three phases: learner's, intermediate and unrestricted.

Under the learner's phase, driving should not begin until 16. During the next six months, a teen should have to complete 30 to 50 hours of driving with an adult, some of it at night.

Under the intermediate phase, there should be restrictions on unsupervised nighttime driving beginning at 9 p.m.

Drivers should not be granted unrestricted privileges until they are 18, the researchers said.

Williams said young drivers tend to be more aggressive and less likely to recognize hazards in comparison to older drivers. Young passengers can be a distraction as well as an inducement to take risks.

"There isn't any substitute for on-the-road driving," Williams said, "but let's get it in the lower-risk kind of situation."

State by state

States that have adopted graduated-licensing legislation since 1994, followed by those expected to debate similar laws this year:

States with graduated licenses:

Maine
New Hampshire
Massachusetts
Rhode Island
Connecticut
New Jersey
Delaware
Maryland
Virginia
North Carolina
South Carolina
Georgia
Florida
Ohio
Indiana
Kentucky
Louisiana
Michigan
Illinois
Minnesota
Iowa
South Dakota
Nebraska
California

Plans to debate graduated licenses in 1999:

Vermont
New York
Pennsylvania
District of Columbia
West Virginia
Tennessee
Alabama
Mississippi
Wisconsin
Missouri
Arkansas
North Dakota
Kansas
Oklahoma
Texas
Montana
Wyoming
Colorado
New Mexico
Utah
Arizona
Nevada
Washington
Oregon
Alaska
Hawaii

SOURCE: Insurance Institute for Highway Safety

— Associated Press

TIME MAGAZINE
MARCH 1, 1999

Too Young To Drive?

States are looking for a way to put the brakes on rising teen car accidents

By JODIE MORSE

G.W. MILLER III—THE PHILADELPHIA DAILY NEWS

IN MOURNING: Classmates of Loren Wells gather—and grieve—after the fatal crash

WHEN THEIR HIGH SCHOOL LET OUT at noon one Friday last month, Loren Wells and her four best friends embarked on two time-honored teenage traditions. First they went to the mall to shop for gowns for the junior prom this spring. Then they piled into Loren's black Chevrolet Corsica to go for a spin. At 3:45 that afternoon, a few miles from her home in Media, Pa., Loren's car began to drift off the highway, the sort of mistake seasoned drivers make—and correct—all the time. Sixteen-year-old Loren, who had got her license just 2½ months earlier, lurched back too far, lost control of the car and plowed into a tree with such force that everyone in the car was killed. The brand-new prom dresses did not go unworn. Three of the girls were buried in them.

For teens, there's no sweeter rite of passage than getting a driver's license. But an increasing number of them are driving to their deaths. While fatalities for most drivers have dropped in the past two decades, traffic deaths of newly licensed 16-year-olds surged about 50% between 1975 and 1996. Even more troubling than the rising body count are the reasons behind it. Alcohol, the main culprit in teen accidents in the '80s, is now much less of a problem, thanks to a major educational blitz. Instead, safety specialists blame the sort of naive errors that killed Wells and her friends. Citing cutbacks in driver education by schools, experts contend that young motorists simply have inadequate skills. Sean McLaurin, a highway-safety specialist for the National Highway Traffic Safety Administration, laments, "It's a silent epidemic."

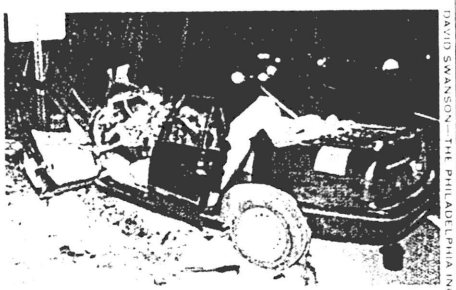
A growing number of states are looking for a cure. After years of doling out licenses to 16-year-olds with a day's worth of classroom instruction and six hours of on-the-road practice, 24 states have passed graduated licensing laws that heavily restrict the youngest drivers. Similar proposals are pending in more than 15 other states. Though they vary in severity, these laws typically have three stages. First, at age 15 or 16, comes a learner's permit, with which the teen must clock up to 50 hours of adult-supervised driving. Then, about six months later, the teen can get a provisional license. Finally, the teen can get a full license, provided there have been no accidents or violations.

Some states, including California and Florida, have gone a step further, barring teens with provisional licenses from driving late at night, when the risk of accidents is higher. And six states have passed more radical laws prohibiting teens from driving with other teenagers in the car. "I've always believed that you put more than one teen in a car and their IQs go down," says Sandy Grasinger, who lobbied for the California law after her 15-year-old daughter died in an accident. "I did the same thing—radio going, hollering and talking and having fun."

It's too soon to tell whether the laws make for smarter drivers. But preliminary accident statistics in some states indicate they may be helping. In 1997, the first full year of graduated licensing in Florida, fatal and injury crashes among 15-to-17-year-olds fell 9%, according to the Insurance Institute for Highway Safety.

Still, there are doubters—and not just freewheeling teens. After years of playing chauffeur to so many sleepovers and swim practices, some parents find their own freedom limited by parental-supervision requirements. New Mexico Governor Gary Johnson has been vocal in his opposition to the graduated licensing bill making its way through that state's legislature. "[I] got my scooter license at 13," Johnson told the Albuquerque *Journal*. "I didn't want to be the guy that makes that harder for some kids." Safety officials have another worry: passenger and curfew restrictions—like well-intentioned seat-belt laws—are almost impossible to enforce.

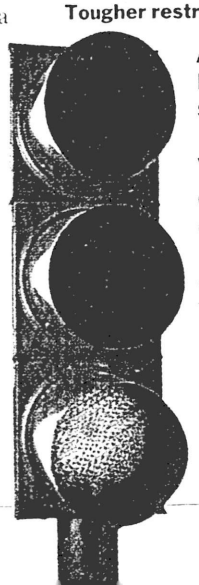
But advocates insist that just knowing they could get caught is enough to make teens more vigilant. The biggest deterrent may be the stories of kids like Loren Wells. That's why, besides pushing his state to adopt a stricter graduated licensing law, Pennsylvania Governor Tom Ridge is taking an extra precaution. "I cut out the articles about those girls," says Ridge. "And I've saved them to remind my own children down the road." —*With reporting by Ann Blackman/Washington, William Dowell Media and Nancy Harbert/Albuquerque*



DAVID SWANSON—THE PHILADELPHIA INQUIRER

The New Road Rules

Tougher restrictions are spreading



AGE: Teens must wait longer to hit the road; in six states they must be 18 to obtain a license without restrictions

CURFEW: 19 states bar driving late at night; North Carolina teens can't drive after 9 p.m. for the first six months

PASSENGERS: Six states limit them; California teens must wait six months to drive together

North Dakota

Driver and Traffic Safety Education Association

Wednesday January 27, 1999

Dear Legislators,

Regarding HB 1291, we, the North Dakota Driver and Traffic Safety Education Association (NDDTSEA), wish it to be known that we support the enactment of this bill.

The number one cause of death to young people is related to injuries sustained in motor vehicle collisions. This is a wonderful bill which will accomplish getting inexperienced drivers, more experience, before being issued a full privilege license. This will save lives and money resulting from collisions.

Please have the vision to implement this bill. You will be proud of its results.

Thank you for your consideration.

Sincerely,

Ed Baker

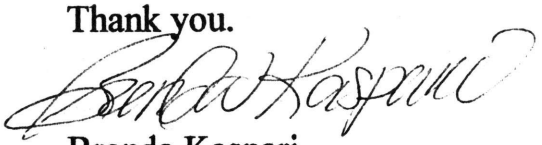
Ed Baker, President
NDDTSEA

150 Prairiewood Drive
Fargo, ND 58103
January 28, 1988

Chairman Keiser and Members of the House Transportation Committee:

My name is Brenda Kaspari and I am President of the North Dakota Medical Association Alliance, a group of over three hundred physician spouses dedicated to the health of our communities. I am writing in support of HB 1291. We believe this systematic, gradual approach to driving will save lives. The leading health problem among 16-19 year olds is crash injuries. And as you know, North Dakota has the highest incidence of teen driving and drinking in the country. It is time we join states across the country in passing legislation to help our young drivers make responsible decisions and avoid high risk situations.

Thank you.



Brenda Kaspari

Nodak Mutual Farm Bureau
A NORTH DAKOTA COMPANY
1101 1st Avenue North
P.O. Box 2502
Fargo, North Dakota 58108-2502
1-701-298-4200

September 11, 1998

Mr. Bob Graveline
North Dakota Safety Council, Inc.
111 North Sixth Street
Bismarck, ND 58501-4402

SEP 14 1998

RE: Graduated Drivers License Draft of August 26, 1998

Dear Bob:

I received the final minutes and draft of the Graduated Drivers License Advisory Committee's final proposal. I have finally had the opportunity to review that proposal and agree that it does outline a consensus from the various organizations represented on the advisory committee.

Enclosed herein please find Nodak Mutual Insurance Company's statement of support for graduated drivers licensing in the state of North Dakota. While our company is also in support of primary enforcement of safety restraints in the state, in line with the Governor's recommendations, we also support the graduated drivers licensing bill which you intend to have proposed in the upcoming legislative session. As I have indicated in a number of meetings of the advisory committee, our company, the largest automobile insurer in the state of North Dakota, has seen a dramatic rise in the number of serious and fatal accidents involving young North Dakotans upon our roads. Those accidents tend to conform to the national pattern in happening late at night or in the early morning hours and usually involve speed and/or alcohol. This has particularly become a problem as North Dakota has increased the speed limits upon its Interstate and major highways.

Thank you very much for the opportunity to assist the North Dakota Safety Council in studying this issue and in drafting this proposal for consideration by the legislative assembly. Should you have any additional questions or concerns from our company, do not hesitate to contact me. Warmest personal regards and good luck with respect to this proposal.

Sincerely,

NODAK MUTUAL INSURANCE COMPANY

Paul E. Traynor, General Counsel

PET:nn
Enc.
cc: John Czerwonke, Executive Vice President & CEO

January 27, 1999

Robert L. Hansen
8308 Riverview Road
Fargo, ND 58104

Dear Members of the House Transportation Committee,

My name is Rob Hansen from Fargo, ND. I am a wine and spirits distributor in North Dakota. I am writing in support of HB 1291. My industry is particularly interested in reverting to a six month instructional permit status after an alcohol law violation. Our product is not meant for minors and we are always interested in measures taken to eliminate this problem. We think the best way to change the habits of teens is through education and stricter measures to prevent minors from drinking, and especially drinking and driving.

Thank you.

Robert L. Hansen
President
Ed Phillips and Sons

Testimony for House Bill No. 1291
House Transportation Committee
Prepared by Bryan Hoime
North Dakota Township Officers Association

Good morning Mr. Chairman, members of the transportation committee. My association has looked for years to find who has the authority to set the curriculum for driver's education and behind-the-wheel training. It's simply not listed anywhere in statute, other than to say that one must complete a driver's education course to receive a license. As I've researched this I've found that back in the early 90's there was cooperation between the ND DOT and ND DPI. Through administrative rules a "Administrative Resource Guide" for driver and traffic safety education was made available to driver's training instructors. I believe this agreement has since expired and no one has looked at the curriculum content for several years. I've also found out there is an association made up of drivers instructors, called the North Dakota Drivers and Traffic Safety Education Association which meets a few times a year to discuss matters of driver safety.

As township officers from 1350 + townships, we're concerned about the number of accidents and deaths involving young and old persons alike traveling on gravel roads. A city friend of mine discussed this problem with me recently and she said " I hate gravel.. as soon as I get on it.. I get white knuckled." Gravel road driving combines unique situations which you'll not find on many other driving surfaces across the state. Loose gravel, fresh gravel, washboard, wet and soggy gravel, water puddles in some instances, normal maintenance ridges along gravel roads, all play a dramatic effect in the handling of a vehicle, and the speed needed for safe gravel road driving.

That's why I'm here today Mr. Chairman, after addressing these concerns with DPI, Highway Patrol, ND Safety Council, and legislators alike I'm offering these amendments to coincide with an already existing proposal included in this bill. On page 4, line 6 of this bill there is direction to the superintendent of DPI to approve a classroom and behind-the-wheel courses. After conversations with the superintendent, I know he doesn't want the sole responsibility and so these amendments will add new sections to 15-21 (which is the Superintendent of Public Instruction statute) to provide for the establishment of the Driver and Traffic Safety Education Program, a committee of seven members, and their duties of developing and approving minimum content of those two programs. I know there are other amendments being offered to this bill, we've reviewed the bill and are in support of it. My hope is this committee will look favorably on these amendments and include them in the bill.

Margaret Reicke
Nursing ASN.

THE FOLLOWING INFORMATION WAS EXTRACTED FROM A RECENT REPORT ISSUED BY THE NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION AND THE NORTH DAKOTA DEPARTMENT OF HEALTH.

Drinking and Driving

Percentage of students who rode with a driver who had been drinking alcohol or drove after drinking alcohol during the 30 days prior to the survey :

	Rode with a driver who had been drinking	Drove after drinking .
7th Grade	46%	--
8th Grade	56%	--
9th Grade	47%	22%
10th Grade	53%	34%
11th Grade	61%	44%
12th Grade	66%	53%
ND Sample 9-12	56%	37%
National 9-12	37%	17%

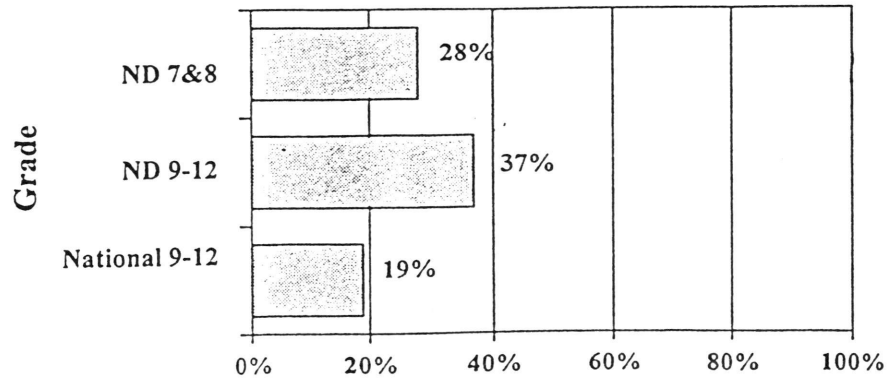
The percentage of North Dakota 9-12 grade students who drink and drive is higher than in any other state.

In 1997, 10 percent of North Dakota sampled 9-12 grade students reported they had gotten into trouble with the police within the past year because of drinking.

Natl Av. - 37%

Seat Belts / Helmets

Percentage of students who RARELY or NEVER wore a seat belt



Chapter of the
National Safety Council

NORTH DAKOTA SAFETY COUNCIL, INC.

111 N. 6TH ST. • BISMARCK, ND 58501-4402
TELEPHONE: 701-223-6372 • FAX: 701-223-0087
IN STATE WATS: 800-932-8890
e-mail ndsc@tic.bisman.com

HB-1291

SUMMARY OF GRADUATED DRIVERS LICENSING IN NORTH DAKOTA

Graduated drivers licensing is a method of advancing youthful vehicle drivers (those under 18 years of age) through a program of increased responsibility as their experience grows. This concept is gaining acceptance across the nation as governmental entities, safety minded organizations, parents of young drivers, parents of young drivers killed in crashes, and the insurance industry have come together to seek answers to the problem of young drivers and the tragic automobile crashes that continue to occur.

Statistics vary from state to state, but a good rule of thumb is that young drivers account for twice as many crashes and fatalities as their numbers should, based on the total numbers of young drivers when compared to the total number of all drivers. North Dakota's statistics are indicative of the problem. During 1997, drivers between the ages of 14 and 17 accounted for only 4.6 percent of all drivers, but accounted for 11.1 percent of all crashes and 12.1 percent of all injury crashes. Furthermore, nearly eight percent of North Dakota's 1997 fatalities occurred with young drivers at the wheel. Plus, statistics for the three previous years are even more dramatic.

The North Dakota Safety Council organized a committee to evaluate the situation, determine if a problem existed, and if so to suggest ideas of change. The Committee was comprised of representatives from the medical community, all phases of law enforcement, agriculture, government units, insurance companies, and the Legislature.

Shortly after its first meeting in October of 1997, the Committee concluded, upon review of North Dakota's accident statistics, that a problem existed. Further, the Committee agreed to try and arrive at a consensus position that could possibly be presented to the 1999 Legislature.

The Committee's consensus position contains the following points:

1. Recipients of an instructional permit who are younger than 18 years of age will drive under the provisions of that permit for a period of six months, up from the current three-month requirement. Further, those driving under the provisions of an instructional permit

A Nongovernmental
Not-For-Profit
Public Service Organization

will need to be supervised by a person at least twenty two years of age with at least one year of driving experience and who possesses a valid drivers license, up from the present requirement of fifteen years, 3 months of age for a supervising driver.

2. After a young driver has six months of driving experience under the provisions of the instructional permit, has completed classroom and behind-the-wheel driving instruction, has not been convicted of a traffic offense, and has passed a behind-the-wheel examination administered by the state, the young driver will advance to a restricted license.

3. The restricted license entitles the young driver to all the rights and privileges of a drivers license between the hours of 6:00 a.m. and midnight. However, the young driver may not drive or carry passengers after midnight and before 6 a.m. unless accompanied by a supervising driver. Further, the young driver possessing a restricted drivers license may not carry more passengers than the manufacturer's recommended passenger load, and if the young driver accumulates more than six points or is found guilty of any alcohol law violation, the young driver shall revert to instructional permit status for six months following any suspension, revocation, or other penalty so imposed.

4. Upon reaching the age of 18, the young driver would be granted all driving privileges if he or she is not serving some type of penalty previously imposed.

5. The provisions of graduated licensing would be enforced the same as all other traffic laws.

6. Young drivers who live on farms or ranches and have a restricted drivers license may operate motor vehicles for the purpose of farming or ranching, but may not carry passengers after midnight or before 6:00 a.m. unless accompanied by a supervising driver.

CURRENT YOUNG DRIVER LICENSING LAW

- Permit at 14 years of age with parent's/guardian's permission.
  - Must pass written test to obtain permit
  - Must hold permit minimum of only 90 days
  - Supervising driver - only needs one year driving experience -- 15 yrs, 3 mo.
  - Upon passing behind the wheel test, full license, but restricted to using only parent's or guardian's vehicle.
  - Must complete six hours behind the wheel with a drivers education or commercial driving school instructor.
  - No classroom requirement unless the young driver receives behind the wheel training from a public school. A 14 year old driver can complete six hours behind the wheel at a commercial driving school and obtain a license without ever completing classroom study.
- At 16 years of age parent or guardian permission still required
  - No behind the wheel or classroom requirement exists.
  - Hold permit for minimum of 90 days
  - Supervising driver could be 15 years, 3 months of age

CHANGES THAT WOULD OCCUR UNDER GRADUATED DRIVERS LICENSING AS PROPOSED

- Hold permit for 6 months rather than 3 months
- Classroom and behind the wheel training for all minors
- Supervising driver be at least 22 years of age
- No driving between the hours of midnight and 6:00 a.m. unless accompanied by a supervising driver. Farm exemption allowed.
- Carry only as many passengers at manufacturer's recommendation
- Violate any of the state's vehicle liquor laws or accumulate more than 6 points during any 12 month period, and return to permit status.
- Violate restrictions of license treated same as driving without a license.
- Full license at age 18

Chapter of the
National Safety Council

NORTH DAKOTA SAFETY COUNCIL, INC.

111 N. 6TH ST. • BISMARCK, ND 58501-4402
TELEPHONE: 701-223-6372 • FAX: 701-223-0087
IN STATE WATS: 800-932-8890
e-mail ndsc@tic.bisman.com

MEMORANDUM

TO: REPRESENTATIVE GEORGE KEISER

FROM: BOB GRAVELINE

RE: HB-1291 – GRADUATED DRIVER LICENSING

Dear Representative Keiser:

During yesterday's hearing before the Transportation Committee, Rep. Sveen asked about the Minnesota GDL bill. I have attached a recap sheet explaining the Minnesota law. Upon review, you will notice there are a number of similarities to North Dakota HB-1291.

Further, there was also a question raised about what age North Dakota youth obtain their driver's license. Enclosed is a sheet provided to our GDL study committee by the ND DOT that clearly shows the majority of young drivers get their licenses at age fourteen.

Should you or any member of your Committee wish to have other information about GDL, please contact me and I will assist you. Thanks to you and your Committee for your diligent efforts on graduated driver licensing.

Minnesota Department of Public Safety
Driver and Vehicle Services

GRADUATED DRIVER'S LICENSE LAW

Effective January 1, 1999

The Graduated Driver's License (GDL) law provides for three phases of licensing for persons under 18 years of age:

Phase I – Instruction Permit

Qualifications

1. Must be at least 15 years of age.
2. Must have completed 30 hours of classroom instruction.
3. Must pass vision and written tests, complete application, and pay required fee.

Conditions

1. Permit holder may drive under the supervision of a certified driving instructor, parent or guardian, or other licensed driver age 21 or older. The supervisor must occupy the seat beside the permit holder.
2. Every occupant under the age of 18 must have a seat belt or child passenger restraint system properly fastened.

Phase II – Provisional License

Qualifications

1. Must be at least 16 years of age.
2. Must have completed driver education.
3. Must have held an instruction permit for six months with no convictions for moving violations or convictions for alcohol/controlled substance violations. (M.S. 169.121 Driving Under the Influence, M.S. 169.1218 Underage Drinking and Driving, M.S. 169.122 Open Bottle, 169.123 Implied Consent)
4. Must pass road test, complete application, and pay required fee.
5. The person who approves the application also certifies that the applicant has driven under the supervision of a licensed driver at least 21 years of age for not less than 30 hours, at least ten of which were at night.

Conditions

Every occupant under the age of 18 must have a seat belt or child passenger restraint system properly fastened.

Phase III – Full License

Qualifications

1. Must be at least 18 years of age or must have held a provisional license for at least 12 consecutive months with no convictions for alcohol/controlled substance violations or crash-related moving violations, and with not more than one conviction for a moving violation that is not crash-related.
2. Must complete application and pay required fee.
3. If under 18, the person who approves the application also certifies that the applicant has driven under the supervision of a licensed driver at least 21 years of age for not less than ten hours on the provisional license.

Conditions

None.

This legislation also:

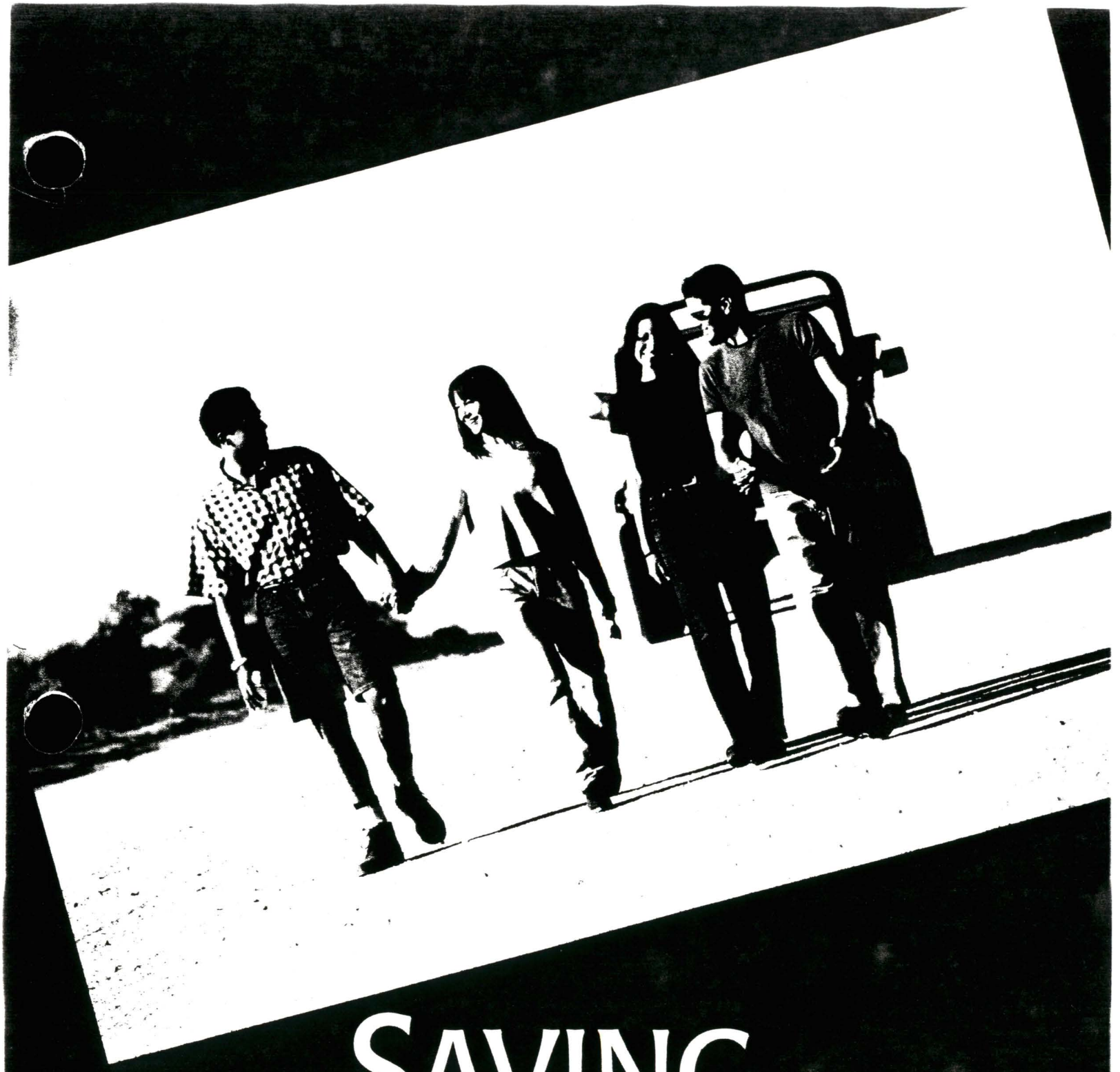
1. Directs the commissioner of public safety to create rules establishing youth-oriented driver improvement clinics for traffic violators age 18 and under.
2. Provides that a person who fails the driving test four times must complete a minimum of six hours of behind-the-wheel instruction with a licensed instructor before taking the road test again. (A valid instruction permit is required).
3. Exempts restricted farm work license applicants from the requirement to hold an instruction permit for six months and a provisional license for 12 months.
4. Establishes the fee for a provisional license at $9.50.
5. Gives a $3.50 credit toward the fee for a full license for an applicant who has no violations during the provisional license phase.
6. Requires an applicant who is age 18 and who has applied for an instruction permit to hold the permit for six months before taking a road test. This time period is reduced to three months if the applicant completes an approved course of behind-the-wheel instruction.
7. Provides for a designation on a Minnesota driver's license or identification card indicating that the person holds a firearm safety certificate.

For more information, contact:

Minnesota Department of Public Safety
Driver and Vehicle Services Division
445 Minnesota Street, Suite 175
St. Paul, Minnesota 55101-5175
Voice: (612) 296-2005
Fax: (612) 296-5316
TTY Only: (612) 282-6555
E-mail:drivers.licenses@state.mn.us

Additional Resources

- Parental Involvement Resources: A list of resources to help make coaching your teenage driver easier.
- Minnesota Driver's License Manual

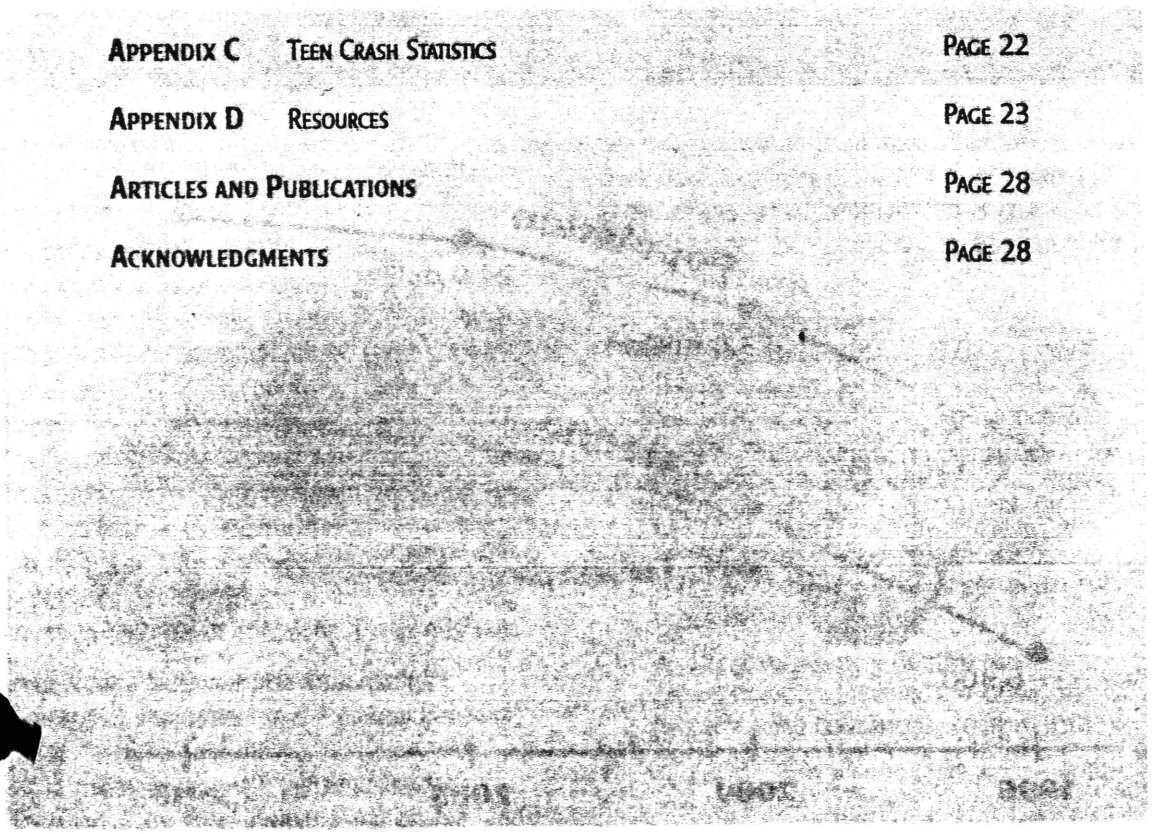


SAVING TEENAGE LIVES:

THE CASE FOR GRADUATED DRIVER LICENSING

Index

SECTION I	INTRODUCTION: THE NEED FOR GRADUATED DRIVER LICENSING	PAGE 4
SECTION II	TRADITIONAL DRIVER LICENSING VS. GRADUATED DRIVER LICENSING	PAGE 7
SECTION III	HOW GRADUATED DRIVER LICENSING IS EFFECTIVE	PAGE 9
SECTION IV	GRADUATED DRIVER LICENSING: RESULTS FROM THE U.S. AND OTHER COUNTRIES	PAGE 12
SECTION V	SUPPORT FOR GRADUATED DRIVER LICENSING	PAGE 14
SECTION VI	STATES SHOULD ADOPT GRADUATED DRIVER LICENSING	PAGE 16
APPENDIX A	GRADUATED DRIVER LICENSING MODEL LAW	PAGE 17
APPENDIX B	CHARACTERISTICS OF SELECTED U.S. LICENSING LAWS	PAGE 20
APPENDIX C	TEEN CRASH STATISTICS	PAGE 22
APPENDIX D	RESOURCES	PAGE 23
ARTICLES AND PUBLICATIONS		PAGE 28
ACKNOWLEDGMENTS		PAGE 28



SECTION I

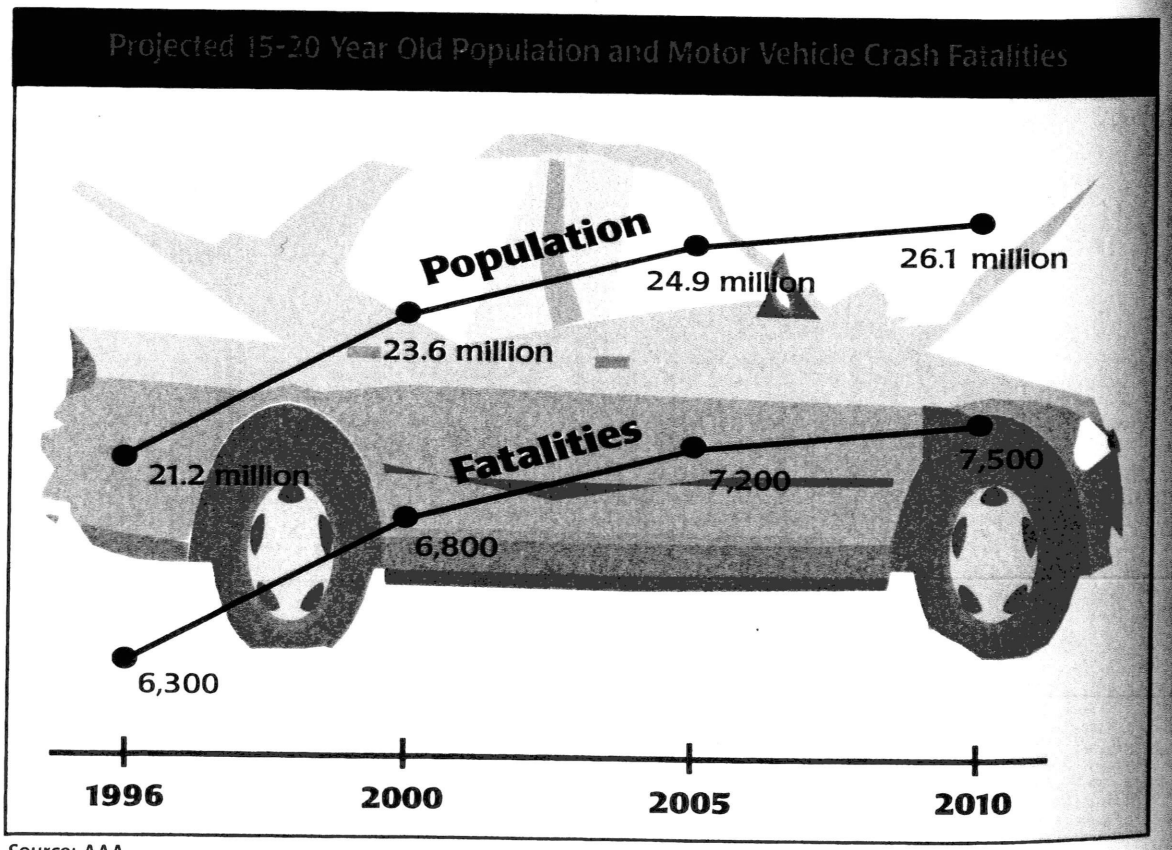
Introduction: The Need for Graduated Driver Licensing

In 1996, 6,319 young people age 15-20 died in motor vehicle crashes. Even though this age group makes up only seven percent of the driving population, they are involved in 14 percent of all traffic fatalities.

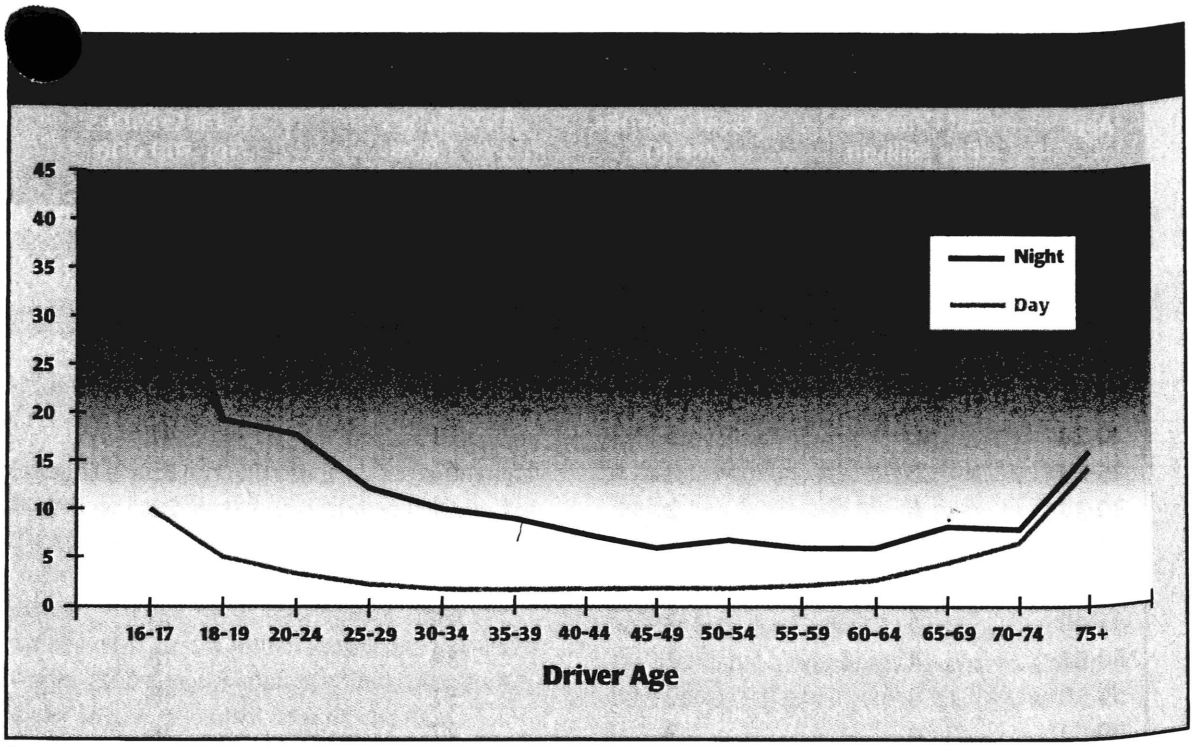
The Teen Driving Problem

It has been said many times that children are our most precious resource. While parents throughout time have loved their children enormously, today's parents have taken this saying to heart in more visible ways than previous generations. From the "Caution–Baby on Board" window decals of the early 1980s to the ubiquitous "My child is an honor student at..." bumper stickers of today, modern parents use the family car as a billboard to showcase their parental pride and their children's accomplishments.

But the same motor vehicle that goes from school to soccer to piano–in which Mom, Dad and the kids seem to live–may also be the vehicle in which our teenagers die. Motor vehicle crashes are the leading cause of death for young people 15 to 20 years of age, causing roughly one-third of all fatalities in this age group. In 1996, 6,319 young people age 15-20 died in motor vehicle crashes. Even though this age group makes up only seven percent of the driving population, they are involved in 14 percent of all traffic fatalities. In 1996, teens were involved in more than two million non-fatal traffic crashes. Based on population projections, these numbers will go up unless we intervene. (See chart below.)



Source: AAA



Source: Insurance Institute for Highway Safety (*Night Driving Restrictions for Youthful Drivers*–January 1997)

On a basis of miles driven, teenagers are involved in three times as many fatal crashes as are all drivers. Why do young drivers have such poor driving performance? Three factors work together to make the teen years so deadly for young drivers:

- Inexperience
- Risk-taking behavior and immaturity
- Greater risk exposure

Inexperience: All young drivers start out with very little knowledge or understanding of the complexities of driving a motor vehicle. Like any other skill, learning to drive well takes a lot of time. Technical ability, good judgment and experience all are needed to properly make the many continuous decisions, small and large, that add up to safe driving. By making it so easy to get a driver license–by literally handing teenagers the car keys without requiring an extended period of supervised practice-driving time–we are setting them up for the risk of making a fatal mistake.

Risk-taking behavior and immaturity: Adolescent impulsiveness is a natural behavior, but it results in poor driving judgment and participation in high-risk behaviors such as speeding, inattention, drinking and driving, and not using a seat belt. Peer pressure also often encourages risk taking.

Greater risk exposure: Teens often drive at night with other teens in the vehicle, factors that increase crash risk.

Teen drivers *are* different from other drivers, and their crash experience is different. Compared to other drivers, a higher proportion of teenagers are responsible for their fatal crashes because of their own driving errors:

- A larger percentage of fatal crashes involving teenage drivers are single-vehicle crashes compared to those involving other drivers. In this type of fatal crash, the vehicle usually leaves the road and overturns or hits a roadside object such as a tree or a pole.
- In general, a smaller percentage of teens wear their seat belts compared to other drivers.
- A larger proportion of teen fatal crashes involve speeding, or going too fast for road conditions, compared to other drivers.

Crash Involvement Rates by Driver Age				
Age	All Crashes Per Million Miles	Fatal Crashes Per 100 Million Miles	All Crashes Per 1,000 Population	Fatal Crashes Per 100,000 Population
16	43	17	84	33
17	30	13	101	42
18	16	8	103	52
19	14	7	95	48
16-19	20	9	96	44
20-24	10	5	81	41
25-29	6	3	64	33
30-34	5	2	51	26
35-39	4	2	47	23
40-44	4	2	42	20
45-49	4	2	39	18
50-54	4	2	34	18
55-59	4	2	31	16
60-64	4	3	27	16
65-69	7	4	27	16
70-74	8	5	25	17
75+	12	12	18	17

Source: Insurance Institute for Highway Safety (*Transportation Research Board Circular #458* – April 1996)

- MORE TEEN FATAL CRASHES OCCUR WHEN PASSENGERS—USUALLY OTHER TEENAGERS —ARE IN THE CAR THAN DO CRASHES INVOLVING OTHER DRIVERS. TWO OUT OF THREE TEENS WHO DIE AS PASSENGERS ARE IN VEHICLES DRIVEN BY OTHER TEENAGERS.

Effective remedies exist for controlling these risk factors and reducing traffic crash fatalities among young drivers without seriously encroaching on their need to get around. Graduated driver licensing combines a number of measures proven to be effective in fostering safer driving behavior in young drivers. In Ontario, Canada, and in New Zealand–where graduated driver licensing is in effect–crash deaths and injuries for teenage drivers have been reduced. Maryland, which has a nighttime driving restriction, and California have shown reductions in both fatal crashes and traffic violations among young drivers.

With graduated driver licensing, new drivers typically go through a three-stage process that involves their gradual introduction to full driving privileges. By restricting *when* teenagers may drive, and with whom, graduated driver licensing allows new drivers to gain much-needed on-the-road experience in controlled, lower-risk settings. It also means that a teenager will be a little older and more mature when he or she gains a full, unrestricted license. After the young driver demonstrates responsible driving behavior, restrictions are systematically lifted until the driver "graduates" to full driving privileges.

This manual explains what graduated driver licensing is and why it is so important for every jurisdiction to take steps towards its implementation.

SECTION II

Traditional Driver Licensing vs. Graduated Driver Licensing

The Traditional Driver Licensing Process

Driver licensing is a function of state government. Each state has different rules and regulations, but the essential steps are similar. An individual applies to the Department of Motor Vehicles or other licensing agency for a driver license. He or she usually must pass a written knowledge test and a vision test before scheduling a road test with the driver license examiner. New drivers must demonstrate basic driving skills in a road test.

In 35 states, a learner's permit is required for novice drivers. Teens under 18 must have parental permission to apply for a learner's permit. Learner's permits automatically expire in all states except Virginia. The expiration ranges from 60 days to six years. Most states place only minimal limitations on driving with a learner's permit. For instance, only 19 have any limits on nighttime driving.[1]

A comprehensive evaluation of state driver licensing codes by the *Insurance Institute for Highway Safety* concluded that current driver licensing practices "allow a quick and easy route through the learning phase" and place too little emphasis on supervised practice and training.[1] Most highway safety experts agree that it is too easy to get a driver license in this country. Driving a motor vehicle is dangerous, yet the requirements and testing are minimal. It is entirely conceivable that an inexperienced young driver could pass a road test and receive a full, unrestricted driver license with almost no "real world" driving experience. A graduated driver licensing system addresses this problem by controlling the circumstances under which beginning teenage drivers may get behind the wheel.

The Graduated Driver Licensing Process

A graduated driver licensing system allows young drivers to acquire safe driving practices and attitudes as they progress through a three-stage process of licensure.

This system has several distinct advantages over the traditional driver licensing system. Graduated driver licensing gives young, novice drivers:

- PRACTICE IN DEVELOPING DRIVING SKILLS OVER AN EXTENDED PERIOD OF TIME, LEADING TO GREATER EXPERIENCE, MATURITY AND JUDGMENT;
- INCREASED TIME IN SUPERVISED BEHIND-THE-WHEEL TRAINING DURING DAYLIGHT AND NIGHTTIME HOURS;

The Three Stages of Graduated Licensing

LEARNER'S PERMIT:
Supervision is required at all times, and other restrictions also apply. This period includes basic driver education and requires that no crashes or convictions occur before the learner advances. There are restrictions on carrying teenage passengers, there can be no violations for failing to wear a seat belt and there is zero alcohol tolerance.

INTERMEDIATE LICENSE (OR PROVISIONAL LICENSE OR JUNIOR LICENSE):
Fewer restrictions are imposed; for example, unsupervised driving is permitted during daylight hours. This period may include advanced driver education and continues to require zero alcohol tolerance and no at-fault crashes or convictions before advancing the driver to the final stage.

FULL LICENSE (OR UNRESTRICTED LICENSE):
All driving restrictions are removed (except for applicable laws, such as zero alcohol tolerance for drivers under 21).

- EDUCATION IN BASIC AND ADVANCED DRIVING SKILLS AND SAFETY KNOWLEDGE; AND
- MOTIVATION TO PRACTICE SAFE DRIVING SKILLS AND BEHAVIOR BY REQUIRING A CRASH-FREE/CONVICTION-FREE DRIVING PERFORMANCE PRIOR TO FULL LICENSURE.

Core and Recommended Components

All graduated driver licensing systems contain certain core components in order to be effective. Other components are recommended and should be considered for any new or expanded program.

Stage 1 - Learner's Permit

This stage allows the young novice driver the opportunity to practice basic driving skills and safe driving practices under totally supervised conditions.

Minimum eligibility requirements:
- Meet the minimum age required by the state (currently varies from age 14 to age 17; no younger than age 16 is recommended);
- Pass vision and knowledge tests, including rules of the road, signs and signals.

Core components:
- All driving must be supervised by a licensed parent, guardian or adult at least 21 years old;
- Permit holder must complete basic driver education including behind-the-wheel/vehicle skills training;
- All vehicle occupants must wear seat belts;
- Zero alcohol tolerance for those under age 21;
- Permit is cancelled if applicant is convicted of any alcohol-related offense;
- Applicant must remain free of at-fault crashes and convictions for at least six consecutive months in order to move to the next stage; and
- Minimum holding period of six months;
- Permit is visually distinctive from other driver licenses.

Recommended components:
- Parental participation in the driving process (for instance, certifying that the novice driver has had a minimum number of supervised hours of driving);
- Youth-oriented and more rapid driver improvement actions are taken in the event of violations or at-fault crashes;
- Limitations on speed and types of roads where driving is allowed; and
- Limitations on carrying teenage passengers.

Stage 2 - Intermediate License

This stage gives the young driver behind-the-wheel practice under less restrictive circumstances and exposes the driver to more demanding driving situations. It provides an opportunity for the new driver to use newly acquired driving and decision-making skills by allowing unsupervised driving during daylight hours.

Minimum eligibility requirements:
- Successfully complete the learner's permit stage;
- Meet the minimum age required by the state; and
- Pass on-road driving test.

Core components:
- Restricted nighttime hours of driving unless supervised by a licensed parent, guardian or adult at least 21 years old (for instance, only supervised driving from 10:00 p.m. to 5:00 a.m.);
- All vehicle occupants must wear seat belts;
- Zero alcohol tolerance for those under age 21;
- Successfully complete driver education;
- License revocation for any alcohol-related offense;
- Youth-oriented and more rapid driver improvement actions are taken in the event of violations or at-fault crashes; and
- Applicant must remain free of at-fault crashes and convictions for at least twelve consecutive months in order to move to the next stage.
- License is visually distinctive from other driver licenses.

Recommended components:
- Parental participation in the driving process (for instance, certifying that the novice driver has had a minimum number of supervised hours of driving);
- Limitations on speed and types of roads where driving is allowed; and
- Limitations on carrying teenage passengers.

Stage 3 - Full License

This stage allows unlimited driving privileges.

Minimum eligibility requirements:
- Successfully complete the intermediate license stage;
- Meet the minimum age required by the state; and
- Zero alcohol tolerance for those under age 21.

Recommended components:
- Downgrade to a provisional license for drivers whose licenses have been suspended or revoked, and require a crash-free/violation-free period of time prior to re-obtaining full license until age 21;
- Pass second level knowledge test and on-road driving test; and
- Successfully complete advanced driver education.

Refer to Appendix B for a chart of states that have one or more of the core components of a model graduated licensing law, as developed by the National Committee on Uniform Traffic Laws and Ordinances (Appendix A).

SECTION III

How Graduated Driver Licensing is Effective

Addressing the Problems

Young novice drivers are a highway safety problem for many reasons, primarily a combination of immaturity, inexperience and high-risk driving exposure. This is true for teenagers everywhere, but it is a particular problem in the United States, where more teenagers have cars or have access to a family car than in any other nation. Teenagers are also more likely to drive older and smaller cars, are less likely to wear seat belts, and are more likely to have multiple teenage passengers.

Traditional approaches–high school driver education, a learner's permit and perhaps stepped up penalties for infractions–have not had as great an impact on reducing the incidence of teen crashes and convictions as anticipated. In fact, there is some evidence that early driver education classes may encourage younger licensure, thereby increasing risk exposure.

On the other hand, graduated driver licensing has been shown to be effective by:

- EXPANDING THE LEARNING PROCESS;
- REDUCING RISK EXPOSURE;
- IMPROVING DRIVING PROFICIENCY; AND
- ENHANCING MOTIVATION FOR SAFE DRIVING.

Let's look at each of these four benefits.

Expanding the learning process

Graduated driver licensing lengthens the learning process. The longer the period of time that elapses between issuance of the first permit to the full, unrestricted license, the more maturity and experience the novice driver will accumulate and the better his or her driving performance will be. The learning experience for driving cannot be rushed. As with any complex task, it takes time to assimilate the skills and information needed to perform the job adequately.

Reducing risk exposure

Graduated driver licensing allows young drivers to gain much-needed driving experience in controlled, lower risk circumstances, such as nighttime driving restrictions, passenger limitations, required restraint use for all occupants, and license sanctions that kick in at a lower threshold (e.g., first conviction for a serious violation).

These exposure-reducing components work in two ways. First, they catch young drivers early when they make mistakes or errors in judgment and allow correction. Second, they serve as a motivating factor for teens to study for tests, drive safely and avoid risks in the first place.

Percentage of Fatal Crashes With Various Characteristics, by Driver Age, 1993

	Driver Age		
	16	17-19	20-49
Single Vehicle	44	37	29
Driver Error	82	74	62
Speeding	37	33	23
3+ Occupants	33	27	18
0.10+ Percent BAC*	5	28	48
Female Driver	34	27	29

* BAC=Blood Alcohol Concentration. In most states, 0.10 percent is the legal BAC threshold.

Source: Insurance Institute for Highway Safety (*Status Report* – December 17, 1994)

Graduated driver licensing has been shown to be effective by:

- Expanding the learning process;
- Reducing risk exposure;
- Improving driving proficiency; and
- Enhancing motivation for safe driving.

Improving driving proficiency

Placing limits on teen mobility may reduce driving exposure, but driving proficiency can be improved through measures that emphasize getting teens behind the wheel to practice. These components encourage the intermediate licensee to make safe driving decisions *while driving* to reduce risk. They include: multi-level instruction coupled with multi-level testing (giving inexperienced drivers the opportunity to first learn then practice the basics before moving on to learning and practicing more advanced skills); parental guidance; driver improvement courses; and delayed re-testing after failure.

Enhancing motivation for safe driving

Graduated driver licensing not only helps the novice driver better cope with risks, but also enhances the motivation to drive safely and "play by the rules." Restrictions are lifted as rewards for good driving, and sanctions are imposed for violations. For young drivers, the worst sanction may be the delay that keeps them in an earlier stage longer, while their peers advance to the next level. By making relief from restrictions contingent upon a good driving record, graduated driver licensing provides incentive to drive safely.

How the Community Can Promote Graduated Driver Licensing

Everyone has a role to play in promoting graduated driver licensing and helping it succeed. Here are just a few examples:

s–

Parents or guardians are essential. While no system should put all the burden on parents, a graduated driver licensing system emphasizes parental supervision (e.g., providing driving practice, determining when and where driving is done, etc.) and parental certification that practice hours have been completed as required. Graduated driver licensing encourages parents to actively take part in preparing their teenagers for driving. It provides an opportunity for parents to serve as positive role models for their children.

Traffic Safety Education Field –

Driver education works better with a graduated driver licensing system, which provides an incentive for formal instruction. The current high school driver education system can be adapted to fit well within a graduated driver licensing system. This would require the course to be divided into two or three discrete phases, with practice sessions and testing at the end of each segment.

Modern communications tools such as home video and interactive computer learning materials can supplant or augment classroom training prior to behind-the-wheel practice. Training programs and materials should not focus on how to pass the test but rather how to incorporate the appropriate skills, attitude and behavior to be a successful driver. Such a program should also include information on other aspects of transportation safety, such as pedestrian safety, bicycle safety, the need for occupant protection, and the importance of motorcycle helmets. Programs should also cover transportation issues such as alternate transport, trip planning and vehicle preparation and actions to take in an emergency. And, where there is a choice, teens should be encouraged to drive safer vehicles.

Medical Community–

The medical community sees firsthand the results of motor vehicle crashes. Most physicians, nurses, emergency medical service professionals and others will tell you that the hardest part of their job is telling a family about the loss of a child or other family member. Although implementation of a graduated driver licensing process does not directly involve the medical community, these individuals (as well as their state and national professional organizations) are likely to be strong allies and partners in the process.

Law Enforcement –

Nearly every national law enforcement group has endorsed graduated driver licensing because police officers–like the medical community–are the ones who see the results of poor driving every day. Law enforcement has an active role to play in the implementation of a new system, and keeping traffic officers informed about changes in laws is a vital step. Law enforcement officers are also highly effective speakers at high school assemblies, Scout meetings, and other youth group gatherings.

Questions and Answers On Graduated Driver Licensing

Does graduated licensing discriminate against teenagers?

No. On the contrary, graduated driver licensing *protects* teenagers by introducing beginning drivers to the driving process under controlled circumstances in a low-risk manner. Just as teens are not allowed to conduct certain work, legal or financial transactions without direct parental involvement, they should not be allowed to drive until they have learned how to do it safely.

How can teens get around to school, jobs and extracurricular activities?

There is no question that, for safety's sake, graduated driver licensing limits mobility for younger teens. This is true especially at night (the most dangerous time), but most states allow exceptions in the case of driving to school or work or for farm-related activities. Delaying full licensure does not significantly hinder extracurricular and social activities, however. A survey by the Insurance Institute for Highway Safety of more than 50,000 high school students in seven states found that the social life and work patterns of 16-year-olds were generally unaffected by the beginning driving age in their state.

Is driver education the best way to learn to drive?

A good program that combines both classroom learning and behind-the-wheel training is an effective way to learn basic driving skills. But most driver education programs do not allow for significant hours of practice driving, and that is what new drivers need. Driving is a skill that improves with time and maturity. A 1994 Report to Congress by the National Highway Traffic Safety Administration concluded that "current novice driver education is not doing a very good job in motivating youngsters to drive safely." A graduated driver licensing system rewards good driving by allowing the safe novice driver to move ahead to the next step.

Aren't parents anxious for their teens to drive so they don't have to be the "chauffeur"?

Parents face a real dilemma when it comes to teen driving. On the one hand, most are quite anxious to give up the "chauffeur" duties and let their teens handle their own transportation. On the other hand, they are fearful of the increased risks this brings. Parents strongly support graduated driver licensing, despite some minor inconveniences to themselves. More importantly, graduated driver licensing gets parents more involved by asking them to ensure their children get enough supervised driving practice. The longer period of supervised driving gives parents and teens plenty of opportunity not only to practice but also to discuss driving skills, attitudes and behaviors. Parents also may feel more secure once their teens are fully licensed because they have more experience and maturity to handle difficult situations on the road.

Driving is a skill that improves with time and maturity.

SECTION IV

Graduated Driver Licensing: Results from the U.S. and Other Countries

After five years, a report issued by the California Department of Motor Vehicles found that the licensing system contributed to a 5.3 percent reduction in the rate of crashes involving drivers age 15-17.

Although licensing practices vary from state to state, a number of states have adopted components of a graduated driver licensing system, and those that have completed evaluations have seen positive results. Here are three states that have evaluated the effect of their program on teen crashes and traffic convictions.

Maryland

In 1979, Maryland became the first state to adopt some of the features of a model graduated driver licensing program. Evaluation was built into the process so the state could determine whether or not the new techniques would reduce the incidence of crashes and convictions (as well as subsequent injuries and deaths) among teen drivers.

Maryland emphasized parental participation, successful completion of driver education, restricted nighttime hours, and crash-free/conviction-free driving for six months before getting a full license (or wait until age 18). The minimum age for a learner's permit was 15 years and nine months, while 16 and one month was the minimum for a provisional license.

The findings of this project, published in 1983, showed a five percent reduction in crashes and a ten percent reduction in convictions for all 16- and 17-year-old drivers (however, only about half of that population was actually participating in the program, so the actual effectiveness of the program in terms of reduced crashes and convictions may have been higher). A later study reported continued success with the program, which was still producing a five percent reduction in daytime crashes and a ten-percent reduction in daytime violations.

The state has since extended the learner's permit period, lengthened the period of conviction-free driving from six months to one year, increased the nighttime driving restrictions and improved controls on novice drivers with poor driving performance.

California

California launched a graduated driver licensing program in 1983 and evaluated its effect on 16- and 17-year-olds. Like Maryland, California emphasized parental involvement. Although teens could get a learner's permit at age 15, they could not get a provisional license until age 16 or a full adult license until age 17. Both driver education and driver training were required, and parents had to certify that the student had the required hours of driving practice.

After five years, a report issued by the California Department of Motor Vehicles found that the licensing system contributed to a 5.3 percent reduction in the rate of crashes involving drivers age 15-17.

Since that time, California has adopted a stronger, more effective graduated licensing program that includes a requirement of 50 hours of supervised practice driving, including 10 hours of nighttime driving, during the intermediate license stage.

Oregon

Oregon's provisional licensing system took effect in 1989. It allowed students to get a learner's permit at 15, a provisional license at 16 and a full license at 18. Oregon put great emphasis on alcohol, implementing both administrative suspension for any measurable amount of alcohol for anyone under 21, and requiring a minimum one-year suspension for anyone under the age of 18 convicted of any alcohol or drug offense or any other major traffic violation.

Oregon's program was particularly effective with young male drivers (ages 16 and 17), who had approximately 16 percent fewer crashes than non-provisionally licensed male drivers during the first year of driving. No significant difference was found for female drivers. The results were reported in 1991.

Additional Studies

In addition to the three states profiled above, evaluation studies are currently under way in Florida, Kentucky, Michigan and North Carolina. The Insurance Institute for Highway Safety is evaluating Florida's program and preliminary information from the Florida Department of Highway Safety and Motor Vehicles looks quite positive. Reports on these evaluation efforts will be made available as they are completed over the next several years.

Experiences in Other Countries

New Zealand

New Zealand implemented its graduated driver licensing program in 1987. It covered young novice drivers age 15-25 and put great emphasis on training and testing. A learner's permit was required for six months before a driving test could be attempted, but if the student took a driving course, the waiting time was reduced to three months. The restricted license (step 2) limited nighttime driving and prohibited any passengers unless an adult was supervising. Teens had to hold the restricted license for 18 months before applying for the full license, although again the waiting time was cut in half if they successfully completed an advanced driver training course.

A 1992 report showed an eight percent reduction in the proportion of crashes involving drivers who were 15-19 years old.

Canada: Ontario

Recently released results from a study of Ontario's graduated licensing system provide the clearest and most dramatic evidence yet of the benefits of graduated driver licensing.

Ontario's graduated licensing system became effective April 1, 1994. It requires a minimum of 12 months for the Level One Class G license (the

equivalent of a learner's permit) or a minimum of eight months if the applicant successfully completes an approved driver education course. It requires a licensed driver with at least four years' experience to be present in the car and limits nighttime and freeway driving. The Level Two Class G license (the equivalent of a provisional license) is held for a minimum of 12 months and, like the Level One, has a zero alcohol tolerance policy, a seat belt requirement for all passengers and early improvement interventions for violations.

Preliminary study results published in May 1998 show that the Ontario system has been tremendously successful in reducing crashes and fatalities among new drivers. The crash rate for drivers age 16-19 declined 27 percent in 1995 compared to 1993, the year before the law was implemented.

Before Ontario's graduated licensing system was in place, 16-year-olds had both a crash rate and crash fatality rate about three times that of the general public. Since graduated licensing took effect, the fatal crash rate of 16-year-olds is comparable to that of the general public. And, since 1995, the overall crash rate for 16-year-olds is *lower* than that of the general population.

The decrease in the fatal crash rate for 16-year-old drivers is especially dramatic: there were 1.8 such deaths per 10,000 licensed drivers in 1995 compared to 6.6 in 1993, the year before the law.

Preliminary study results published in May 1998 show that the Ontario system has been tremendously successful in reducing crashes and fatalities among new drivers. The crash rate for drivers age 16-19 declined 27 percent in 1995 compared to 1993, the year before the law was implemented.

SECTION V

Support for Graduated Driver Licensing

A GRADUATED driver licensing program was considered a "good" or "excellent" idea by nearly 45 percent of all respondents, while 75 percent of the parents of teenagers liked the idea.

Public Opinion

Two recent public opinion surveys point to widespread support for graduated driver licensing. A 1996 public opinion poll conducted by the American Automobile Association found that nearly three out of four respondents favor limiting the use of cars by 15-to-20-year-olds until they gain sufficient driving experience.

In 1995, the Public Attitude Monitor, an annual poll conducted by the Insurance Research Council, asked respondents to rate various suggestions for reducing auto crashes among young drivers. A graduated driver licensing program was considered a "good" or "excellent" idea by nearly 45 percent of all respondents, while 75 percent of the parents of teenagers liked the idea. Nighttime driving restrictions and zero alcohol tolerance ranked about the same. Interestingly, nearly half of all respondents thought raising the driving age to 18 was a "good" or "excellent" idea (the rate was 60 percent for parents of teenagers).[3]

Teen Drivers

It may be surprising to learn that teenagers accept and support graduated driver licensing at fairly high levels. Teenagers in New Zealand were interviewed at age 15 (before they received their license) and again at age 18. At both ages, more than 70 percent of them supported the driving restrictions in place. Sixty-seven percent of Nova Scotia teens with restricted licenses said they approved of the graduated driver licensing system. In general, older teens looking back on their inexperienced years are even more supportive than those currently under restrictions.

Overall Approval of the Graduated Licensing System

	Highly Approve (%)	Somewhat Approve (%)	Somewhat Disapprove (%)	Highly Disapprove (%)	Neutral (%)
Learner Stage					
Teenagers	18	43	28	9	1
Parents	67	20	2	1	10
Newly Licensed Stage					
Teenagers	10	57	20	12	2
Parents	74	18	2	2	4

Source: Insurance Institute for Highway Safety (*Graduated Driver Licensing in Nova Scotia*–May 1997)

Parents

Parents often look forward to the time when their teenager is licensed so they are released from the burden of chauffeuring their children to school, jobs, sports and other activities. But parents also recognize that teen drivers are at risk, no matter how "good" their children otherwise might be. Support for graduated driver licensing and its components is generally high among parents of teenagers.

In 1994, the Insurance Institute for Highway Safety surveyed parents of 17-year-olds and found that:

- 58 PERCENT FAVORED A COMPREHENSIVE GRADUATED DRIVER LICENSING PACKAGE;
- 90 PERCENT FAVORED A MINIMUM PERIOD OF SUPERVISED DRIVING BEFORE FULL LICENSURE;
- 74 PERCENT FAVORED NIGHT DRIVING CURFEWS;
- 43 PERCENT FAVORED RESTRICTING TEENAGE PASSENGERS DURING THE FIRST FEW MONTHS OF DRIVING; AND
- 97 PERCENT FAVORED ZERO ALCOHOL TOLERANCE FOR TEENAGERS.

As noted above under Public Opinion, parents of teenagers gave higher than average ratings to all suggestions for lowering teen auto crashes, including graduated driver licensing.

Support also is strong among law enforcement agencies, the medical community and within state, county and local governments. (*See "Who Supports Graduated Driver Licensing?" below*).

Who Supports Graduated Driver Licensing?

- AAA
- Advocates for Highway and Auto Safety
- Allstate Insurance
- American Academy of Family Physicians
- American Association of Motor Vehicle Administrators
- American Automobile Manufacturers Association
- American Coalition for Traffic Safety
- American College of Emergency Physicians
- American Driver and Traffic Safety Education Association
- Beer Institute and its member companies
- Brain Injury Association
- Centers for Disease Control and Prevention
- Century Council
- Distilled Spirits Council of the U.S. and its member companies
- General Federation of Women's Clubs
- Insurance Institute for Highway Safety
- International Association of Chiefs of Police
- Mothers Against Drunk Driving
- National Association of Governors' Highway Safety Representatives
- National Association of Independent Insurers
- National Center on Education in Maternal and Child Health
- National Commission Against Drunk Driving
- National Committee on Uniform Traffic Laws and Ordinances
- National Flight Nurses Association
- National Highway Traffic Safety Administration
- National Safety Council
- National Sheriffs' Association
- National Transportation Safety Board
- Nationwide Insurance
- Police Executive Research Forum
- Students Against Destructive Decisions
- Society of Trauma Nurses
- State Farm Insurance
- USAA Insurance

SECTION VI

States Should Adopt Graduated Driver Licensing

As adults, it is our responsibility to find a better way of introducing young drivers to the experience of driving.

Support is Strong

As indicated in Section V, support is strong across all segments of society for graduated driver licensing. Any state that considers a graduated driver licensing system will have active and widespread support from many state, county and municipal officials, including law enforcement officers and motor vehicle administrators.

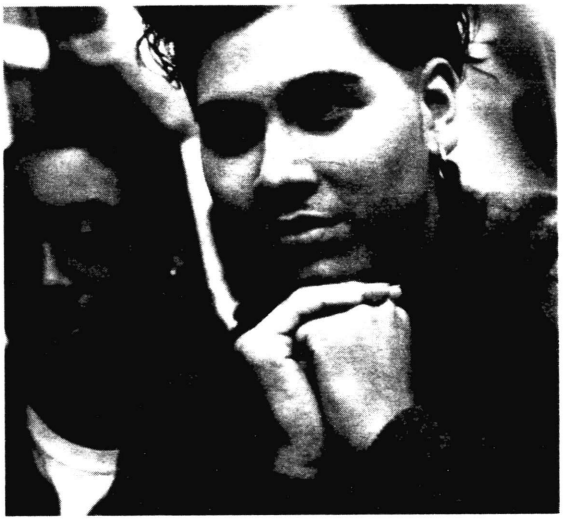
Resources are Available

The resource section of this book (Appendix D) lists a number of state and private sector resources for jurisdictions considering adoption or expansion of a graduated driver licensing system. In particular, the National Committee on Uniform Traffic Laws and Ordinances offers both model legislation (included in this manual) and suggested code language in the *Uniform Vehicle Code.*

The American Association of Motor Vehicle Administrators (AAMVA) represents the departments of motor vehicles in the states, as well as Canadian provinces. AAMVA has an array of resources available to states, including model programs and publications, developed for general driver licenses, commercial driver licenses and motorcycle operator permits, including: knowledge test; skills test; model driver manual; and model driver examiner's manual.

The National Highway Traffic Safety Administration (NHTSA) has numerous resources available to assist in the implementation of a graduated driver licensing system. It has ten regional offices around the country, in addition to the Washington headquarters.

Every Governor has appointed a Governor's Highway Safety Representative to oversee highway safety programs in the state. Check the resource section of this manual for information on how to contact them.



The most important message is that resources and help are at hand. If your jurisdiction is serious about tackling the problem of teen drivers through adoption of a graduated driver licensing system, there is a great deal of assistance available to help you develop and go forward with the best possible program.

Safety Benefits are Both Immediate and Long Term

Teenagers are over-represented in traffic crashes. As adults, it is our responsibility to find a better way of introducing young drivers to the experience of driving. Studies show that graduated driver licensing *is* a better way.

By reducing the risk exposure of teenage drivers and allowing them time to mature before we give them the keys and unlimited use of the car, we will increase the likelihood that they will safely make it through their early driving years. And by creating safer teen drivers today, we also are helping them become safer, more responsible young adult drivers tomorrow.

APPENDIX A

Graduated Driver Licensing Model Law

National Committee on Uniform Traffic Laws and Ordinances
Approved by the Membership October 24, 1996
Used with permission

Section 1–*Purpose*

The legislature has recognized the need to develop a graduated licensing system in light of the disproportionately high incidence of motor vehicle crashes involving youthful motorists. This system will improve highway safety by progressively developing and improving the skills of younger drivers in the safest possible environment, thereby reducing the number of vehicle crashes.[2]

Section 2–*Minimum Age Requirements*

The department[3] may not issue a license or permit to any person under the age of 18 years, except that it may issue a driver's license to any person who is 16[4] or 17 years old who presents evidence of having satisfactorily completed the requirements of sections three and four.

Section 3–*Learner's Permit, Intermediate License and Driver's License Application* [5]

The Department shall not grant the application for a learner's permit, intermediate license or driver's license to anyone 16 or 17 years old unless such application is both signed by the applicant and the applicant's parent or guardian, and the applicant has satisfactorily completed the requirements provided in Section 4 of this law.

Section 4–*Limitations on the issuance of licenses and permits*

Learner's permits and licenses shall be issued pursuant to the following conditions and requirements:

(a) Learner's Permit.

A learner's permit authorizes the permit holder to drive a specified type or class of motor vehicle under the conditions set forth in this section while in possession of the permit and accompanied by a parent, guardian, or other person 21 years or older, who is a licensed driver in accordance with the requirements set forth in this law.

(i) An applicant for a learner's permit shall have:
   1. Passed a vision test;
   2. Passed a written test administered by the Department;
   3. Paid a fee for a learner's permit of (X) dollars.

(ii) A learner's permit requires supervised driving at all times. The supervisor shall be a parent, guardian or other adult age 21 years of age or older, possessing a valid driver's license under the laws of this state. The supervisor shall be the only other occupant of the front passenger section of the vehicle.

(iii) The learner's permit licensee shall not place the vehicle in motion until every occupant of the vehicle has a seat belt properly fastened about his or her body.

(iv) Every holder of a learner's permit shall maintain a conviction-free driving[6] record and shall not have violated state drug, zero blood alcohol tolerance[7], seat belt or other driver-related safety laws[8] of the state.

(v) The learner's permit shall be valid for a period of at least one year from the date of its issuance.

(vi) In the event a person who holds a learner's permit drives a motor vehicle in violation of law, the permit shall be suspended[9], or revoked.[10]

(b) Intermediate License.

An intermediate license authorizes the holder to drive a specified type or class of motor vehicle under the conditions specified below (*next page*):

(i) An applicant for an intermediate license shall have:
   1. Possessed a valid learner's permit for a period of not less than 6 months without any conviction of drug, zero blood alcohol tolerance[11], seat belt, or other driver-related safety laws;[12]
   2. Passed a road test administered by the department;
   3. Passed a course of drivers education[13] in accordance with standards established by the State Board of Education and the department[14]; and
   4. Paid a fee for an intermediate license of (X) dollars.

(ii) An intermediate license allows unsupervised driving from [5 a.m.] to [10 p.m.][15] At all other times the intermediate licensee must be supervised. While being supervised, the intermediate licensee must be accompanied by a parent, guardian, or other person 21 years or older. The supervisor shall possess a valid driver's license under the laws of this state. The supervisor shall be the only other occupant of the front passenger section of the vehicle.

(iii) The intermediate licensee shall not place the vehicle in motion until every occupant of the vehicle has a seat belt properly fastened about his or her body.

(iv) To be eligible to apply for a driver's license, an intermediate licensee shall maintain a conviction-free driving[16] record and shall not have violated any state drug, zero blood alcohol tolerance[17], seat belt or safety law of any state for at least the period of six months immediately preceding the date of the application for the license.

(v) The intermediate license shall be valid for a period of at least one year from the date of its issuance.

(vi) In the event that an intermediate licensee drives a motor vehicle in violation of law, the intermediate license shall be suspended[18] or revoked[19,20]

(c) Driver's License.[21]

The department may issue a driver's license to any person who has completed the requirements set forth in this law, or to anyone who has reached 18 years of age and has operated a motor vehicle without traffic violations, drug violations, zero tolerance alcohol violations or seat belt violations for a period of 6 months immediately preceding the date of the application for the license.[22]

Section 5– *Distinctive Form of License or Permit*

(a) The learner's permit shall be identified as a "learner's permit" and issued in a distinctive form as determined by the department.

(b) The intermediate license shall be identified as an "intermediate license" and issued in a distinctive form as determined by the department.

(c) Every license issued to a person under the age of 21 shall be in a distinctive form determined by the department so as to be readily identifiable as a license issued to someone less than 21 years of age.

Section 6–*Conduct*

An individual holding a learner's permit or license issued under this law may not drive, attempt to drive, or be in the actual control of a vehicle, in violation of any provision of law.

Section 7–*Penalty*

Any person knowingly violating any provision of this law shall be guilty of a Class [A] misdemeanor.

Notes from the NCUTLO Drafting Committee

(1) The Drafting Committee notes that a state may adapt this model graduated driver licensing system to apply to all novice drivers without regard to age. The Drafting Committee also encourages states to cross reference appropriate license suspension and revocation requirements to assure that violation of the provisions of this model may result in the immediate suspension or revocation of the driver's permit or license in accordance with due process and the licensing system of the state.

(2) This model also requires the driver to comply with the zero blood alcohol tolerance statute if under the age of 21 and state drug and seat belt laws regardless of age.

(3) Department refers to the department of motor vehicles. If administration of driver licensing is not vested in that department, the term department should be changed to the correct department or bureau of government.

(4) This model law assumes that a learner's permit may not be issued before the age of 16 – which the Drafting Committee recommends. If a state issues learner's permits to applicants less than 16 years of age, it should adjust the timetable incorporated into this model. In that event the drafting Committee recommends extension of the duration of the learner's permit and the time period the applicant must hold the learner's permit before application may be made for an intermediate license.

(5) The drafter should cross reference the section of the state's law governing application requirements.

(6) States have the option of defining "conviction-free driving" as the absence of serious moving violations; if a state exercises this option, it should also enumerate the violations which are not sufficiently serious to trigger immediate license suspension, but rather may be waived, possibly through a departmental administrative process providing additional education or counseling.

(7) The Uniform Vehicle Code defines zero blood alcohol tolerance as "the alcohol concentration in a person's blood or breath which is 0.02 or more based on the definition of blood and breath units." See Uniform Vehicle Code, Sec. 6-208.

(8) The state should enumerate the laws covered by the term "other driver-related safety laws" of the state.

(9) The temporary withdrawal by formal action of the department of a person's license or privilege to operate a motor vehicle on the public highways, which temporary withdrawal shall be for a period specifically designated by the department. See Uniform Vehicle Code, Sec. 1-185.

(10) The termination by formal action of the department of a person's license or privilege to operate a motor vehicle on the public highways, which terminated license or privilege shall not be subject to renewal or restoration except that an application for a new license may be presented and acted upon by the department after the expiration of the applicable period of time prescribed in this code. See Uniform Vehicle Code, Sec. 1-167. Also see Uniform Vehicle Code, Chapter 6, Article II—Cancellation, Suspension, or Revocation of licenses.

(11) The Uniform Vehicle Code defines zero blood alcohol tolerance as "the alcohol concentration in a person's blood or breath which is 0.02 or more based on the definition of blood and breath units." See Uniform Vehicle Code, Sec. 6-208.

(12) The state should enumerate the laws covered by the term "other driver-related safety laws" of the state.

(13) States without a driver education requirement should omit subsection 4(b)(i) 3 requiring applicants under the age of 18 to have completed a driver education program. Such states should consider requiring the applicant's parent or guardian to certify that the applicant has participated in a specified minimum number of hours of supervised driving

(14) All approved driver training and safety education courses and courses of driver instruction shall include at least six hours of actual driving experience. The Drafting Committee recommends serious consideration be given to a driving requirement substantially greater than six hours.

(15) If greater supervision of younger drivers with intermediate licenses is preferred, one option states might consider is to expand the period of supervised driving required for 16-year-olds.

(16) States have the option of defining "conviction-free driving" as the absence of serious moving violations; if a state exercises this option, it should also enumerate which violations are not sufficiently serious to trigger immediate license suspension, but rather may be waived, possibly through a departmental administrative process providing additional education or counseling.

(17) The Uniform Vehicle Code defines zero blood alcohol tolerance as "the alcohol concentration in a person's blood or breath which is 0.02 or more based on the definition of blood and breath units." See Uniform Code, Sec. 6-208.

(18) The temporary withdrawal by formal action of the department of a person's license or privilege to operate a motor vehicle on the public highways, which temporary withdrawal shall be for a period specifically designated by the department. See Uniform Vehicle Code, Sec. 1-185.

(19) The termination by formal action of the department of a person's license or privilege to operate a motor vehicle on the public highways, which terminated license or privilege shall not be subject to renewal or restoration except that an application for a new license may be presented and acted upon by the department after the expiration of the applicable period of time prescribed in this code. See Uniform Vehicle Code, Sec. 1-167. Also see Uniform Vehicle Code, Chapter 6, Article II—Cancellation, Suspension, or Revocation of licenses.

(20) As noted earlier, the state may stipulate moving violations which do not automatically trigger immediate suspension or revocation, but rather may be waived, possibly as a result of participation in departmental counseling or educational programs.

(21) Drafter should cross reference the appropriate traffic code sections setting forth the requirements for obtaining driver's license. These provisions should set forth the appropriate driver training, testing and administrative requirements for acquiring a driver's license.

(22) Drafter should cross reference the appropriate provisions regarding the driver training and testing requirements of the 18-year-old or nonresident licensed driver receiving a driver's license.

APPENDIX B

Characteristics of Selected U.S. Licensing Laws

As Compared With Graduated Driver Licensing Model Law Developed by the National Committee on Uniform Traffic Laws and Ordinances

Many states now are considering changes in their licensing laws for young drivers. Some have introduced graduated systems in which driving privileges are phased in, allowing initial experience to be gained in situations of lower risk. The popularity of graduated licensing has brought with it some confusion about what are the components of a graduated system and which states have graduated licensing and which do not.

In an effort to clarify this situation, the National Transportation Safety Board, National Highway Traffic Safety Administration, and Insurance Institute for Highway Safety have agreed to classify the licensing systems of the 50 states and District of Columbia according to the specifications of a widely accepted model graduated licensing law developed by the National Committee on Uniform Traffic Laws and Ordinances (NCUTLO). NCUTLO's model law specifies core provisions for graduated licensing, although it does not include a variety of other important features that can enhance a graduated system. The following chart lists the states that include one or more of the NCUTLO core provisions. Licensing laws highlighted with a star (*) include all of the core provisions and thus are graduated licensing laws under the NCUTLO model.

The core provisions of the NCUTLO model are a learner's phase of at least six months followed by an intermediate phase of at least six months and a prohibition of unsupervised driving at night for young drivers during the intermediate phase. The NCUTLO model requires applicants for intermediate and full licenses to have no safety belt or zero tolerance violations and to otherwise be conviction free during the mandatory holding periods. The model recognizes that states may define "conviction free" to include only serious violations and may suspend offenders or provide lesser penalties. In most states with graduated licensing, violations by young drivers result in license suspension or extension of the holding periods.

The NCUTLO model recommends a minimum age of 16 for a learner's permit and prohibits unsupervised driving from 10 p.m. to 5 a.m. However, failure to include these provisions does not disqualify a state from satisfying NCUTLO's core provisions. The model does not include two-stage driver education to coincide with the phases of graduated licensing, as recommended by the National Highway Traffic Safety Administration. Neither does it impose passenger restrictions during the intermediate phase nor does it require parents or others to certify completion of minimum number of hours of supervised driving in the learner's phase. However, the NCUTLO model recommends certification of supervised driving in states that do not mandate any driver education.

All of these elements of graduated licensing are included in the table on the following page in the "other features" column. Please direct any questions or comments to: Michele Fields or Shelley Martin at the Insurance Institute for Highway Safety, 1005 North Glebe Road, Arlington, VA 22201-4751; 703-247-1500, 703-247-1586 FAX.

States with One or More NCUTLO Core Provisions

(Learner's phase of six months, Intermediate phase of six months, and prohibition of unsupervised driving at night).

	MINIMUM ENTRY AGE	MANDATORY HOLDING PERIOD	MINIMUM AMOUNT OF SUPERVISED DRIVING	MINIMUM AGE	DURATION OF NIGHTTIME RESTRICTION	UNSUPERVISED DRIVING PROHIBITED	PASSENGER RESTRICTION	MINIMUM AGE UNRESTRICTED LICENSE
*California (eff. 7/1/98)	15	6 mo.	50 Hr., 10 of which must be at night	16	12 mo.	Midnight – 5 a.m.	First 6 mo.: No passengers younger than age 20	17
*Delaware (eff. 7/1/99))	15, 10 mo.	6 mo.[1]	None	16, 4 mo.[1]	6 mo.	9 p.m. – 6 a.m.[1]	No more than 2 passengers[1]	16, 10 mo.
*Florida (eff. 7/1/96)	15	6 mo.	None	16	Until age 18	11 p.m. – 6 a.m. (age 16); 1 a.m. – 5 a.m. (age 17)	None	18
*Georgia (eff. 1/1/98)	15	12 mo.	None	16	Until age 18	1 a.m. – 5 a.m.	No more than 3 passengers younger than age 21 (family members excepted)	18
Illinois (eff. 1/1/98)	15	3 mo.	25 hr.	16	Until age 17	11 p.m. – 6 a.m. Sun-Th; Midnight – 6 a.m. F-Sat	Until age 18: No more than one passenger in front and no more passengers in the rear than there are available belts	17
Indiana (eff. 1/1/98)	15	2 mo.	None	16, 1 mo.	Until age 18	1 a.m. – 5 a.m. Sat-Sun; after 11 p.m. Sun-Th	First 90 days: No passengers unless supervised by 21-year old driver	18
*Iowa (eff. 1/1/99)	14	6 mo.	20 hr., 2 of which[2] must be at night	16	12 mo.	12:30 a.m. – 5 a.m.	None	17
Louisiana (eff. 1/1/98)	15	3 mo.	None	16	Until age 17	11 p.m. – 5 a.m.	None	17
Maryland (eff. 7/1/98)	15, 9 mo.	4 mo.	40 hr.	16, 1 mo.	18 mo.[3]	Midnight – 5 a.m.[3]	None	17, 7 mo.
*Massachusetts (eff. 11/4/98)	16	6 mo.	12 hr.	16, 6 mo.	Until age 18	Midnight – 5 a.m.	First 6 mo.: No passengers younger than age 18 unless supervised by 21-year old driver (family members exempt)	18
*Michigan (eff. 4/1/97)	14, 9 mo.	6 mo.	50 hr., 10 of which must be at night	16	6 mo.	Midnight – 5 a.m.	None	17
New Hampshire (eff. 1/1/98)	16	3 mo.	None	16, 3 mo.	Until age 18	1 a.m. – 5 a.m.[4]	None	18
*New Jersey (eff. 1/1/2001)[5]	16	6 mo.	None	17	12 mo.	Midnight – 5 a.m.	Limit one passenger (except household)	18
*North Carolina (eff. 12/1/97)	15	12 mo.	None	16	6 mo.	9 p.m. – 5 a.m.[6]	None	16, 6 mo.
*Ohio (eff. 1/1/99)	15, 6 mo.	6 mo.	50 hr., 10 of which must be at night	16	Until age 17	1 a.m. – 5 a.m.	None	17
*Rhode Island (eff. 1/1/99)	16	6 mo.	None	16, 6 mo.	12 mo.	1 a.m. – 5 a.m.	None	17, 6 mo.
South Carolina (eff. 7/1/98)	15	3 mo.	None	15, 3 mo.	12 mo.	6 p.m. – 6 a.m. EST;[7] 8 p.m. – 6 a.m. EDT	None	16, 3 mo.
South Dakota (eff. 1/1/99)	14	6 mo. (3 mo. with driver education)	None	14, 6 mo. (14, 3 m o. with driver education)	Until age 16	8 p.m. – 6 a.m.	None	16
Connecticut (eff. 1/1/97)	16	6 mo.[8]	None	—	—	—	—	16, 6 mo.[8]
Kentucky (eff. 10/1/95)	16	6 mo.	None	—	—	—[9]	—	16, 6 mo.
Maine (eff. 8/1/98)	15	3 mo.[10]	35 hr., 5 of which must be at night	—	—	—	—	16
Minnesota[11] (eff. 1/1/99)	15	6 mo.	30 hr., 10 of which must be at night	—	—	—	—	17
Nebraska (eff. 1/1/99)	15	—	50 hr., (driver education graduates are exempt)	16	12 mo.	Midnight – 6 a.m.	None	17
Virginia (eff. 7/1/98)	15	6 mo.	None	—	—	—		16

See page 28 for notes

APPENDIX C

Teen Crash Statistics

- Motor vehicle crashes are the leading cause of death for American teenagers.
- In 1997, 5,477 young people (passengers and drivers age 15-20) died in motor vehicle crashes. Twenty-one percent of the young drivers involved in fatal crashes had been drinking.
- Young people age 15-20 make up 6.7 percent of the total driving population in this country but are involved in 14 percent of all fatal crashes.
- In 1997, over 60 percent of youth (16-20) who died in passenger vehicle crashes were not wearing seat belts.
- In 1997, almost one quarter (22 percent) of those who died in speed-related crashes were youth (15-20).
- In the last decade, over 68,000 teens have died in car crashes.
- Sixty-five percent of teen passenger deaths occur when another teenager is driving.
- Nearly half of the fatal crashes involving 16-year-old drivers were single vehicle crashes.
- Forty-one percent of fatal crashes involving teenagers occur at nighttime (between 9:00 p.m. and 6:00 a.m.).
- One quarter of fatally injured teen drivers (16-20 years old) in 1995 had a BAC (blood alcohol concentration) at or above .10 percent, even though all were under the minimum legal drinking age and are not legally permitted to purchase alcohol.
- Two out of three teenagers killed in motor vehicle crashes are males.

Source: National Highway Traffic Safety Administration

APPENDIX D

Resources

Federal Resources

National Highway Traffic Safety Administration
400 Seventh Street, SW
Washington, DC 20590
Phone 800/424-9393 (Auto Safety Hotline)
Web site http://www.nhtsa.dot.gov

The National Highway Traffic Safety Administration (NHTSA), an agency of the US Department of Transportation, is responsible for driver licensing and other highway safety programs. NHTSA maintains statistics and fact sheets, and provides information to the media, private organizations, other government agencies, and the general public. Information on services and publications is available on the NHTSA homepage on the World Wide Web or by calling the Auto Safety Hotline (see information above), or by contacting your Regional Administrator (see information below).

Regional Administrators

REGION I (CT, ME, MA, NH, RI, VT)
Volpe National Transportation Systems Center
Kendall Square, Code 903
Cambridge, MA 02142
Phone 617/494-3427
Fax 617/494-3646

REGION II (NY, NJ, PR, VI)
222 Mamaroneck Avenue, Suite 204
White Plains, NY 10605
Phone 914/682-6162
Fax 914/682-6239

REGION III (DE, DC, MD, PA, VA, WV)
10 South Howard Street
Suite 4000
Baltimore, MD 21201
Phone 410/962-0077
Fax 410/962-2770

REGION IV (AL, FL, GA, KY, MS, NC, SC, TN)
Atlanta Federal Center
61 Forsyth Street
Suite 17T30
Phone 404/562-3739
Fax 404/562-3763

REGION V (IL, IN, MI, MN, OH, WI)
19900 Governors Drive Suite 201
Olympia Fields, IL 60461
Phone 708/503-8822
Fax 708/503-8991

REGION VI (AR, LA, NM, OK, INDIAN NATIONS)
819 Taylor Street, Room 8A38
Fort Worth, TX 76102-6177
Phone 817/978-3653
Fax 817/978-8339

REGION VII (IA, KS, MO, NE)
6301 Rockhill Road, Room 100
Kansas City, MO 64131
Phone 816/822-7233
Fax 816/822-2069

REGION VIII (CO, MT, ND, SD, UT, WY)
555 Zang Street, Rm. 430
Lakewood, CO 80228
Phone 303/969-6917
Fax 303/969-6294

REGION IX (AZ, CA, HI, NV, AMERICAN SAMOA, GUAM, NORTHERN MARIANA ISLANDS)
201 Mission Street, Suite 2230
San Francisco, CA
Phone 415/744-3089
Fax 415/744-2532

REGION X (AK, ID, OR, WA)
3140 Jackson Federal Building
915 Second Avenue
Seattle, WA 98174
Phone 206/220-7640
Fax 206/220-7651

Another federal agency that is a good source of information and support is:

National Transportation Safety Board
490 L'Enfant Plaza, SW
Washington, DC 20594
Phone 202/314-6170
Fax: 202/314-6178
Web site http://www.ntsb.gov

State Resources

Each Governor appoints a highway safety representative to manage the state's highway safety program, including administration of the federal Highway Safety Community Grant program. The Governor's representative also serves as a liaison between the governor and the highway safety community. These professionals and their staffs are a great resource on all highway safety issues, including driver licensing. The Governors' representatives have a national organization in Washington:

National Association of Governors' Highway Safety Representatives
750 First Street, NE, Suite 720
Washington, DC 20002
Phone 202/789-0942
Fax 202/789-0946
Web: http://www.naghsr.org

The following are the offices of the Governors' highway safety representatives:

Alabama Department of Economic & Community Affairs
Law Enforcement/Traffic Safety Division
PO Box 5690
Department of Economic & Community Affairs
401 Adams Avenue, Suite 580
Montgomery, AL 36103-5690
Phone 334/242-5803
Fax 334/242-0712

Highway Safety Planning Agency
Alaska Department of Public Safety
PO Box 111200
Juneau, AK 99811-1200
Phone 907/465-4374
Fax 907/463-5860

Governor's Representative/ Commissioner of Public Safety
American Samoa Government
PO Box 1086
Pago Pago, AS 96799
Phone 011-684-633-1111
Fax 011-684-633-5111

Governor's Office of Community and Highway Safety
Arizona Department of Public Safety
3010 North Second Street, Suite 105
Phoenix, AZ 85012
Phone 602/255-3216
Fax 602/255-1265

Highway Safety Program
Arkansas Highway & Transportation Department
PO Box 2261
11300 Baseline Road
Little Rock, AR 72203
Phone 501/569-2648
Fax 501/569-2651

Office of Traffic Safety
California Business, Transportation, & Housing Agency
7000 Franklin Boulevard, Suite 440
Sacramento, CA 95823
Phone 916/262-0990
Fax 916/262-2960

Colorado Office of Transportation Safety
Department of Transportation
Headquarters Complex
4201 East Arkansas Avenue
Denver, CO 80222
Phone 303/757-9381
Fax 303/757-9439

Division of Highway Safety
Connecticut Department of Transportation
2800 Berlin Turnpike
PO Box 317546
Newington, CT 06131-7546
Phone 860/594-2370
Fax 860/594-2374

Office of Highway Safety
Delaware Department of Public Safety
PO Box 1321
Dover, DE 19903-1321
Phone 302/739-3295
Fax 302/739-5995

Transportation Safety Branch
DC Department of Public Works
2000 14th Street, NW, 7th Floor
Washington, DC 20009
Phone 202/939-8018
Fax 202/939-7185

Safety Office
Florida Department of Transportation
605 Suwannee Street, MS 53
Tallahassee, FL 32399-0450
Phone 850/488-3546
Fax 850/922-2935

Georgia Governor's Office of Highway Safety
One Parker Tower
34 Peachtree Street, Suite 1600
Atlanta, GA 30303
Phone 404/656-6996
Fax 404/651-9107

Office of Highway Safety
Guam Department of Public Works
PO Box 2950
Agana, GU 96910
Phone 011-671-646-3211
Fax 011-671-646-3733

Motor Vehicle Safety Office
Hawaii Department of Transportation
1505 Dillingham Blvd., Suite 214
Honolulu, HI 96817
Phone 808/832-5820
Fax 808/832-5830

Office of Highway Safety
Idaho Transportation Department
PO Box 7129
3311 West State Street
Boise, ID 83707-1129
Phone 208/334-8101
Fax 208/334-4430

Division of Traffic Safety
Illinois Department of Transportation
PO Box 19245
3215 Executive Park Drive
Springfield, IL 62794-9245
Phone 217/782-4972
Fax 217/782-9159

Indian Highway Safety Program
Bureau of Indian Affairs
Department of the Interior
505 Marquette NW, Suite 1705
Albuquerque, NM 87102-2181
Phone 505/248-5053
Fax 505/248-5064

Indiana Governor's Council on Impaired and Dangerous Driving
150 West Market Street, Suite 330
Indianapolis, IN 46204
Phone 317/232-4220
Fax 317/232-5150

Governor's Traffic Safety Bureau
Iowa Department of Public Safety
307 East 7th Street
Des Moines, IA 50319-0248
Phone 515/281-3907
Fax 515/281-6190

Kansas Bureau of Traffic Safety
Thacher Building, 3rd Floor
217 SE 4th
Topeka, KS 66603
Phone 913/296-3756
Fax 913/291-3010

Highway Safety Standards Branch
Kentucky State Police Headquarters
919 Versailles Road
Frankfort, KY 40601
Phone 502/695-6356
Fax 502/573-1634

Highway Safety Commission
Louisiana Department of Public Safety
PO Box 66336
Baton Rouge, LA 70896
Phone 504/925-6991
Fax 504/922-0083

Bureau of Highway Safety
Maine Department of Public Safety
164 State House Station
Augusta, ME 04333-0164
Phone 207/624-8756
Fax 207/624-8768

Mariana Island Governor's Highway Safety Representative
Department of Public Safety, CNMI
PO Box 791
Saipan, MP 96950
Phone 670-034-6505
Fax 670-234-8531

Office of Traffic & Safety
Maryland State Highway Administration
7491 Connelley Drive
Hanover, MD 21076
Phone 410/787-5822
Fax 410/787-5823

Massachusetts Governor's Highway Safety Bureau
100 Cambridge Street, Room 2104
Boston, MA 02202
Phone 617/727-5073
Fax 617/727-5077

Michigan Office of Highway Safety Planning
4000 Collins Road
PO Box 30633
Lansing, MI 48909-8133
Phone 517/333-5291
Fax 517/333-5756

Office of Traffic Safety
Minnesota Department of Public Safety
Town Square, Suite 150
444 Cedar Street
St. Paul, MN 55101-2150
Phone 612/296-9507
Fax 612/297-4844

Highway Safety Office
Mississippi Department of Public Safety
PO Box 23039
401 North West Street, 8th Floor
Jackson, MS 39225-3039
Phone 601/359-7842
Fax 601/359-7832

Missouri Division of Highway Safety
1719 Southridge Drive
PO Box 104808
Jefferson City, MO 65110-4808
Phone 573/751-7643
Fax 573/634-5977

Transportation Safety Bureau
Montana Department of Transportation
2701 Prospect Avenue
Helena, MT 59620
Phone 406/444-7301
Fax 406/444-7303

Office of Highway Safety
Nebraska Department of Motor Vehicles
PO Box 94612
301 Centennial Mall South
Lincoln, NE 68509-4789
Phone 402/471-2515
Fax 402/471-3865

Office of Traffic Safety
Nevada Department of Motor Vehicles & Public Safety
555 Wright Way
Carson City, NV 89711-0900
Phone 702/687-3243
Fax 702/687-5328

New Hampshire Highway Safety Agency
Pine Inn Plaza
117 Manchester Street
Concord, NH 03301
Phone 603/271-2131
Fax 603/271-3790

Division of Highway Traffic Safety
New Jersey Dept. of Law & Public Safety
PO Box 048
Trenton, NJ 08625-0048
Phone 609/633-9300
Fax 609/633-9020

Traffic Safety Bureau
New Mexico State Highway & Transportation Department
PO Box 1149
Santa Fe, NM 87504-1149
Phone 505/827-0429
Fax 505/827-0431

New York State Governor's Traffic Safety Committee
Empire State Plaza
Swan Street Bldg., Room 521
Albany, NY 12228
Phone 518/474-0858
Fax 518/473-1069

North Carolina Governor's Highway Safety Program
215 East Lane Street
Raleigh, NC 27601
Phone 919/733-3083
Fax 919/733-0604

Driver Licensing & Traffic Safety
North Dakota Department of Transportation
608 East Boulevard Avenue
Bismarck, ND 58505-0700
Phone 701/328-2601
Fax 701/328-2435

Office of the Ohio Governor's Highway Safety Representative
PO Box 7167
240 Parsons Avenue
Columbus, OH 43205-0167
Phone 614/466-7076
Fax 614/466-0433

Highway Safety Office
Oklahoma Department of Public Safety
3223 North Lincoln
Oklahoma City, OK 73105
Phone 405/521-3314
Fax 405/524-4906

Transportation Safety Section
Oregon Department of Transportation
555 13th Street, NE
Salem, OR 97310-1333
Phone 503/986-4192
Fax 503/986-4189

Pennsylvania Bureau of Highway & Traffic Engineering
PO Box 2047
Harrisburg, PA 17105-2047
Phone 717/787-7350
Fax 717/783-8012

Traffic Safety Commission
Puerto Rico Department of Public Works
Box 41289, Minillas Station
Santurce, PR 00940
Phone 787/723-3590
Fax 787/727-0486

Rhode Island Governor's Office of Highway Safety
345 Harris Avenue
Providence, RI 02909
Phone 401/222-3024
Fax 401/222-3942

South Carolina Department of Public Safety
Office of Safety & Grants
5400 Broad River Road
Columbia, SC 29210
Phone 803/896-8391
Fax 803/896-8393

South Dakota Office of Highway Safety
118 West Capital
Pierre, SD 57501
Phone 605/773-3178
Fax 605/773-3018

Tennessee Governor's Highway Safety Program
Department of Transportation
505 Deaderick Street, Suite 600
James K. Polk State Office Bldg.
Nashville, TN 37243-0341
Phone 615/741-7590
Fax 615/741-9673

Transportation Operations Division
Texas Department of Transportation
125 East 11th Street
Austin, TX 78701-2483
Phone 512/416-3167
Fax 512/416-3349

Utah Department of Public Safety
Highway Safety Office
411 West, 7200 South, Suite 300
Midvale, UT 84047-1016
Phone 801/225-0573
Fax 801/225-0823

Governor's Highway Safety Program
Vermont Department of Public Safety
103 South Main Street
Waterbury, VT 05671-2101
Phone 802/244-4126
Fax 802/244-1106

Virginia Department of Motor Vehicles
Transportation Safety Services
PO Box 27412
2300 West Broad Street
Richmond, VA 23269
Phone 804/367-8140
Fax 804/367-6631

Governor's Representative
Virgin Islands Office of Highway Safety
Lagoon Street Complex, Fredricksted
St. Croix, VI 00840
Phone 809/776-5820
Fax 809/772-2626

Washington Traffic Safety Commission
PO Box 40944
1000 South Cherry Street
Olympia, WA 98504-0944
Phone 360/753-6197
Fax 360/586-6489

West Virginia Highway Safety Program
The Miller Building
2 Hale Street, Suite 100
Charleston, WV 25301
Phone 304/558-6080
Fax 304/558-6083

Bureau of Transportation Safety
Wisconsin Department of Transportation
PO Box 7936
4802 Sheboygan Avenue, Room 809
Madison, WI 53707
Phone 608/266-0402
Fax 608/267-0441

Highway Safety Program
Wyoming Transportation Department
PO Box 1708
Cheyenne, WY 82003-1708
Phone 307/777-4450
Fax 307/777-4250

Private Sector

National Safety Council
Headquarters Office
1121 Spring Lake Drive
Itasca, IL 60143
Phone 708/285-1121
Web site http://www.nsc.org

National Safety Council
1025 Conn. Ave., NW, Suite 1200,
Washington, DC 20036
Phone 202/293-2270
Fax 202/293-0032
Web site http://www.nsc.org

American Academy of Family Physicians
8880 Ward Parkway
Kansas City, MO 64114
Phone 816/333-9700
Web site http://www.aafp.org

American Association of Motor Vehicle Administrators
4301 Wilson Blvd., Suite 400
Arlington VA 22203
Phone 703/522-4200
Web site www.aamva.org

American Automobile Association
1000 AAA Drive
Heathrow, Florida 32746-5063
Phone 407/444-7000
Web site http://www.aaa.com

American Coalition for Traffic Safety
1110 North Glebe Road, Suite 1020
Arlington, VA 22201
Phone 703/243-7501

Insurance Institute for Highway Safety
1005 North Glebe Road, Suite 800
Arlington, Virginia 22201
Phone 703/247-1500
Web site http://www.hwysafety.org

International Association of Chiefs of Police
515 North Washington Street
Alexandria, Virginia 22314
Phone 703/836-6767
Web site http://www.theiacp.org

National Association of Independent Insurers
2600 River Road
Des Plaines, IL 60018-3286
Phone 847/297-7800
Web site: http://www.naii.org

National Committee on Uniform Traffic Laws and Ordinances
107 S. West Street, Suite 110
Alexandria, VA 22314
Phone 800/807-5290
Web site http://www.ncutlo.org

Transportation Research Board
2101 Constitution Avenue NW
Washington, DC 20418
Phone 202/334-2934
Web site http://www.nas.edu/trb/

Articles and Publications

"All the 16-Year-Olds Didn't Make It Home," *Status Report Special Issue* (December 17, 1994), Insurance Institute for Highway Safety.

"Earning a Driver's License," by Allan F. Williams, PhD, *Public Health Reports*, November/December 1997 (Volume 112).

Graduated Licensing in Nova Scotia: A Survey of Teenagers and Parents, by Daniel R. Mayhew, Herbert M. Singleton, Susan A. Ferguson and Allan F. Williams, Insurance Institute for Highway Safety, May 1997.

Graduated Licensing: Past Experiences and Future Status, Circular #458 - April 1996, Transportation Research Board, National Academy of Sciences.

License to Live (brochure), National Highway Traffic Safety Administration and American Coalition for Traffic Safety, 1996.

"Night Driving Restrictions for Youthful Drivers: A Literature Review and Commentary," by Allan F. Williams and David F. Preusser, *Journal of Public Health Policy*, Volume 18/Number 3, Autumn 1997.

Phasing in The Driving Privilege: Graduated Drivers Licensing (press kit), National Association of Independent Insurers, undated.

Questions Most Frequently Asked About Graduated Driver's Licensing (brochure), National Highway Traffic Safety Administration (DOT HS 808 496), December 1996.

State Legislative Fact Sheet: Graduated Driver Licensing System, National Highway Traffic Safety Administration, September 1997.

Report to Congress: Research Agenda for an Improved Novice Driver Education Program, National Highway Traffic Safety Administration, May 1994.

Report to States: Reducing Youth Highway Crashes, National Transportation Safety Board, March 1993.

Footnotes

1 *Facts: State Laws 1997*, "Young Driver Laws," Insurance Institute for Highway Safety.

2 *Graduated Licensing: Past Experiences and Future Status*, Transportation Research Circular Number 458 (April 1996), Transportation Research Board/National Research Council.

3 *Public Attitude Monitor 1995*, Insurance Research Council.

Acknowledgments:

Thanks to the persons and organizations that supplied information and assistance, especially Allan Williams, Ph.D. and Julie Rochman, with the Insurance Institute for Highway Safety and Leila Osina with the National Committee on Uniform Traffic Laws and Ordinances.

Notes from States chart on page 21

- These states have all three NCUTLO core provisions.

1 In Delaware, a driver education student does not need a permit to drive with a driver education instructor. After completing the on-road requirements of driver education, a driver education student who is at least 15 years, 10 months old may apply for a Driver Education Learner's Permit, which allows the student to drive while supervised by an experienced driver. Upon completion of driver education and if the student both the road and written tests, the student receives a Level 1 permit that for the first six months allows driving only while supervised. There also is a passenger restriction in the first six months of the Level 1 permit. No more than two passengers are permitted in addition to the supervising driver. The Level 1 permit for the second six months is the equivalent of an intermediate license. During that period, holders may drive unsupervised between 6 a.m. and 9 p.m. and may only carry two passengers. Applicants for a driver's license who are younger than age 18 must have held a Driver Education Learner's Permit and/or a Level 1 permit for at least 12 months.

2 In Iowa, there also is a certification for drivers in the intermediate phase. They must certify that they have had 10 hours of supervised driving, 2 of which must be at night.

3 The Maryland graduated license requirements apply to new drivers older than age 18 as well as young drivers. The nighttime driving restriction, however, only applies to intermediate license holders younger than age 18.

4 In New Hampshire, the nighttime driving prohibition also applies to the learner's phase.

5 New Jersey's graduated licensing law applies to adults, except that the night driving and passenger restrictions are waived for new drivers ages 21 and older.

6. In North Carolina, learner's permit holders may not drive between 9 p.m. and 5 a.m. for the first six months.

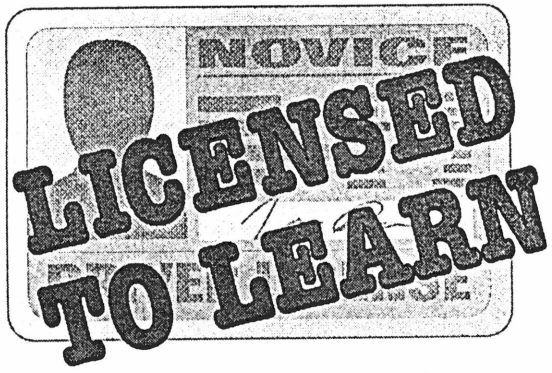
7. In South Carolina, the nighttime restriction applies in the learner's phase as well as in the intermediate phase.

8. The holding period is 120 days if the permit holder completes driver education.

9. The Kentucky law prohibits learner's permit holders from driving between midnight and 6 a.m. There is no nighttime driving restriction for other license holders.

10. Does not meet NCUTLO six-month criterion.

11. The license Minnesota issues to 16 year-olds is provisional for 12 months. Provisional license holders are not subject to nighttime driving restrictions but are subject to sanctions that do not apply to regular license holders. Provisional license holders must certify 10 hours of supervised driving to get a regular license.



AAA North Dakota

LaVonne Langord

Graduated Drivers Licensing (GDL) systems are designed to teach novice drivers how to drive incrementally by controlling their progression towards full unrestricted driving.

How Will GDL Affect Your District?

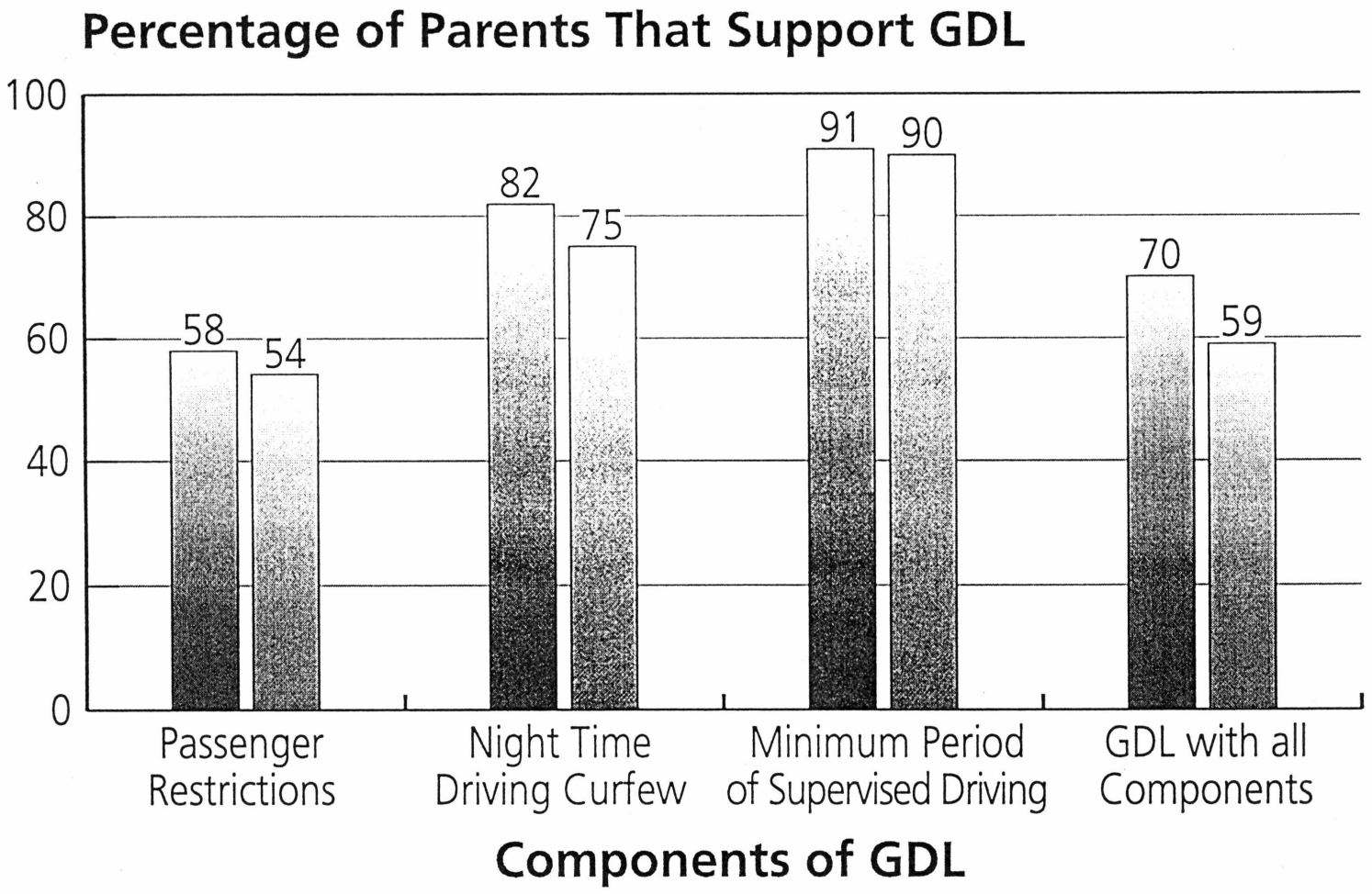
- A GDL system has the potential to reduce the tragic number of fatal and injury crashes across the state
- When teen drivers crash they may injure themselves, their passengers and other "innocent" drivers and passengers
- Last year the economic costs of teen crashes cost (insurance, hospitalization, infrastructure, lost income) North Dakota an estimated $80 to $85 million
- If we reduced the overall crash rate by 10 percent we'd reduce these costs by $8-$9 million

Why Would Parents Oppose GDL?

In most cases parents only oppose GDL when they don't understand the concept. For example:

- Parents may believe they'll be required to drive their children around until they turn 18
  - **Not true. Under the proposed legislation teens could drive unsupervised at 15 (14 and 9 months)**
- Parents may complain that this proposal will make it impossible for teens to drive to work
  - **Not true. Under the proposed legislation teens would be able to drive unsupervised to and from a place of work**
- Parents may complain that they rely on teenagers to drive siblings around and this bill will prohibit that
  - **Not true. The proposed legislation would only prohibit this between the hours of midnight to 6 am**

As the following slide demonstrates, parents support these laws when they understand the facts



Source: Insurance Institute for Highway Safety
880 Parents Surveyed

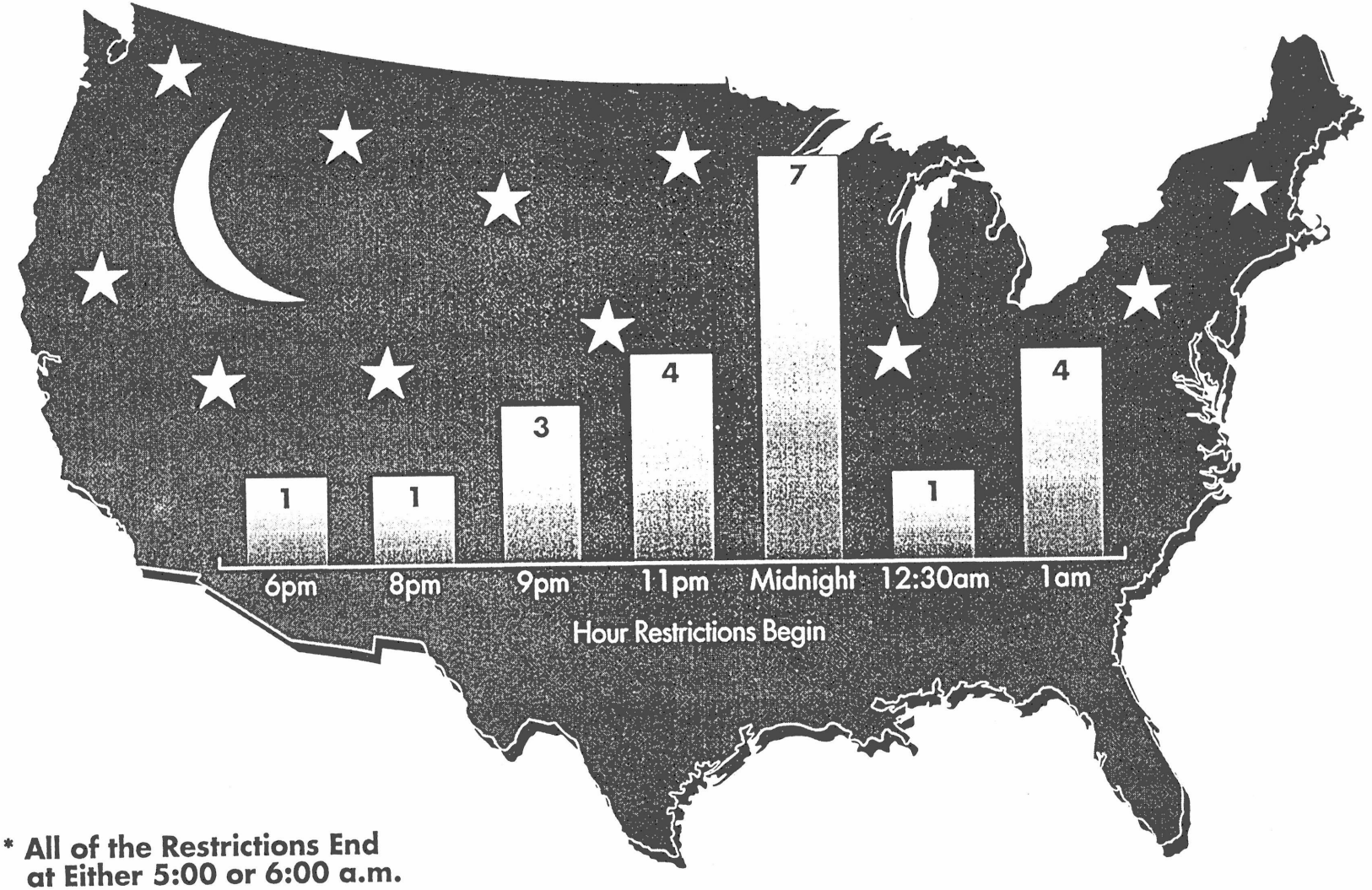
Why Isn't Driver Education Enough?

About half of the crashes involving drivers are a result of inappropriate judgement. People learn by doing. We need to give teens the chance to make mistakes in low-risk circumstances.

Do Passenger Restrictions Work?

When you go from no passengers to more than one teen passenger in a car driven by a teen, the risk of that teen having a crash that is their fault goes up to 13 percent.

Night Time Driving Restrictions
Number of States with Restrictions

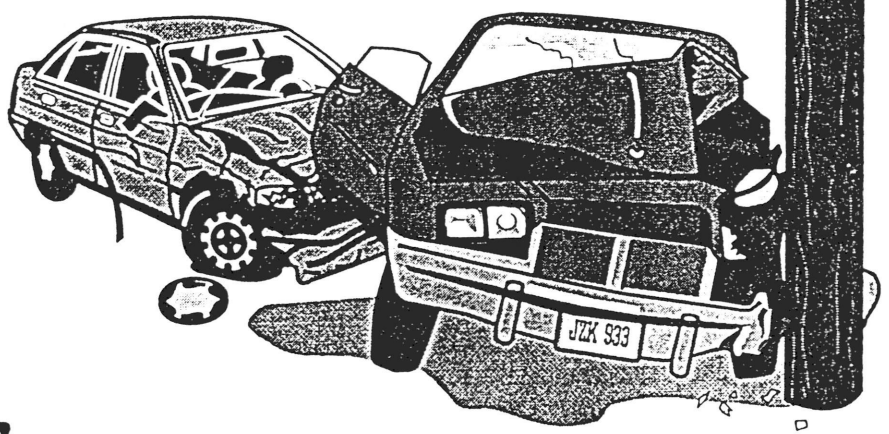


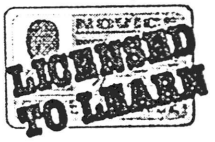
* All of the Restrictions End at Either 5:00 or 6:00 a.m.

North Dakota's Teen* Crash Statistics 1997

- 2,133 teenagers were involved in property damage only crashes -- 11% of all property damage only crashes
- Almost 800 (782) teen drivers and/or their teenage passengers were injured in car crashes -- 12% of all injury crashes
- 9 teen drivers and/or their teen passengers were killed -- almost 8% of all fatal crashes
- Although teen drivers represented only 4.65 percent of all licensed drivers, they were involved in 11.14 percent of all crashes

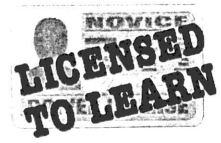
In 1997, Teenage Car Crashes Cost the State of North Dakota between $80-85 Million



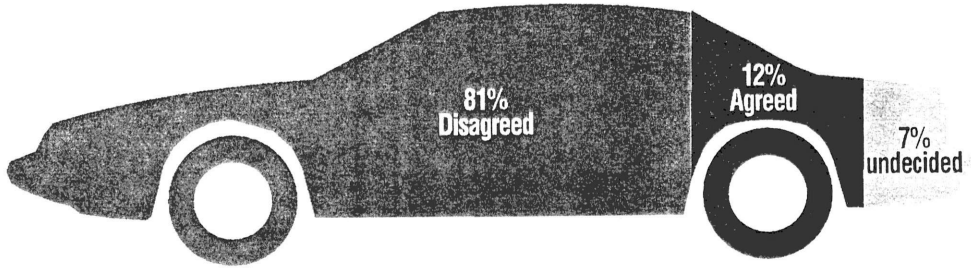


*Teens between the ages of 14 and 17
Source: North Dakota Safety Council

AAA National Survey on Teenage Drivers*

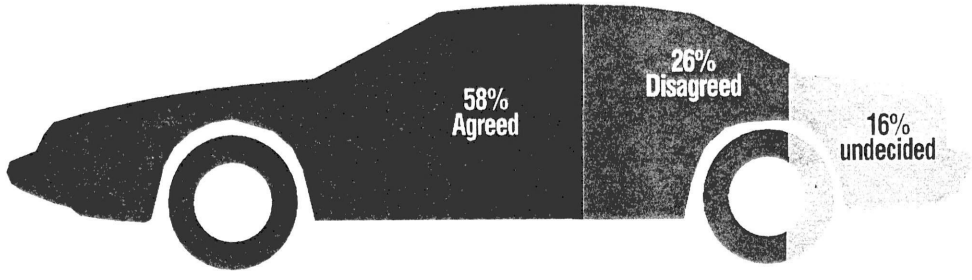


People between 15 and 19 drive as safely as any other driver

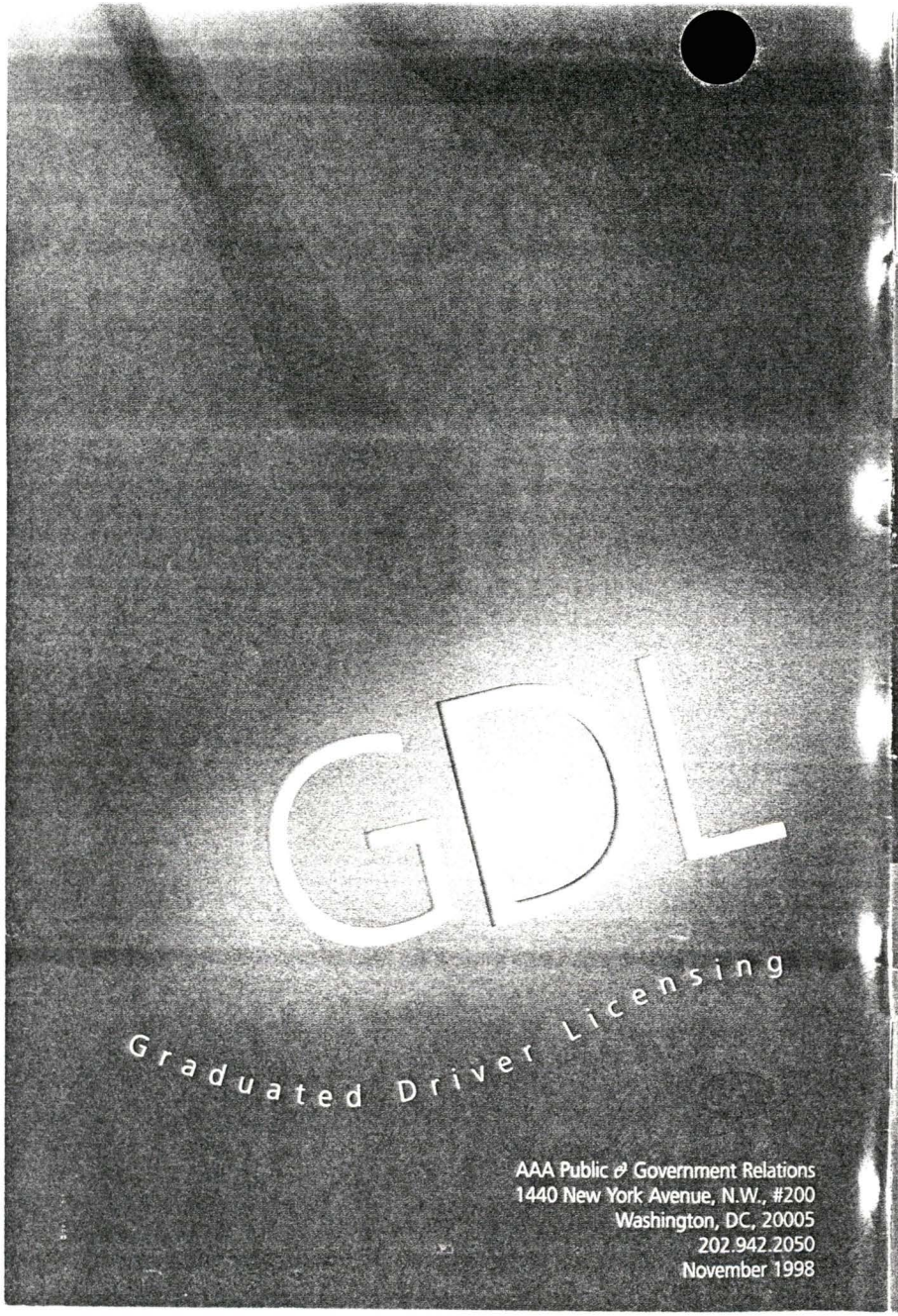


Limiting the use of cars by drivers between 15 and 19 until they gain some experience behind the wheel is a good idea

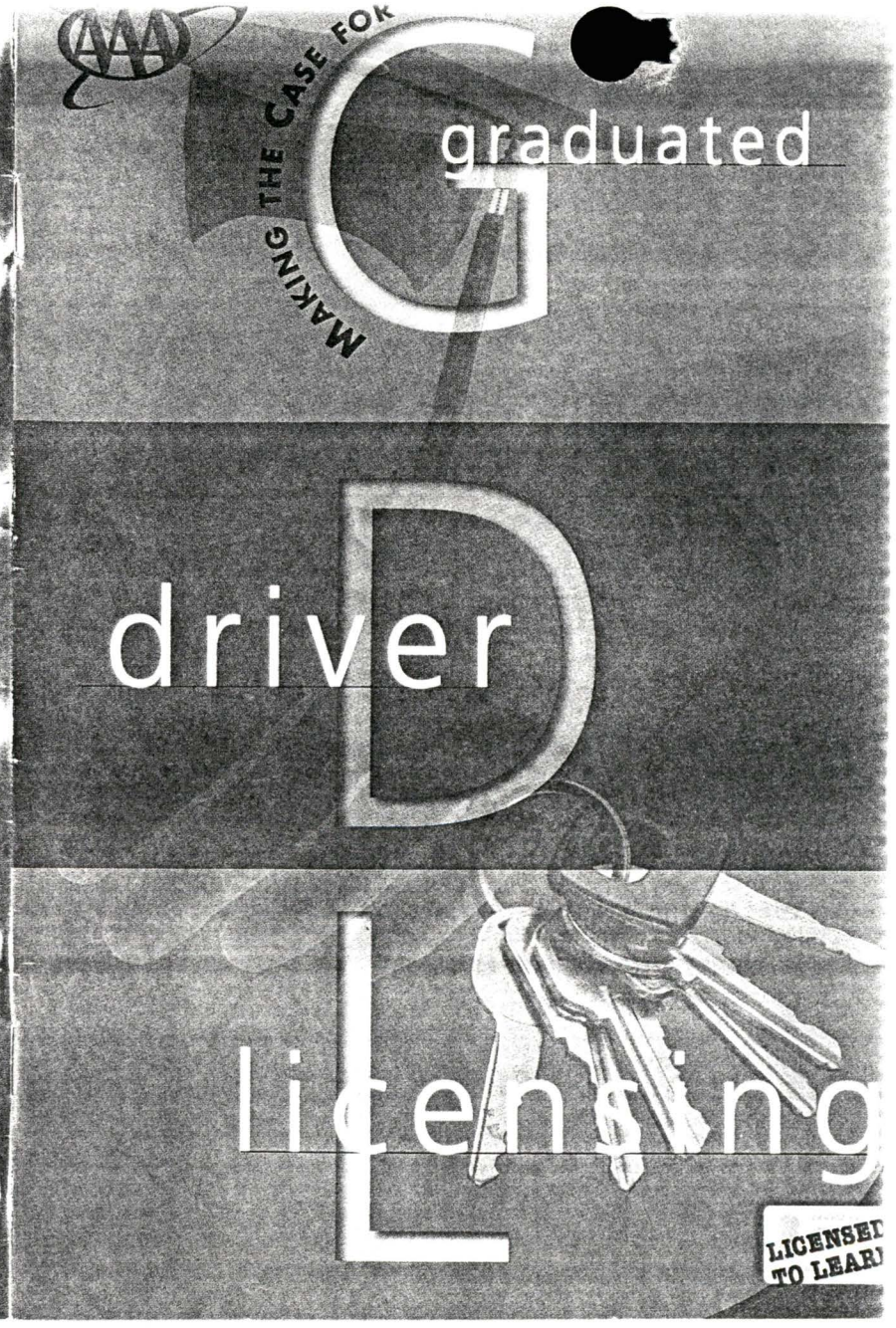
Public officials pay too little attention to safety issues regarding drivers between the ages of 15 and 19



*1997 survey commissioned by AAA Market Research. 1,000 random adults (50% male, 50% female).



AAA Public & Government Relations
1440 New York Avenue, N.W., #200
Washington, DC, 20005
202.942.2050
November 1998



GRADUATED DRIVER LICENSING

AAA Guidelines

Graduated Driver Licensing (GDL) systems are designed to teach novice drivers how to drive incrementally by controlling their progression towards full unrestricted driving. The system ensures that new drivers accumulate behind-the-wheel experience in low-risk settings. Typically, novice drivers progress through the following three stages: the learner's permit stage, a restricted or probationary license stage, and the full license stage. AAA's guidelines for each stage are described below.

Stage 1

LEARNER'S PERMIT

In this stage, the novice driver practices basic driving skills and safe driving practices under totally supervised conditions. Novice driver permits should be distinctive and easily distinguishable from the licenses of adults (at least 21 years old).

RECOMMENDATIONS FOR ELIGIBILITY

- Minimum age required by state.
- Parents or legal guardian written permission.
- Pass vision and knowledge test.

RECOMMENDED COMPONENTS

- During this stage, novice drivers should be supervised at all times by a licensed driver at least 21 years old, for at least six months.
- Restrict the number of teen passengers.
- All vehicle occupants should be required to wear their seat belts.
- Novice drivers should be required to take a basic driver education course focusing on basic vehicle handling skills and rules of the road.
- Novice drivers should be provided with ample behind-the-wheel driving experience. AAA recommends at least 50 hours (including nighttime driving) of certified practice during this stage. May be certified by a parent, guardian, or a licensed instructor.
- Novice drivers should be required to remain at-fault crash and moving violation free for at least 6 months before progressing to the next stage. In the event of an at-fault crash or a conviction, the novice driver should be required to take a driver education refresher course or a similar driver improvement action.

Stage 2

INTERMEDIATE/ PROBATIONARY LICENSE

This stage exposes the driver to more demanding driving situations by providing the novice driver with opportunities to use his or her decision making skills by allowing unsupervised driving during lower-risk times. This license should be distinctive and easily distinguishable from the licenses of adults.

RECOMMENDATIONS FOR ELIGIBILITY

- At least six months in stage one.
- Should pass a road test given by approved licensing agency.

RECOMMENDED COMPONENTS

- Drivers should be required to take and pass an advanced driver education course: risk-taking, perceptual skills, decision-making, hazard recognition, social responsibility, attitudes, drug use, and stress are some of the potential topics for this course.
- New drivers should receive safe operating instruction geared to correcting the kinds of mistakes novices make.
- All vehicle occupants should be required to wear their seat belts.
- Restrict the number of teen passengers.
- Additional provisions for parental certified behind-the-wheel driving experience.
- During this stage, drivers may drive without supervision. However, AAA recommends that novice drivers be restricted from driving between at least midnight and 5:00 a.m. unless accompanied by an adult (at least 21 years old).
- Novice drivers should be required to remain at-fault crash and conviction free for at least 12 months or until they are 18 years old before progressing to the next stage. In the event of an at-fault crash or a conviction, the novice driver should be required to take a driver education refresher course or a similar driver improvement action.
- Fines and penalties for at-fault crashes, convictions and traffic infractions should be more severe for novice drivers than experienced drivers.

Stage 3

FULL/UNRESTRICTED LICENSE

This license allows the driver unrestricted driving privileges.

RECOMMENDATIONS FOR ELIGIBILITY

- Successful completion of stage two (6 month minimum).
- Minimum age of 18.
- Pass a final road test.

INTRODUCTION

Motor vehicle crashes kill more people between the ages of 15 and 20 than any other cause. Even more disturbing is the fact that this age group accounts for only 7 percent of the driving population, but is involved in 14 percent of all fatal traffic crashes and nearly 20 percent of total crashes.

The consequences of teen crashes are jarring: some 6,000 fatalities each year; 600,000 injured, thousands permanently paralyzed and dependent on others for the remainder of their lives. More than half of those killed are drivers; the others are passengers and occupants of other vehicles.

Teen crashes end or forever change too many lives: devastated family members left to cope with losing people they love, societal costs of more than $32 billion and young, promising futures thrown tragically off course. Teens responsible for these crashes face a judicial system increasingly intolerant of youthful lapses of judgment. Civil and criminal convictions cost these families tens of thousands of dollars, while reckless driving and manslaughter convictions delay or cancel entirely college plans, and narrow career options.

Graduated driver licensing (GDL) systems were developed because young drivers are significantly over-involved in traffic crashes because of:

- Poor judgment
- Lack of experience
- Lack of adequate driving skills
- Driving during high-risk hours
- Risky behavior

GDL systems are designed to incrementally teach novice drivers how to drive by controlling their progression toward full unrestricted driving. The system ensures that new drivers accumulate behind-the-wheel experience in low-risk settings. Typically, novice drivers progress through the following three stages: the learner's permit stage, a restricted or probationary license stage, and the full license stage.

AAA launched *Licensed to Learn*, its national campaign to reduce the number of teen-age traffic crashes, in 1997. Since then, AAA clubs in states throughout the nation have aggressively lobbied for GDL.

This booklet provides answers to some of the most commonly asked questions we have encountered.

Q. Don't these laws discriminate against teen-agers?

A. All laws discriminate—between what's right and what's wrong, between what's good and what's bad, between what's safe and what's unsafe. That's why there are laws. What is not discriminatory is developing licensing and training processes which improve the safety of novice drivers who, research has shown, are over-involved in crashes and whose lives would be saved if such programs were in place.

Arguing these laws are discriminatory is like arguing that any qualification standard is discriminatory.

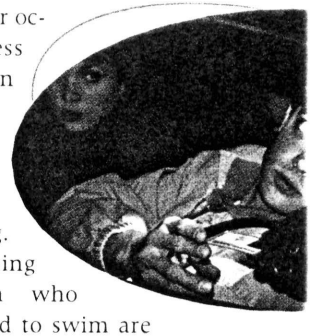
Would we let an electrician wire a 12-story building after several hours in a classroom and a few hours of on-the-job training?[1] Absolutely not. Yet, we are willing to put our teens on the road without the training or experience they need. We are asking our teens to handle the extraordinarily complicated task of driving—in extraordinarily fast-paced and dangerous conditions—and to control a two-ton machine that all too often becomes a lethal weapon. It's like making the new electrician wire the new building with a stopwatch ticking.

Q. Why should all teen-agers suffer for the poor behavior of a few?

A. GDL laws are not intended to punish teen-agers; rather, they try to prevent the consequences of the poor judgment and lack of experience of *many* teens, not few. Most teens lack judgment and experience—thankfully, not all of them end up dead or seriously injured as a result of devastating teen crashes that have become almost an every-day occurrence.

The fact is, motor vehicle crashes are the greatest threat to life teen-agers face.

Many teen-agers have crashes. If crashes were rare among teens, or occurred much less frequently than the numbers suggest, there would be no need for graduated licensing. It's like arguing that children who haven't learned to swim are suffering because they have to stay in the shallow end of the pool!



[1] In an average state, electricians go through a three-stage process and log between 4,000 and 10,000 hours of education and training before becoming fully licensed. In at least 15 states, barbers and cosmetologists must log between 1,000 and 4,000 hours of education and training—involving structured apprenticeships—before becoming fully licensed. Manicurists must log between 100 and 640 hours.

Q. Isn't GDL laws an intrusion of parental rights? Don't parents have the right to say when their teens can drive?

A. The state has always had the right to determine, on behalf of its citizens, who can be licensed to drive on its roads. GDL systems are not a parental intrusion any more than licensing is an intrusion on anyone's rights. Licensing actually is not a parental right to give.

Parents do have rights. But the consequences of motor vehicle crashes go far beyond the family, and for that reason the state has the right, and indeed the responsibility, to manage driving rights on behalf of its citizens. Whether you drive or not, motor vehicle crashes cost every person in this country about $580 per year.

Unfortunately, many states and parents believe that existing laws and practices are enough to keep teens safe as they learn to drive. Clearly, they are not.

It is a parental right and responsibility to educate teens, and AAA both acknowledges and encourages parents to get involved in teaching their teens to drive. In fact, AAA has created tools[2] to help parents make the most of their time in the car with their teens.

Q. Families are busier than ever these days—often with both parents working. Many rely on teens to run family errands and chauffeur brothers and sisters around. Isn't this going to place an unfair burden on parents?

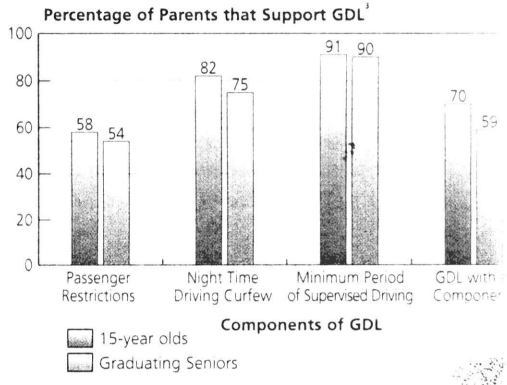
A. Children create burdens for parents. That's part of being a family. Parents or their designees manage household errands before the teen-ager in the house is eligible for a driver license. How much more burdensome is it to wait an additional 30 days to six months longer to ensure the teen-ager will have the best opportunity to drive safely?

Ask any parent who has lost a teen to one of these crashes and they'll tell you they'd gladly drive their child anywhere they needed to go if they could have the chance. The funeral procession is the one route you never want to drive with your teen.

[2] *Teaching Your Teens to Drive* and *The Cool Way to Learn.*

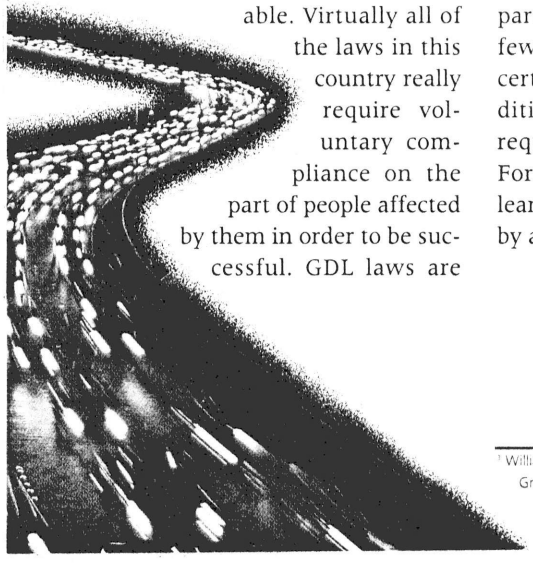
Q. Do parents support these laws?

A. By and large, yes they do. In states where graduated licensing laws have passed there have been few complaints from parents. The Insurance Institute for Highway Safety recently surveyed the parents of 880 15-year-olds and graduating seniors in four states and found that at least 59 percent of the parents surveyed favor GDL systems with a minimum period of supervised driving, nighttime driving curfews, and passenger restrictions. At least 90 percent of the parents surveyed favored a minimum period of supervised driving, at least 75 percent favored a nighttime driving curfew and at least 54 percent favored passenger restrictions.



Q. Are these laws enforceable?

A. Yes, to the extent that any law is enforceable. Virtually all of the laws in this country really require voluntary compliance on the part of people affected by them in order to be successful. GDL laws are enforceable because violations of the law are easily detectable—particularly nighttime driving curfews, passenger restrictions, and certified driving provisions. In addition, many parts of GDL don't require law enforcement action. For example, driving time in the learner's permit stage is monitored by a parent or guardian.



[3] Williams, Allan, et al. Views of Parents of Teenagers About Graduated Licensing Systems. *Journal of Safety Research*, Vol 29, No. 1 pp 1–7, 1998.

Q. Do teens support these laws?

A. Teen-agers do support these laws. There is no significant organized opposition from teens or teen groups to these laws. In fact, many teen organizations such as Students Against Destructive Decisions and other youth oriented organizations support these laws. Not surprisingly, support for these laws is more likely from 17- and 18- year olds than 16-year olds. The older teen-agers have the experience and the maturity to realize that these laws could have helped them to be better and safer drivers. Many teens recognize the need for more driving practice time, and readily admit there is a lot more to it than they thought when they started.

Q. Why isn't driver education enough?

A. About half of the crashes involving drivers are a result of inappropriate judgment. GDL, with its use of incentives and limitations on driving in high risk situations, encourages novice drivers to apply judgment they other wise would not, and lowers the risk of crash involvement at a time when that risk is especially high. People learn by doing. We need to give teens the chance to make mistakes in low-risk circumstances.

Q. Aren't older drivers an equally high risk group? Why aren't we targeting them?

A. We should, and we are. States should consider revising licensing procedures to ensure that older drivers are physically and mentally able to operate motor vehicles safely. It is important to note that while the risk of crash is high for older drivers, it does not approximate that of 16-year-olds until age 70. At that age, the number of drivers and the number of miles they drive drops off substantially. The same cannot be said of novice drivers. In fact, more 70-year-olds die in household falls than die in motor vehicle crashes.

In terms of both sheer numbers and relative risk, the safety problem in this country is novice drivers, and it is a problem that is growing. GDL is the only practical solution in sight.

Q. Are nighttime driving restrictions the most important part of a GDL law?

A. They are important—but what is most important is providing incentives which motivate teens to drive safely at all times, in all conditions.

Nighttime driving restrictions definitely reduce teens' exposure to risk. According to the National Highway Traffic Safety Administration, 43 percent of all teen-age motor vehicle deaths occur between the hours of 9 p.m. and 6 a.m. So preventing teens from driving during those hours will reduce crashes during those hours.

But as important as it is to manage the risk, it is equally important to use these and other restrictions as incentives for safe driving at all times of the day. That is, use these and other restrictions to motivate teens to drive safely all the time by making nighttime driving a privilege teens earn after driving crash-and-conviction-free for the first six months they drive on their own. The result is a GDL system based on incentives—not penalties—that has the added benefit of reducing teen crashes at night and during the daytime hours.

Q. Won't nighttime driving restrictions interfere with school, work and social activities, which could place an unfair hardship for teens and parents?

A. Realistically, all that most GDL systems require is that the privilege of nighttime driving be delayed another six months. It is hard to imagine that parents would not be willing to manage their teen's transportation for another six months if it means they will be safer drivers when they earn the privilege.

Q. How do I respond to critics who say nighttime driving restrictions are widely violated?

A. Nighttime driving restrictions are violated, but it is incorrect to say that they are widely violated. In the past researchers have found that when adult drivers have violated license suspensions they drive more safely. They try to eliminate behavior that puts them at risk of being caught. Studies have shown that the same is true for teens. The statistics show that nighttime driving restrictions are a deterrent to late-night driving and to unsafe driving behavior likely to attract attention.

Q. Do passenger restrictions work?

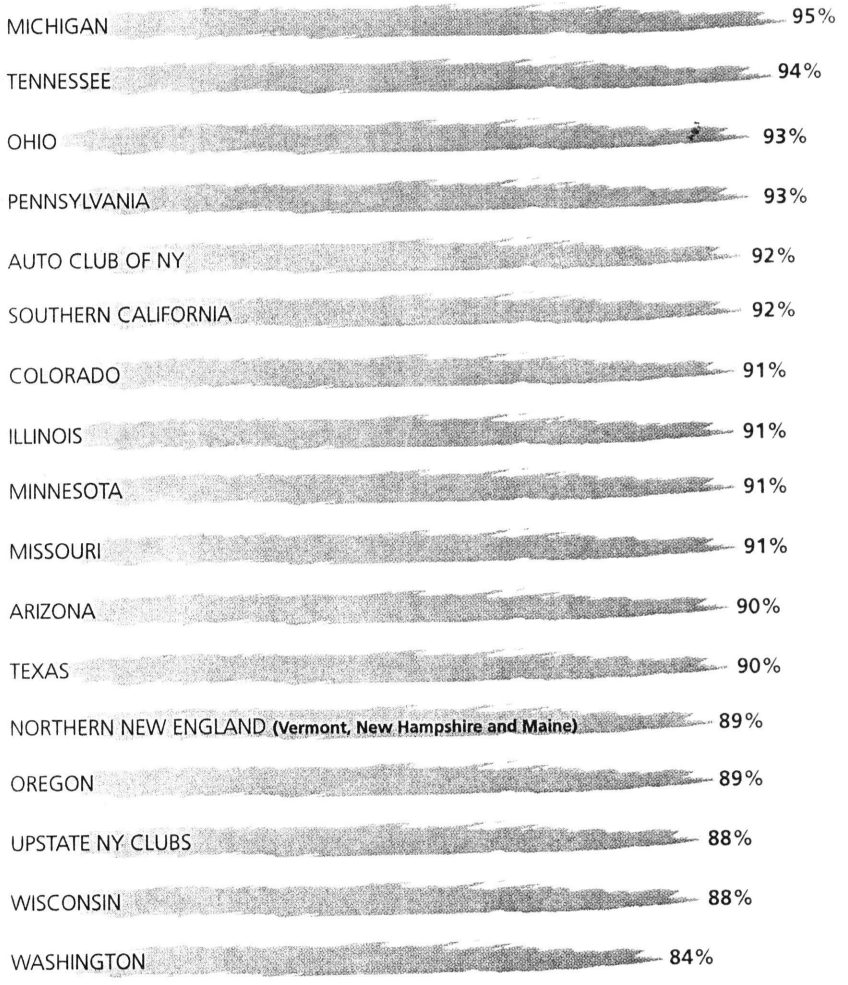
A. The simple fact is that the more teen-agers there are in the car, the more there are to be hurt in an crash. In 1996, 24 percent of all passenger deaths in this country occurred when a teen-ager was driving. Two-thirds of all the teen passengers killed in 1996 were in a vehicle driven by another teen-ager. Passenger restrictions won't prevent teen-agers from running errands. They can continue to run errands with older passengers and they can certainly run errands by themselves—which is actually very important because they need time to practice without distractions.

AAA 1997 National Public Affairs St
(based on 11,841 respondents)

Nine in ten members favor graduated licensing programs for novice drivers which require additional driving experience before a full license is granted.

State Numbers

Do you favor or oppose a mandatory GDL program for novice drivers which would require more behind-the-wheel experience before full driving privileges are granted?



AAA MARKET RESEARCH

Wisco[illegible] State Journal

Teen driving project worthy plan

The cost of learning to drive is far too tragic: Every eight days in Wisconsin, a teen-age drives dies in a crash.

It's time for Wisconsin to open its eyes to the deadly problem of training teen-age drivers. That's why a campaign by AAA Wisconsin to improve driver training in Wisconsin deserves attention.

Mention that teen-agers are killing [illegible] in alarming numbers, [illegible] images

It would be wrong to read these data as condemning teen-agers. What the statistics condemn it teen-agers' inexperience.

In any learning proces[illegible]

The Birmingham News

Graduate drivers

Legislature should give quick OK to multistep licenses

Teen drivers are three to four times more likely to be involved in traffic accidents than older drivers, a major reason highway fatalities are the [illegible]

driving between midnight and 6 a.m. except for work, medical emergencies, school or church activities, or with a parent.

[illegible] drivin[illegible]

Saving teen drivers' lives

Before people start belly-aching about rules and restrictions and unfair requirements and how they don't want to go out at 11 p.m. to drive their teenager [illegible] me, let's take a look at some frightening

for New Drivers.

AAA studies have shown that the risk of a car crash declines sharply after a driver has three or four years of experience, whi[illegible] is why this non-profit federation of 9[illegible] motor[illegible]

Boston Herald

Driver training begins at home

AAA wants parents to help teens learn road rules.

By EDWARD M. EVELD
Staff Writer

You've seen these parents of teen-[illegible] Newcomers to the passenger seat, [illegible] and against a sudden [illegible]

wrecks are the leading cause of death among young people. Nationally, for every million miles driven, teen drivers are involved in four times as many [illegible]

"No question, said Righ[illegible] are certain they know [illegible] and [illegible]

Kansas City Star

Setting Limits on Teen-Age Drivers

By MATTHEW L. WALD

WASHINGTON

[illegible]GRESS and the state legislatures [illegible]ngaged down in their efforts [illegible]

in 14 percent of fatal crashes in 1996, and in 20 percent of all crashes reported to the police. Teen-agers are involved in crashes for all kinds of reasons, but alcohol is involved less frequently than it is for drivers in their 20's; experts say simple inexperience is the main reason for the high accident rate.

[illegible] with drunken driving, the teen-age [illegible] created a cadre of victim[illegible]

"to get a license to cut hair requires over 1,000 hours of training," Mr. Greening said, referring to the law in Wisconsin. "We'll give a young driver the keys with only six hours of training."

Mr. Greening, speaking at a recent meeting of safety advocates here to press for stricter laws, quoted A.A.A. statistics showing that nearly a quarter of all 16-[illegible]-year-old drivers are involved in accident[illegible]

The New York Times

Q. How effective are passenger restrictions?

A. They are very effective. When you go from no passengers to more than one teen passenger in a car driven by a teen, the risk of that teen having a crash that is their fault goes up by 13 percent. Research also shows that removing all teen passengers from a car driven by a 16 or 17-year-old reduces the overall crash risk by about 50 percent. There is not a coincidental increase in the risk of that teen having a crash if you add an adult to the car. Clearly, teens are distracted by other teens—not by adults.[4]

Q. Fifty hours seems like a lot of practice time. Is it too much to ask of parents?

A. Most high school basketball or football players practice more than two hours per day. In most states, that means that they spend more time practicing for a sport in one week than the law requires that they practice to receive a license to drive a motor vehicle.

The certified behind-the-wheel driving time required in GDL bills is usually spread across at least six months, which translates into about two hours a week. Two hours certainly seems like a small price to pay for our teens' safety.

Believe it or not, teen-agers still overwhelmingly say that their parents are their greatest role models—especially when it comes to driving. We realize that in some cases parents just aren't available to teach their teen-agers to drive. Lawmakers have taken this into consideration by enacting GDL laws which make exceptions for such situations as teen-agers in single-parent homes, and teen-agers who don't live with their parents to allow other adult relatives, teachers or religious leaders to certify the practice time.

[4] Preusser, David et al. The Effect of Teenage Passengers on the Fatal Crash Risk of Teenage Drivers. *Accident Analysis and Prevention*. Vol. 30 No. 2, pp 217-222, 1998.

Q. ...rents can claim they accumulated the certified driving ...ctice with their teen whether they did or not. How can ...e be sure teens actually get the practice they need, and that the practice will be quality practice time?

A. AAA's *Licensed to Learn* campaign is about changing the way people—especially parents—look at the way novice drivers are licensed in this country. Most parents believe that their children only need 30 hours of classroom instruction and six hours of behind-the-wheel experience to be qualified to drive, *because that's what the law tells them*. If the certified behind-the-wheel driving provisions in GDL bills help convince parents that they need to spend more time practicing with their teen-agers, then we've been successful.

Furthermore, it's misleading to believe that safe driving requires formal instruction to learn many of the skills, particularly safe operating practices. Many safe driving skills can only be learned by actually driving.

Q. Aren't the costs of implementing a GDL system prohibitive?

A. Actually, the opposite is true: it is very costly if it is not implemented. The fact is that teen crashes have an enormous economic impact on the resources of this country and on taxpayers. On a national level, teen crashes cost about $32 billion annually.

A study conducted by the National Highway Traffic Safety Administration found that in 1994 the cost of fatal teen crashes in Kentucky exceeded $91 million, while non-fatal injuries and property damage-only crashes cost about $318 million. If the elements of GDL prove effective in reducing the number of deaths and injuries from teen crashes, the cost savings should easily exceed the operational costs of the program.

Q. How much will it actually cost to implement?

A. It depends on how many changes the licensing agency has to make to its existing system. For example, in several states the new law isn't expected to have any real cost implications.

But since each state licensing agency is different, a cost analysis from one state may not be applicable in another state. We do know that GDL systems are generally designed to pay for themselves through fees associated with learner's permits and intermediate licenses. Fiscal analyses of GDL laws in a number of states have shown that over the long term these systems can even increase revenue to the licensing agency.

Q. Are GDL systems effective?

A. GDL effectiveness studies indicate that these programs are effective. While estimates of effectiveness vary, on an annual basis if GDL systems were only 10 percent effective, we would save 600 teen-age lives; prevent 60,000 other teen-agers from being injured; and save $3.2 billion.

LICENSED TO LEARN REPORT:

States with Graduated Driver Licensing Laws

	Stage One Learner's Permit		Stage Two Intermediate License			Stage Three Unrestricted License	Behind-the-Wheel Training
(Effective)	Minimum Age	Holding Period (Months)	Holding Period (Months)	Restrictions: Nighttime Driving	Restrictions: Passenger	Minimum Age	Number of Hours
California	15 & 6 months	6	12	Midnight to 5 am	In the first six months, no passengers under 20 unless accompanied by a supervisory driver at least 25	17	50 (10 at night)
Connecticut	16	3 with D.E. 6 w/out D.E.				16 & 6 months	
Delaware (1/1/99)	15 & 10 months	6	6	9 pm to 6 am	No more than 2 passengers when supervisory driver is not present	16 & 10 months	
Florida	15	6	24	11 pm to 6 am (16) 1 am to 5 am (17)		18	
Georgia	15	12	24	1 am to 5 am	No more than 3 passengers under 21 who are not members of the immediate family	18	
Illinois	15	3	12	11 pm to 6 am Sun.-Thu. Midnight to 6 am Fri.-Sat.	No more passengers than seat belts	17	25
Indiana (1/1/99)	15	2	34	1 am to 5 am Sat.-Sun. after 11 pm Sun.-Thu.	First 90 days no passengers unless accompanied by a supervisory driver at least 21	18	
Iowa (1/1/99)	14	6	12	12:30 am to 5 am		17	30 (4 at night)
Kentucky	16	6				16 & 6 months	
Louisiana	15	3	12	11 pm to 5 am		17	
Maine (8/1/98)	15	3	24[2]*			21	35 (5 at night)
Maryland[1] (7/1/99)	15 & 9 months	4	18	Midnight to 5 am		17 & 10 months	40–50
Massachusetts[2] (11/4/99)	16	6	18	Midnight to 5 am	First six months no passengers (except immediate family members) unless accompanied by supervisory driver at least 21	18	12
Michigan	14 & 9 months	6	6	Midnight to 5 am		17	50 (10 at night)
Minnesota (1/1/99)	15	6	12		No more passengers than seat belts	17	40 (10 at night)
Nebraska (1/1/99)	15		12	Midnight to 6 am		17	50 hours in lieu of driver education
New Hampshire	16	3	21	1 am to 5 am		18	
New Jersey[1] (1/1/01)	16	12	12	Midnight to 5 am	No more than 1 passenger unless accompanied by a person at least 21	18	
New York	16		12 w/ D.E. 24 without D.E.	9 pm to 5 am		18 (17 if driver education completed)	
North Carolina	15	12	6	9 pm to 5 am	No more passengers than seat belts	16 & 6 months	
Ohio	15 & 6 months	6	12	1 am to 5 am	No more passengers than seat belts	17	50 (10 at night)
Pennsylvania	16		12 w/ D.E. 24 without D.E.	Midnight to 5 am		18	
Rhode Island (1/1/99)	16	6	6	1 am to 5 am	All vehicle occupants must wear seat belts	17 & 6 months	
South Carolina	15	3	12	6 pm to 6 am 8 pm to 6 am		16 & 3 months	
South Dakota	14	6	3	8 pm to 6 am		14 & 9 months	
Virginia	15	6				16	

[1] Applies to all novice drivers. [2] Six month junior operator license suspension for second speeding offense. 12 month suspension for third and subsequent offenses until age 18.

TESTIMONY BEFORE THE
SENATE TRANSPORTATION COMMITTEE
REGARDING
HB-1291 – GRADUATED DRIVER LICENSING
MARCH 4, 1999

MR. CHAIRMAN, AND MEMBERS OF THE COMMITTEE, MY NAME IS BOB GRAVELINE AND I AM THE EXECUTIVE DIRECTOR OF THE NORTH DAKOTA SAFETY COUNCIL, INC. WE ARE A NON-GOVERNMENT, NON-PROFIT, MEMBERSHIP SUPPORTED ORGANIZATION DEDICATED TO HELPING MAKE NORTH DAKOTA A SAFER AND HEALTHIER PLACE TO LIVE.

I APPEAR BEFORE YOU TODAY IN SUPPORT OF HB-1291, AND I URGE YOUR PASSAGE OF THIS VERY IMPORT TRAFFIC SAFETY BILL.

LATE IN 1997 THE NORTH DAKOTA SAFETY COUNCIL FORMED A COMMITTEE OF 27 INDIVIDUALS INTERESTED IN TRAFFIC SAFETY TO DISCUSS GRADUATED DRIVER LICENSING. THE COMMITTEE WAS CHARGED WITH EVALUATING THE YOUNG DRIVER SITUATION IN NORTH DAKOTA TO DETERMINE IF A PROBLEM EXISTED AND IF SO, TO ARRIVE AT SUGGESTIONS FOR CHANGE.

AFTER SEVERAL MEETINGS AND MUCH DISCUSSION, THE COMMITTEE DECIDED A PROBLEM EXISTED AND CAME TO A CONCENSUS POSITION THAT WAS PRESENTED TO THE LEGISLATURE AS HB-1291.

THIS COMMITTEE WAS COMPRISED OF TRAFFIC SAFETY, LAW ENFORCEMENT, AND MEDICAL PROFESSIONALS. THERE WERE INSURANCE REPRESENTATIVES, A HIGH SCHOOL STUDENT, AND THREE LEGISLATORS WHO ARE LISTED ON THE BILL AS CO-SPONSORS.

FURTHER, THERE WERE REPRESENTATIVES OF SEVERAL STATE AGENCIES SERVING AS RESOURCE PEOPLE TO THE COMMITTEE.

NATIONAL STATISTICS REPORTED BY THE NATIONAL SAFETY COUNCIL AND STATEWIDE STATISTICS REPORTED BY THE NORTH DAKOTA STATE DEPARTMENT OF HEALTH SHOW US THE SAME SAD FACT. MORE YOUNG PEOPLE DIE FROM TRAFFIC CRASHES THAN FROM ANY OTHER CAUSE.

TRAFFIC DEATHS AND INJURIES HAVE BEEN A PART OF OUR LIVES FOR SO VERY LONG WE SELDOM EVEN ACKNOWLEDGE THESE CRASH NEWS STORIES WE READ AND HEAR NEARLY EACH AND EVERY DAY. WE SEEM TO BE ACCEPTING OF TRAFFIC CRASH DEATHS AND INJURIES AS A RITE OF PASSAGE RATHER THAN AS SOMETHING WE CAN PREVENT.

ATTACHED TO MY TESTIMONY AS ENCLOSURE #1, IS A CHART PUBLISHED BY THE NATIONAL SAFETY COUNCIL WHICH SHOWS CAUSES OF DEATH FOR PEOPLE AGES ONE THROUGH TWENTY-FOUR YEARS. YOU WILL NOTICE TRAFFIC CRASHES ALONE ACCOUNT FOR 62 % OF UNINTENTIONAL INJURY DEATHS FOR 14 YEAR OLD YOUNGSTERS; 71 % FOR 15 YEAR OLDS; 79.9 % OF 16 YEAR OLDS; AND, 79.4 % FOR 17 YEAR OLD CHILDREN.

MORE YOUNG PEOPLE DIE IN TRAFFIC CRASHES EACH YEAR THAN DIE IN FIRES, THAN DIE FROM HOMICIDES, THAN DIE FROM DROWNINGS OR FROM DOMESTIC VIOLENCE. YET WE SEE ALL SORTS OF RULES, REGULATIONS, AND CAMPAIGNS DESIGNED TO PREVENT DEATHS FROM THESE OTHER CAUSES.

AS A SOCIETY, WE WORK VERY HARD TO MAKE SURE WE DO WHAT WE CAN TO PREVENT OUR CHILDREN OR GRANDCHILDREN FROM BEING EXPOSED TO HAZARDS THAT WE CAN CONTROL. AND WE HAVE BEEN VERY SUCCESSFUL.

NOW I SUGGEST, THE TIME HAS COME TO TAKE A STRONG AND DEFINATIVE STEP IN WORKING TO ATTACK THE NUMBER ONE CAUSE OF DEATHS AND INJURIES TO OUR YOUNG PEOPLE.

THAT CAUSE --- IS YOUNG PEOPLE THEMSELVES.

ATTACHED TO THIS STATEMENT AS ENCLOSURE #2 IS A PAGE OF DRIVING STATISTICS PREPARED BY THE ND DOT TRAFFIC SAFETY DEPARTMENT. THIS PAGE SHOWS US THAT DURING 1997, THE MOST CURRENT YEAR FOR WHICH STATISTICS ARE AVAILABLE, 4.65 PERCENT OF OUR TOTAL NUMBER OF DRIVERS WERE BETWEEN THE AGES OF 14 AND 17.

YET, THIS SMALL PERCENTAGE OF DRIVERS WAS INVOLVED IN 11.14 % OF ALL CRASHES. THEY WERE INVOLVED IN 12.13 % OF ALL PROPERTY DAMAGE CRASHES AND WERE INVOLVED IN 7.63 % OF ALL FATAL CRASHES.

THESE NUMBERS REFLECT A RATIO OF 1.6:1 FOR FATALITIES AND A RATIO OF 2.6:1 FOR PROPERTY DAMAGE CRASHES. AS YOU LOOK OVER THE TABLE YOU WILL SEE OTHER YEARS' STATISTICS ARE EVEN WORSE.

AS YOU CONSIDER THESE STATISTICS, PLEASE KEEP IN MIND, THAT FOR MANY OF US, THEY ARE JUST NUMBERS. HOWEVER, FOR SOME NORTH DAKOTANS WHO HAVE RECEIVED DREADED NIGHTTIME CALLS FROM A LAW ENFORCEMENT OFFICER, OR FROM THEIR CLERGY, THESE NUMBERS REPRESENT PERSONAL TRAGEDIES.

WE BELIEVE NOW IS THE TIME TO START TO CHANGE THIS CONTINUING TREND. FURTHER, WE BELIEVE GRADUATED DRIVERS LICENSING IS THE BEST WAY TO SOLVE THE PROBLEM.

IN A NUT SHELL, GRADUATED DRIVER LICENSING IS ALL ABOUT THE EDUCATION OF YOUNG DRIVERS. AS YOUNG PERMIT HOLDERS GAIN EXPERIENCE AND MATURITY, THEY ARE ADVANCED TO THE NEXT TIER FOR FURTHER EXPERIENCE AND MATURITY UNTIL THEY OBTAIN FULL LICENSE.

FURTHERMORE, YOUNG DRIVERS THAT STEP OUT OF LINE AND IGNORE TRAFFIC RULES AND REGULATIONS ARE MOVED BACKWARD WHILE DRIVERS THAT OBEY THE RULES CONTINUE TO ENJOY THEIR DRIVING PRIVILEGES.

QUITE SIMPLY, GOOD BEHAVIOR IS REWARDED WHILE BAD BEHAVIOR IS PUNISHED.

ATTACHED AS ENCLOSURE #3 TO MY TESTIMONY IS A BULLET POINT LISTING OF OUR STATE'S CURRENT YOUNG DRIVER LICENSING LAW.

UNDER GRADUATED DRIVER LICENSING AS IT IS BEFORE THIS COMMITTEE TODAY, THE FEW CHANGES BEING SUGGESTED FOR OUR YOUNG DRIVER LICENSING ARE DESIGNED TO HELP EDUCATE OUR YOUNG DRIVERS TO HELP THEM AVOID AUTOMOBILE CRASHES.

HB-1291, WHICH WOULD GOVERN DRIVERS BETWEEN FOURTEEN AND EIGHTEEN YEARS OF AGE WOULD REQUIRE:

- ALL YOUNG DRIVERS TO HOLD THEIR PERMITS FOR SIX MONTHS
- CLASSROOM AND BEHIND THE WHEEL TRAINING FOR ALL MINORS
- SUPERVISING DRIVER WOULD NEED TO BE 18 YEARS OF AGE
- PROHIBIT DRIVING BETWEEN MIDNIGHT AND 6:00 A.M. FOR 14 AND 15-YEAR-OLD DRIVERS UNLESS ACCOMPANIED BY A SUPERVISING DRIVER. THIS SHOULD NOT BE VIEWED AS A CURFEW, BUT RATHER

SHOULD BE VIEWED AS KEEPING YOUNG PEOPLE FROM DRIVING DURING THESE VERY HIGH RISK HOURS UNTIL THEY HAVE GAINED MORE DRIVING EXPERIENCE.

- FOURTEEN AND FIFTEEN YEAR OLD DRIVERS WOULD BE ALLOWED TO CARRY ONLY AS MANY PASSENGERS AS THE VEHICLE MANUFACTURER RECOMMENDS
- VIOLATE LIQUOR LAWS OR ACCUMULATE MORE THAN 6 POINTS DURING ANY 12 MONTH PERIOD AND RETURN TO PERMIT STATUS
- UNRESTRICTED LICENSE AT AGE 16
- BECAUSE SOME RURAL RESIDENTS DO NOT HAVE EASY ACCESS TO CLASSROOM DRIVER EDUCATION TRAINING, AN ALTERNATIVE IS OFFERED FOR THEIR CHOICE. IF PARENTS SO CHOOSE, THEY CAN SPEND 50 HOURS DUAL DRIVING WITH THEIR YOUNG DRIVER AS AN ALTERNATIVE TO CLASSROOM TRAINING.

GRADUATED DRIVER LICENSING IS GAINING ACCEPTANCE ALL ACROSS THE NATION AS THE BEST SOLUTION TO REDUCING THE NUMBER OF DEATHS OF YOUNG DRIVERS AND THEIR PASSENGERS. ALL STATES, EXCEPT FOR MISSISSIPPI, EITHER HAVE GDL IN PLACE OR ARE CURRENTLY EVALUTING LEGISLATION.

ACCORDING TO STATISTICS FURNISHED BY THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA), TEEN DRIVERS AS A GROUP HAVE 20 CRASHES PER ONE MILLION MILES WHEN ALL OTHER DRIVERS EXPERIENCE 5 CRASHES PER ONE MILLION MILES.

SIXTEEN-YEAR-OLD DRIVERS BY THEMSELVES EXPERIENCE THE HIGHEST CRASH RATE AT 43 CRASHES PER ONE MILLION MILES TRAVELLED.

THESE NATIONAL STATISTICS SEEM TO BE REPRESENTATIVE OF YOUNG DRIVERS AND THE RISKS THEY TAKE HERE IN NORTH DAKOTA AS WELL. FOR EXAMPLE, ACCORDING TO FIGURES PROVIDED BY THE ND DOT, SOME 35,841 DRIVERS UNDER THE AGE OF EIGHTEEN POSSESSED DRIVERS LICENSES IN 1997.

THERE WERE 6,332 FOURTEEN YEAR OLD DRIVERS; 8,987 FIFTEEN YEAR OLD DRIVERS; 9,963 SIXTEEN YEAR OLD DRIVERS, AND THERE WERE 10,559 SEVENTEEN YEAR OLD DRIVERS.

DURING 1997, 166 TRAFFIC CITATIONS WERE ISSUED TO FOURTEEN-YEAR-OLD DRIVERS WHICH REPRESENTS TWO PERCENT OF THE LICENSED FOURTEEN YEAR OLD DRIVERS.

FIFTEEN-YEAR-OLD DRIVERS RECEIVED 1,196 CITATIONS WHICH REPRESENTS 13 PERCENT OF LICENSED FIFTEEN-YEAR-OLD DRIVERS. SIXTEEN-YEAR-OLD DRIVERS RECEIVED 3,163 TRAFFIC CITATIONS WHICH REPRESENTS 31 PERCENT OF TOTAL SIXTEEN-YEAR-OLD DRIVERS.

BUT THE SEVENTEEN-YEAR-OLD DRIVERS WIN THE PRIZE. DURING 1997 5,197 CITATIONS WERE ISSUED TO SEVENTEEN YEAR OLD DRIVERS AND THAT REPRESENTS FORTY-NINE PERCENT OF SEVENTEEN YEAR OLD DRIVERS.

THESE NUMBERS ARE CUMULATIVE AND WHILE MOST DRIVERS DID NOT RECEIVE CITATIONS, MANY YOUNG DRIVERS RECEIVED MORE THAN ONE CITATION DURING THE YEAR.

GRADUATED DRIVER LICENSING IS ALL ABOUT SAFETY AND MAKING YOUNG DRIVERS RESPONSIBLE. CLEARLY, THE TRAFFIC CITATION STATISTICS I JUST RECITED POINT TO A PROBLEM WITH SOME YOUNG

DRIVERS, AND THEIR OBVIOUS DISREGARD FOR TRAFFIC RULES AND REGULATIONS.

THE BILL BEFORE YOU TODAY ADDRESSES YOUNG DRIVERS WHO IGNORE TRAFFIC RULES AND REGULATIONS BY RETURNING THEM TO PERMIT STATUS. BUT THE PROVISION TO REVERT TO PERMIT STATUS ALLOWS SOME LENIENCY.

IT IS ONLY AFTER A YOUNG DRIVER ACCUMULATES SIX POINTS IN ANY TWELVE-MONTH TIME PERIOD, OR IF THEY VIOLATE ANY OF THE STATE'S ALCOHOL LAWS THAT THEY ARE RETURNED TO THE PERMIT LEVEL.

THOSE OF US IN SAFETY FOLLOW A VERY BASIC TENET. WHAT CAN BE PREDICTED CAN BE PREVENTED.

WE PREDICT CURRENT DRIVING LICENSING LAWS CONTINUED INTO THE FUTURE WILL GIVE US THE SAME TRAGIC CRASH RESULTS WE HAVE SEEN IN THE PAST.

THE TIME TO MAKE A CHANGE IS NOW. STATES THAT HAVE IMPLEMENTED GRADUATED DRIVER LICENSING ARE NOTICING VERY FAVORABLE RESULTS, AND NORTH DAKOTA CAN TOO.

FOR EXAMPLE, MARYLAND SHOWED A FIVE PERCENT REDUCTION IN CRASHES AND A 10 PERCENT REDUCTION IN CONVICTIONS FOR ALL 16 AND 17 YEAR OLD DRIVERS. CALIFORNIA, UNDER THEIR 1983 BILL FOUND A 5.3 PERCENT REDUCTION IN THE RATE OF CRASHES INVOLVING 15 – 17 YEAR OLD DRIVERS. CALIFORNIA STIFFENED THEIR GRADUATED DRIVER LICENSING LAW LAST YEAR AND ARE EXPECTING EVEN GREATER RESULTS.

OREGON'S PROGRAM TOOK EFFECT IN 1989 AND HAS SHOWN GREAT RESULTS WITH YOUNG MALE DRIVERS ACHIEVING A 16 PERCENT REDUCTION IN CRASHES.

FLORIDA'S 1997 RESULTS SHOW A 9 PERCENT REDUCTION IN FATAL AND INJURY CRASHES FOR 15-17 YEAR OLD DRIVERS. FURTHERMORE, FLORIDA'S NIGHTTIME CRASHES FOR 15 –17 YEAR OLD DRIVERS WERE 17 PERCENT BELOW WHAT WOULD HAVE BEEN EXPECTED WITHOUT THE CHANGE IN THEIR LAW.

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, THE NORTH DAKOTA SAFETY COUNCIL URGES YOUR DO PASS RECOMMENDATION ON HB-1291 AS A VERY GOOD AND POSITIVE STEP TO IMPROVE TRAFFIC SAFETY IN NORTH DAKOTA.

Unintentional-injury deaths increase nearly five-fold from age 12 to age 18.

CHILDREN AND YOUTHS

For children and youths aged 1 to 24 years, unintentional injuries are the leading cause of death, accounting for approximately 40% of the 49,233 total deaths of these persons in 1995. Overall, motor-vehicle accidents were the leading cause of unintentional-injury deaths for this age group, followed by drowning and fires and burns.

While unintentional-injury deaths decrease fairly steadily for those aged 1 to 10, they increase markedly for teenagers—from 342 for those age 12 to 1,627 for those age 18. Motor-vehicle accidents account for most of this increase.

For infants under 1 year of age, unintentional injuries are the fourth leading cause of death, following certain conditions originating in the perinatal period, congenital anomalies, and sudden infant death syndrome (see page 10). Although unintentional injuries account for less than 3% of deaths for those under age 1, the number of unintentional-injury deaths for this age is greater than that for any other age less than 15.

DEATHS BY EVENT, AGES 0–24, UNITED STATES, 1995

Age	Population (000)	Unintentional-Injury Deaths									
		All	Rates[a]	Motor-Vehicle	Drowning[b]	Fires	Firearms	Poison (Solid, Liquid)	Falls	Mechanical Suffocation	All Other
Under 1 year	3,823	787	20.6	179	59	64	0	7	22	295	161
1–24 years	89,867	19,666	21.9	13,480	1,658	967	604	581	350	248	1,778
1 year	3,821	718	18.8	230	212	94	1	11	17	42	111
2 years	3,882	604	15.6	209	144	123	2	6	15	14	91
3 years	3,961	499	12.6	189	94	126	9	5	6	10	60
4 years	4,048	459	11.3	197	80	103	8	0	4	10	57
5 years	4,026	362	9.0	194	44	67	6	1	5	7	38
6 years	3,868	330	8.5	187	47	44	6	2	8	7	29
7 years	3,785	314	8.3	176	39	48	7	2	4	7	31
8 years	3,590	301	8.4	185	42	28	5	2	4	8	27
9 years	3,838	305	7.9	165	40	37	8	0	7	13	35
10 years	3,843	275	7.2	156	40	19	6	2	5	6	41
11 years	3,682	309	8.4	183	32	26	11	1	6	9	41
12 years	3,759	342	9.1	196	43	25	24	1	8	8	37
13 years	3,798	397	10.5	234	45	17	34	4	8	10	45
14 years	3,744	609	16.3	379	63	12	54	4	8	13	76
15 years	3,790	792	20.9	560	70	10	47	11	10	9	75
16 years	3,635	1,294	35.6	1,034	86	13	48	14	14	8	77
17 years	3,616	1,387	38.4	1,102	82	12	54	16	21	11	89
18 years	3,537	1,627	46.0	1,299	78	20	55	35	33	9	98
19 years	3,590	1,523	42.4	1,173	86	13	55	54	26	8	108
20 years	3,617	1,483	41.0	1,154	67	23	38	50	30	6	115
21 years	3,465	1,539	44.4	1,184	76	29	47	57	30	7	109
22 years	3,438	1,419	41.3	1,058	63	25	22	89	32	5	125
23 years	3,599	1,374	38.2	1,008	45	29	27	101	22	15	127
24 years	3,935	1,404	35.7	1,028	40	24	30	113	27	6	136

Source: National Safety Council tabulations of National Center for Health Statistics mortality data.
[a] *Deaths per 100,000 population in each age group.*
[b] *Includes only nontransport drownings.*

ENCL # 1

	1993	Percentage	1994	Percentage	1995	Percentage	1996	Percentage	1997	Percentage
Total Licensed ND Drivers:	437942		439330		448781		449225		452163	
14 - 17 Yr Old Licensed Drivers:	18809	4.29%	19746	4.49%	20193	4.50%	20580	4.58%	21016	4.65%
Total Fatalities:	89		88		74		85		105	
14 - 17 Yr. Old Fatalities:	6	6.74%	11	12.50%	9	12.16%	7	8.24%	12	11.43%
Total of All Crashes:	12944		14032		14275		15962		16662	
Property Damage Only:	9176	70.89%	10189	72.61%	10303	72.18%	11762	73.69%	12589	75.56%
Injury Crashes:	3687	28.48%	3767	26.85%	3907	27.37%	4120	25.81%	3984	23.91%
Fatal Crashes:	81	0.63%	76	0.54%	65	0.46%	80	0.50%	89	0.53%
Total Drivers Involved in:	21614		22750		22892		25849		26604	
Total of All Crashes:	15076	69.75%	16299	71.64%	16188	70.71%	18700	72.34%	19695	74.03%
Property Damage Only:	6413	29.67%	6342	27.88%	6608	28.87%	7031	27.20%	6778	25.48%
Injury Crashes:	125	0.58%	109	0.48%	96	0.42%	118	0.46%	131	0.49%
Fatal Crashes:										
14 thru 17 yr.old Drivers Involved in:	2423	11.21%	2856	12.55%	2799	12.23%	3128	12.10%	2965	11.14%
Total of All Crashes:	1645	10.91%	2611	16.02%	1917	11.84%	2222	11.88%	2133	10.83%
Property Damage Only:	769	11.99%	1804	28.45%	872	13.20%	896	12.74%	822	12.13%
Injury Crashes:	9	7.20%	9	8.26%	10	10.42%	10	8.47%	10	7.63%
Fatal Crashes:										
Total of All Drivers of Fatal Crashes:										
Male	97	77.60%	80	73.39%	76	79.17%	97	82.20%	94	71.76%
Female	28	22.40%	29	26.61%	20	20.83%	21	17.80%	37	28.24%
Total:	125		109		96		118		131	
14 thru 17 yr.olds Drivers of Fatal Crashes:										
Male	7	77.78%	8	88.89%	5	50.00%	9	90.00%	7	70.00%
Female	2	22.22%	1	11.11%	5	50.00%	1	10.00%	3	30.00%
Total:	9		9		10		10		10	
%-age of All Drivers of Fatal Crashes:		10.40%		14.68%		10.42%		7.63%		10.69%
Of the Total of All Fatal Crashes:										
Single Vehicle Crashes:	43	53.00%	35	46.00%	30	46.00%	39	49.00%	44	49.40%
Of the 14 thru 17 Yr Old Fatal Crashes:										
Single Vehicle Crashes:	5	55.56%	7	77.78%	6	60.00%	4	40.00%	6	60.00%
Multiple Vehicle Crashes:	2	22.22%	2	22.22%	3	30.00%	1	10.00%	4	40.00%
Nighttime Fatal Crashes for 14 - 17 Yr. Olds:	4		4		5		6		4	
% of All Fatal Crashes:		4.94%		5.26%		7.69%		7.50%		4.49%
Total of All Night Time Fatal Crashes:	36		40		30		41		74	
% of All Fatal Crashes:		44.44%		52.63%		46.15%		51.25%		83.15%

NOTE: Night time is approximately 8 pm to 6 am., by reported time of crash

ENCL #2

CURRENT ND YOUNG DRIVER LAW:

Permit at fourteen years of age with parent or guardian permission

- Must pass written test to obtain permit
- Must hold permit for only 90 days
- Supervising driver needs only one year of driving experience so a person can be a supervising driver at fifteen years, three months.
- Must complete six hours behind the wheel instruction with a driver education or commercial driving school instructor
- There is no classroom training requirement unless the young driver receives behind the wheel training from a local school system. A 14 year old driver can complete six hours behind the wheel at a commercial driving school and obtain a license without ever completing classroom driver education study.
- Upon passing the behind the wheel test the young driver receives full licensure, but is restricted to driving only the parent or guardian vehicles.

At sixteen years of age, parent or guardian permission is required the same as for a fourteen or fifteen year old driver.

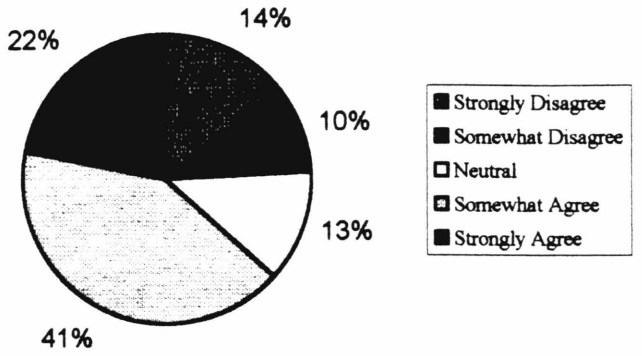
- No behind the wheel or classroom driver education is required.
- Young driver need only hold the permit for ninety days.
- Supervising driver could be only fifteen years, three months of age.

March 2, 1999

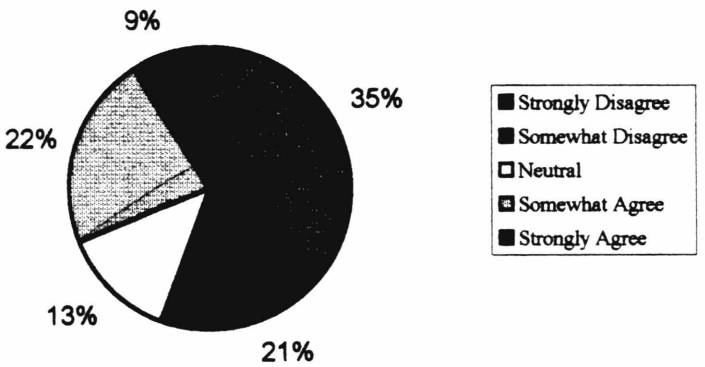
ENCL #3

Graduated Driver's License Survey Results:

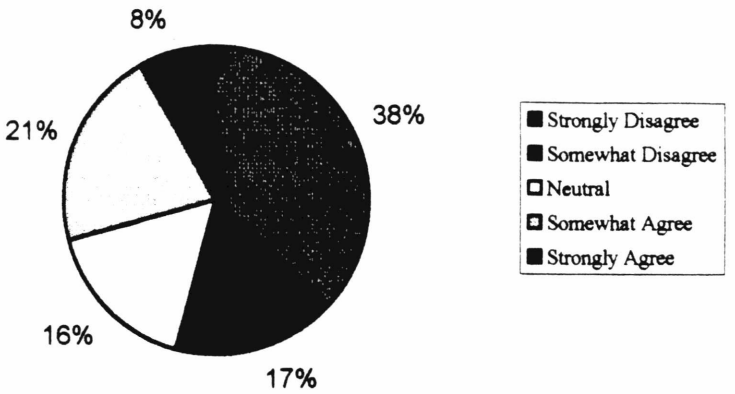
Student's Response to Increasing the Permit Time from Three to Six Months



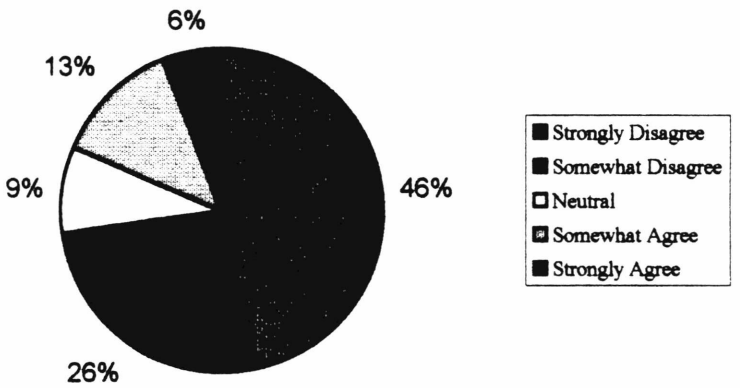
Student's Response to Having the Supervising Driver be 22yrs. old



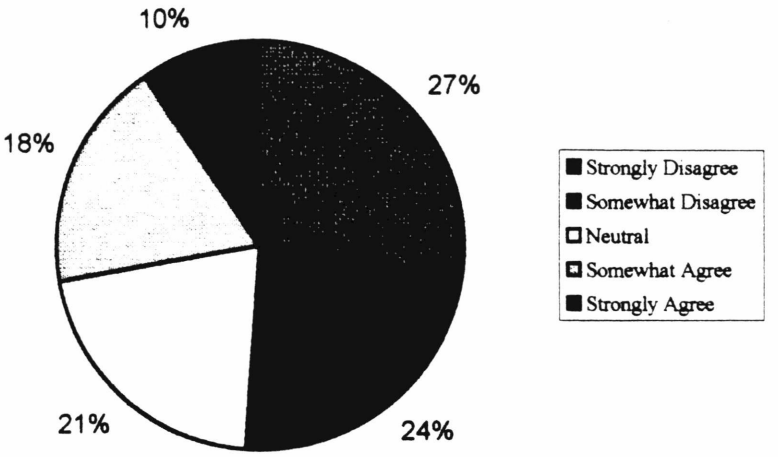
Student's Response to Instituting a Restricted License



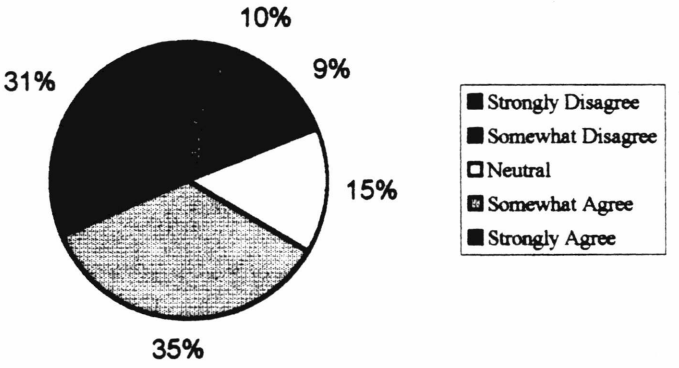
Student's Response to Restricting Teenage Driving Between 12AM and 6AM



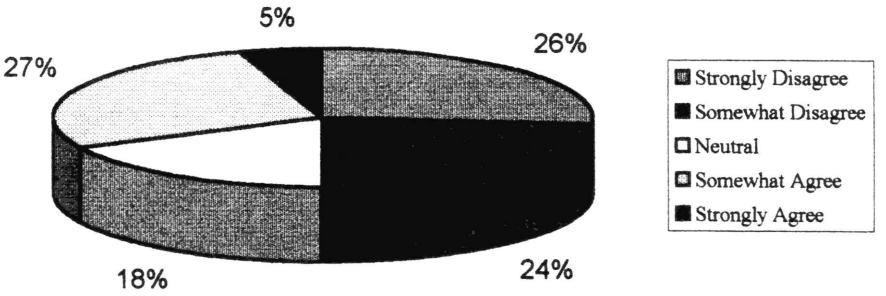
Student's Reponse to Resticting the Number of Passengers in the Vehicle



Student's Response to Returninging to the Instructional Permit if 6+pts. or Alcohol Violation Occurs

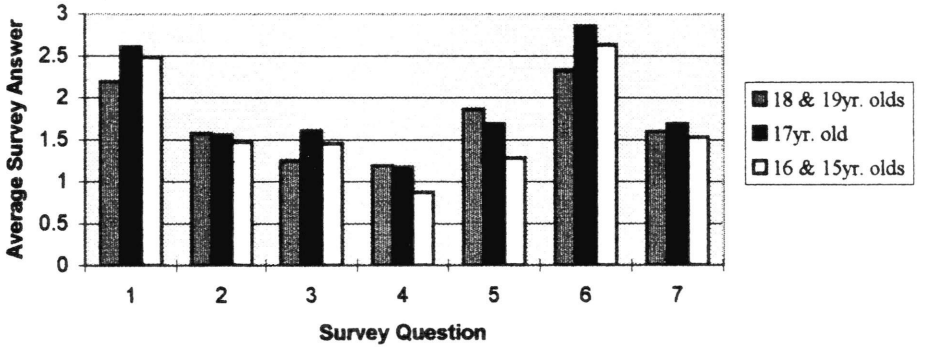


Student's Response to the HB1291 Overall



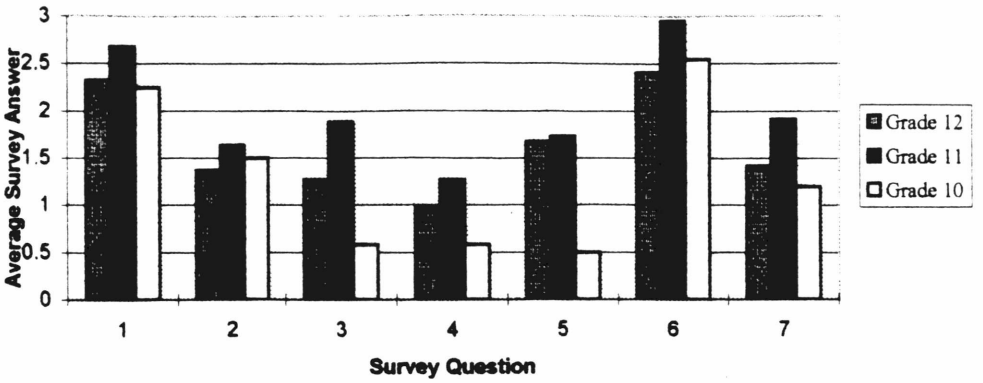
For the following results and graphs, a 0 to 4 scale was used in determining student's response.
0 = Strongly Disagree, 1 = Somewhat Disagree, 2 = Neutral, 3 = Somewhat Agree, and
4 = Strongly Agree
Question 1 was "How do you feel about changing the time an instructional permit must be held from 3 to 6 months?".
Question 2 was "How do you feel about having a supervising driver be at least 22yrs. old?".
Question 3 was "How do you feel about instituting a restricted license?".
Question 4 was "How do you feel about restricting teenage driving between 12am and 6am?".
Question 5 was "How do you feel about restricting the number of passengers in the vehicle?".
Question 6 was "How do you feel about returning to the instructional permit if 6+pts. or an alcohol violation occurs?".
Question 7 was "How do you feel about this bill overall?".

Average Student Response to Survey Questions by Age



Question	1	2	3	4	5	6	7
18 & 19yr. olds	2.19	1.571	1.25	1.19	1.857	2.333	1.6
17yr. old	2.604	1.553	1.604	1.17	1.688	2.854	1.688
16 & 15yr. olds	2.484	1.469	1.452	0.875	1.281	2.633	1.531

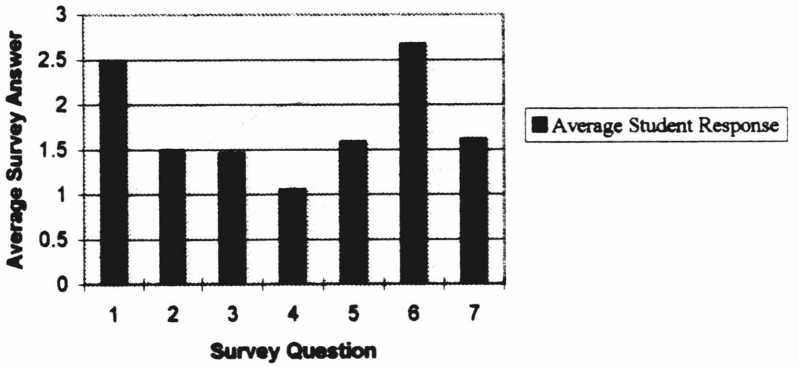
Average Student Response to Survey Questions by Grade



Question	1	2	3	4	5	6	7
Grade 12	2.326	1.37	1.267	0.978	1.674	2.413	1.422
Grade 11	2.682	1.636	1.886	1.267	1.733	2.955	1.911
Grade 10	2.25	1.5	0.583	0.583	0.5	2.545	1.2

Forty-six seniors, Forty-five juniors, and twelve sophomores participated in this survey. The average age was a little under 17.

Average Student Response to Survey Questions (total)



Question	1	2	3	4	5	6	7
Average Student Response	2.471154	1.490385	1.456311	1.048544	1.580952	2.669903	1.607843

Testimony for Engrossed House Bill No. 1291
Senate Transportation Committee
Prepared by Bryan Hoime
North Dakota Township Officers Association

Good morning Mr. Chairman, members of the transportation committee. My association has looked for years to find who has the authority to set the curriculum for driver's education and behind-the-wheel training. It's simply not listed anywhere in statute, other than to say that one must complete a driver's education course to receive a license. As I've researched this I've found that back in the early 90's there was cooperation between the ND DOT and ND DPI. Through administrative rules a "Administrative Resource Guide" for driver and traffic safety education was made available to driver's training instructors. I believe this agreement has since expired and no one has looked at the curriculum content for several years. I've also found out there is an association made up of driver education instructors, called the North Dakota Drivers and Traffic Safety Education Association which meets a few times a year to discuss matters of driver safety although not all driver's ed instructors are members, nor are they required to adopt any recommendation by the association.

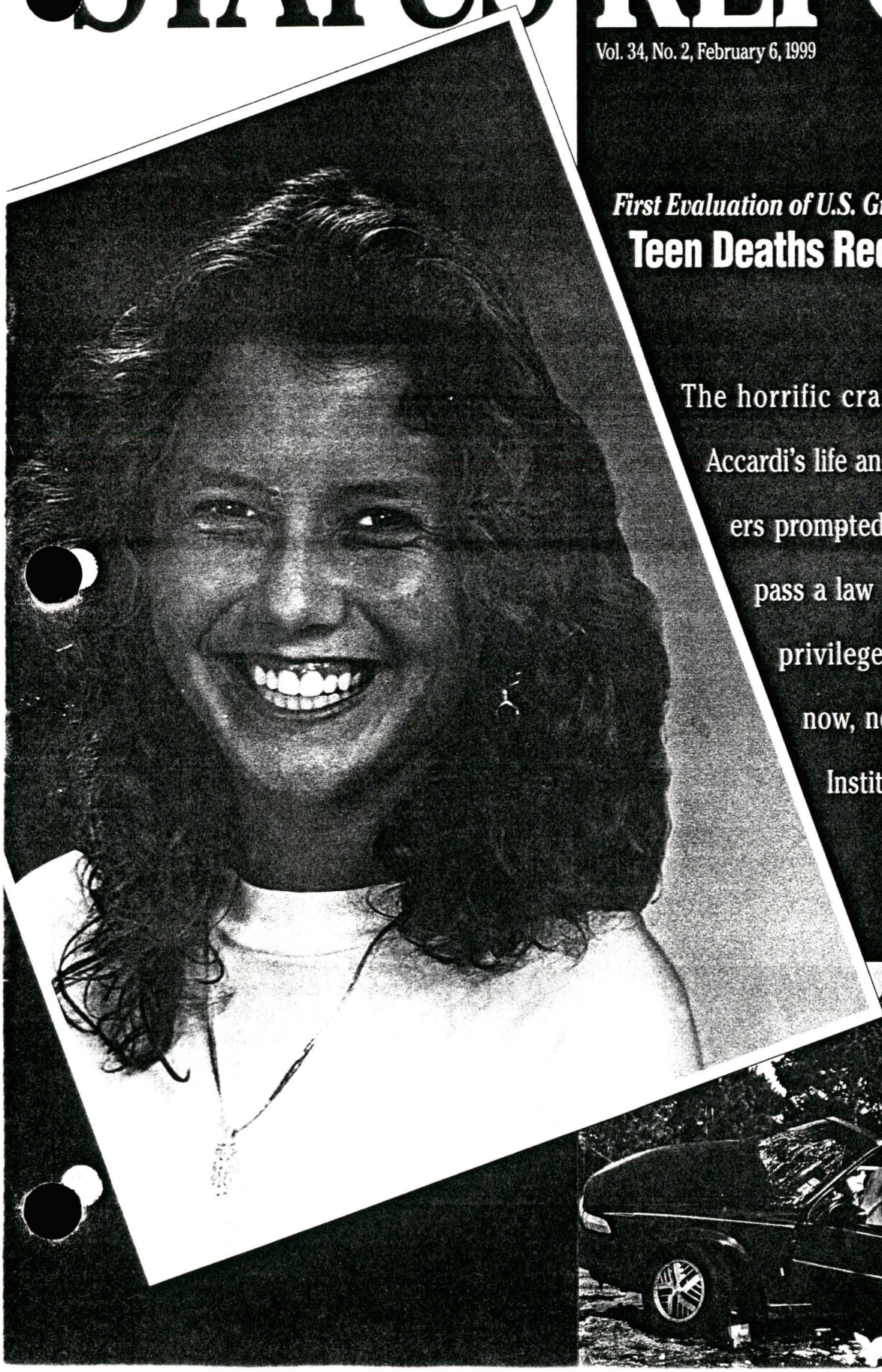
As township officers from 1350 + townships, we're concerned about the number of accidents and deaths involving young and old persons alike traveling on gravel roads. Gravel road driving combines unique situations which you'll not find on many other driving surfaces across the state. Loose gravel, fresh gravel, washboarded roads, wet and soggy gravel, water puddles in some instances, normal maintenance ridges along gravel roads, all play a dramatic effect in the handling of a vehicle, and the speed needed for safe gravel road driving.

That's why I'm here today Mr. Chairman, after addressing these concerns with DPI, Highway Patrol, ND Safety Council, and legislators alike I'm offering these amendments to coincide with an already existing proposal included in this bill. On page 3, line 28 of this bill there is direction to the superintendent of DPI to approve a classroom and behind-the-wheel courses. These amendments will add new sections to 15-21 (which is the Superintendent of Public Instruction statute) to provide for the establishment of the Driver and Traffic Safety Education Program, a committee of seven members, and their duties of developing and approving minimum content of those two programs. I know there are other amendments being offered to this bill, we've reviewed the bill and are in support of it. My hope is this committee will look favorably on these amendments and include them in the bill, we truly feel that there needs to be some kind of mechanism in place to address concerns of the public, and of an ever changing curriculum due to the adoption of new laws in this state.

STATUS REPORT

INSURANCE INSTITUTE FOR HIGHWAY SAFETY

Vol. 34, No. 2, February 6, 1999



First Evaluation of U.S. Graduated Licensing Law

Teen Deaths Reduced in Florida

The horrific crash that took Tiffany Accardi's life and the lives of four others prompted Florida legislators to pass a law that phases in driving privileges for teenagers. And now, new research from the Institute finds that crashes

in Florida involving 15 to 17 year-olds declined 9 percent in 1997, the first full year graduated licensing was in effect.

The summer of 1995 had started out perfectly for Tiffany. She got her driver's license two days after her 16th birthday and after holding a learner's permit for almost five months. The Pontiac Sunbird convertible sitting in the driveway was her very own, an early birthday present from her father. The bright red ragtop matched Tiffany's outgoing personality, and it made her the envy of her friends. When she first got the car, she had a learner's permit and could only drive it when supervised by an adult but now, finally, she and her teenage friends could go out on their own.

Just 48 days later, she and two of those friends were dead, killed in a crash tragically typical of collisions involving teens. Although crashes that occur with teens behind the wheel often take place at night, this one happened on a sunny afternoon.

It was Labor Day, and Tiffany was driving three friends back from a surfing contest at Cocoa Beach, traveling north on I-95. No one was using a safety belt. Another group of friends, including her boyfriend, were in a car just ahead, and the two cars were chasing each other. The police estimate Tiffany was going 85 to 95 mph when she rounded a curve and suddenly encountered slower traffic.

She tried to avoid a collision by moving swiftly into the left lane but overcorrected and lost control, a classic mistake made by new drivers. The Pontiac careened across the median strip and slammed into a Honda in the southbound lane. The final death tally came to five, including a 35-year-old man in the Honda and his 4-year-old son. Tiffany was airlifted to the nearest trauma center and died the next day. Her heart, kidneys, liver, and corneas were removed and donated to people on waiting lists for vital organs.

Graduated licensing law: Recognizing the contributions of inexperience and young age in this collision and countless others involving teenagers, Florida legislators acted. On July 1, 1996, less than 10 months after Tiffany's crash, this state became the first in the 1990s to adopt the core elements of graduated licensing. This is an increasingly popular approach that allows initial driving experience to be gained in situations of lesser risk. Teens then are introduced in stages to more complex driving, and full-privilege licensure is delayed until they're more experienced and older (see *Status Report*, June 6, 1998; on the web at www.highwaysafety.org).

Teen crashes reduced: The Institute and The Preusser Research Group have just analyzed Florida crash data following passage of the law, finding 11 percent fewer crashes of 16 year-olds in 1997 compared with 1995. The reduction was 7 percent for 17 year-olds and 19 percent for 15 year-olds.

The researchers estimate this phase-in approach prevented 1,167 fatal and injury crashes involving 15 to 17 year-olds in 1997. They examined data from 1995-97 and compared them with similar data from Alabama, a neighboring state that doesn't have graduated licensing. Reductions weren't apparent among Alabama teens nor among 18 year-olds in Florida, who aren't affected by graduated licensing.

Twenty-three states have adopted some form of graduated licensing since Florida's law, and 25 more are considering legislation (see page 6). "If crash reductions similar to Florida's are seen in these other states," says Institute senior vice president Allan Williams, "there would be a substantial reduction nationwide in crashes involving teenagers."

Specifics of the new law: The Florida law calls for six months of supervised learning followed by an intermediate licensing phase during which unsupervised nighttime driving is prohibited. Teens can get learner's permits at age 15, but initially they aren't allowed to drive after 7 p.m. After three months, they can drive until 10 p.m. All 15, 16, and 17 year-olds seeking licenses must hold a learner's permit for six months. Unless supervised, 16-year-old intermediate license holders aren't allowed to drive between 11 p.m. and 6 a.m., 17

year-olds between 1 and 5 a.m. All drivers younger than 18 are strictly limited as to the number of traffic violations they can accumulate. Plus they're subject to zero tolerance for drinking and driving.

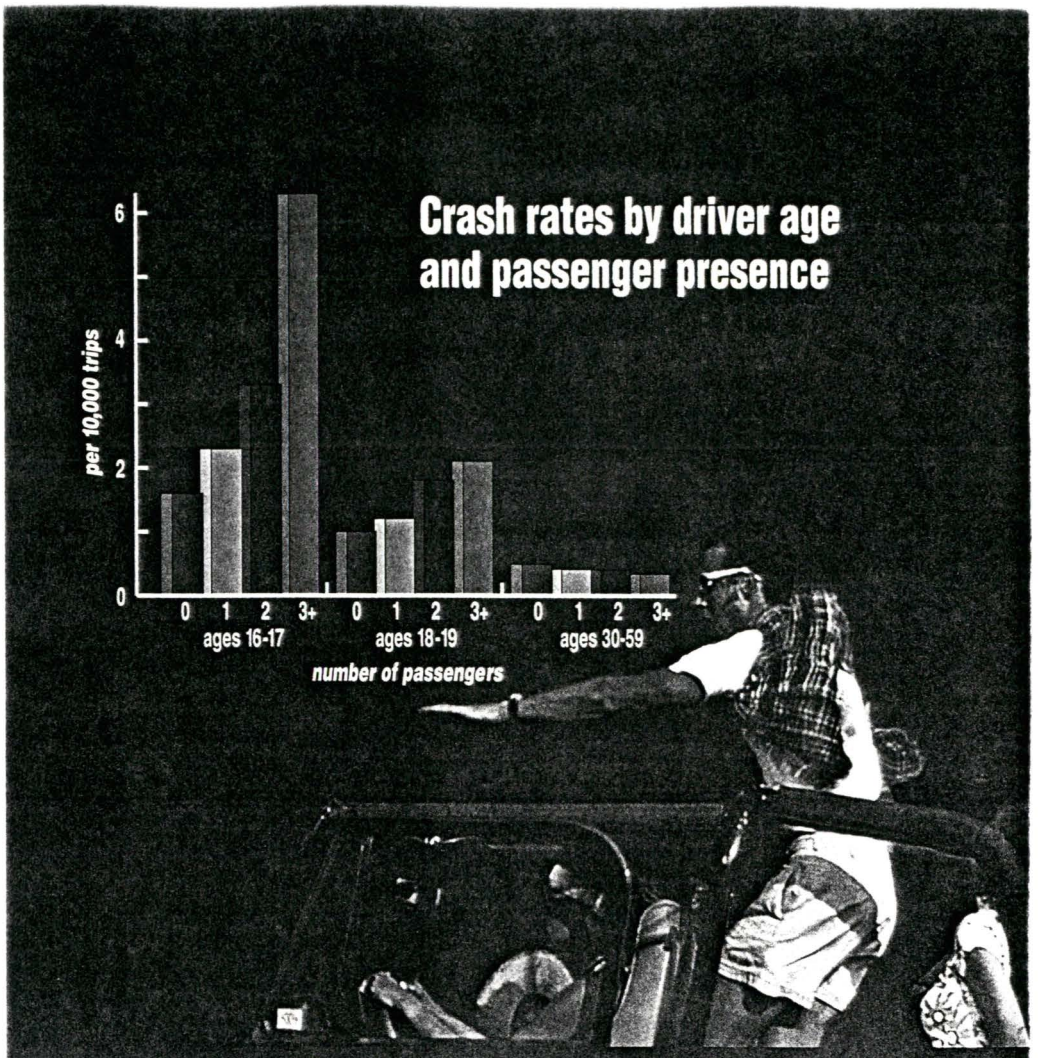
Like many her age, Tiffany was all but fearless. She once killed a rattlesnake in the backyard and loved parasailing, a sport that takes you hundreds of feet in the air trailing behind a speedboat. This sort of thrill-seeking, combined with inexperience, works against new drivers. Beginners are more likely to engage in risky behavior such as speeding, passing inappropriately, tailgating, and driving without using safety belts. At the same time, they're the least able to cope with hazardous situations that arise unexpectedly.

"Easy and quick access to full-privilege licensure at an early age has contributed to the high crash rate of young drivers in North America," Williams says. "Graduated licensing offers a more sensible and less risky way for drivers to begin, as indicated by these Florida results."

Also like Tiffany, beginners frequently drive with friends in the car. Teenage passengers can cause distractions and create pressure to take risks. Teen passengers increase the crash risk for new drivers both during the day and at night (see bar chart, this page). Florida is considering a limit on the number of passengers that drivers younger than 18 can transport.

Such legislation is too late to help Tiffany or the others who died in that Labor Day crash, but her family is glad graduated licensing is making a difference. Her mother believes Tiffany may have had an inkling something was about to happen. The week before the crash, she stuck a note on the ceiling lamp in the kitchen addressed to her mother. "Just in case you forget, I love you," she scribbled, signing the message, "forever friend."

For a copy of "Effect of Florida's Graduated Licensing Program on the Crashes of Teenage Drivers" by Robert G. Ulmer et al., write: Publications, Insurance Institute for Highway Safety, 1005 North Glebe Road, Arlington, VA 22201.



Teenage drivers have high death rates compared with older drivers, but teen passenger death rates exceed those of older passengers to an even greater extent. Almost as many teenage passengers as drivers are killed, especially at age 16.

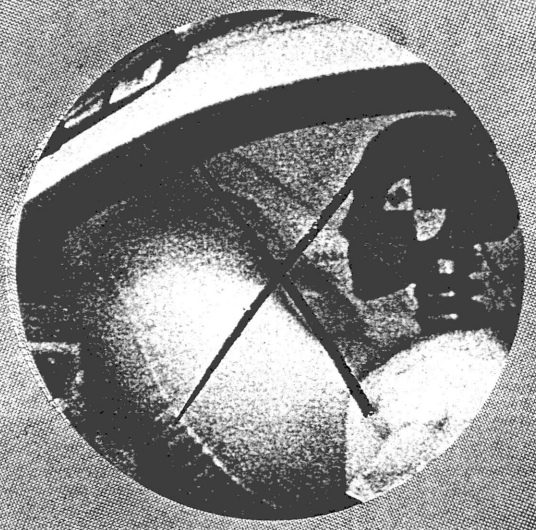
U.S. and Canadian research confirms that the already elevated crash risk for teenage drivers, especially the youngest ones, rises more with passengers. The increased risk is present both day and night. It's higher when multiple passengers are in the car and when the passengers also are teenagers.

In a 1998 study from the University of Waterloo (Ontario), fatal crash rates for 16 to 19 year-olds were 5 to 7 times higher when 2 or more passengers were present than when teens drove alone. In a new study conducted at The Johns Hopkins University, the crash rate was about 4 times as high with 3 or more passengers than when driving alone. There were no elevations in crash rates for older drivers with passengers. These results are similar to those from a recent Institute study, which reports that teenage drivers with teen passengers are more likely than teens driving alone to be at fault in fatal crashes.

Some graduated systems are beginning to include passenger restrictions. California bans teen passengers during the first 6 months of a 12-month intermediate licensing phase unless an adult is present. Five other jurisdictions also limit passengers. Requirements vary as to whether this restriction applies to all passengers or teens only, how many passengers are allowed, and whether family members are exempt. A few jurisdictions specify no more passengers than safety belts, but this still allows many teen passengers.

AIRBAGS:

Reinstating the 30 mph unbelted barrier crash test won't improve occupant protection. What's worse,



it might drive automakers back to using airbags with more power.

The comments are in to the National Highway Traffic Safety Administration (NHTSA) on proposals to improve airbags. The main motivation for this rulemaking is to make airbags less hazardous to people very close to them when they begin to inflate, but at the same time NHTSA is trying to improve protection in frontal crashes. Nobody who commented objects to the first goal of reducing risks. Opinion is widespread that this is a big and important task — plenty for NHTSA to take on at this time. But when it comes to improving occupant protection in frontal crashes, the Institute and others advise the agency to initiate a separate rulemaking procedure. A major concern is the extent to which this second goal could conflict with the first goal of reducing airbag risks by, in effect, requiring automakers to use higher powered airbags in some crash scenarios.

Unbelted crash testing: To allow automakers to reduce airbag inflation power (or aggressivity), the current federal standard permits sled tests with unbelted dummies as an alternative to the previously mandated 30 mph unbelted barrier crash tests. But as part of its effort to improve protection in frontal crashes, the agency now wants to eliminate the sled test and require unbelted barrier tests using small female dummies as well as average-size males.

This part of the proposal attracted wide opposition. It "will drive us back toward higher powered airbags," Ford Motor Company says. General Motors agrees that reinstating the 30 mph unbelted test "would essentially require airbags with higher force levels than are necessary."

NHTSA's rationale is that, because the sled test isn't a full vehicle test, it doesn't adequately evaluate a complete airbag system. Thus the agency believes the unbelted barrier test will improve occupant protection in high-speed crashes. The Institute counters that the 30 mph unbelted test won't lead to occupant protection improvements because it doesn't address the main causes of death in high-speed frontal crashes. These causes aren't inadequate restraints but rather occupant compartment intrusion, ejection, and multiple impacts. Reinstating this test "won't improve occupant protection and will result in serious and fatal airbag in-

ıation injuries to unbelted occupants," In-ute research vice president Susan Fer-on warns.

Despite NHTSA's claims to the contrary, the unbelted barrier test won't address the problem of intrusion into the occupant compartment in crashes because intrusion in full-width barrier tests is minimal. Besides, the same test still will be required with belted dummies, so anything that could be learned about intrusion could be learned from the test with belts.

The idea of a test to ensure protection of unbelted people in high-speed crashes may seem attractive, but a basic problem is that unbelted dummies in tests don't replicate the positions of many unbelted people in actual high-speed crashes. At the time of impact, many people aren't sitting in an ideal position, as the dummies are. And when unbelted people are out of position just before airbag deployment, as they often are, then airbags designed to meet unbelted barrier test requirements are as likely to cause harm as to protect.

If the unbelted barrier test were necessary to ensure airbags with sufficient power to protect unbelted people in severe crashes, there should by now be real-world crashes in which occupants died when they bottomed out insufficiently powered airbags and subsequently hit the steering wheel or instrument panel. Institute researchers reviewed federal crash files for such cases but found none. Instead, they documented high severity crashes in which people without belts were killed by massive intrusion, ejection, and in some cases, by the airbags themselves.

"People aren't dying because of airbags with too little power, so the real-world crash experience argues against returning to the unbelted barrier test," Ferguson says. The Center for Auto Safety, Consumers Union, Public Citizen, and Parents for Safer Airbags say they favor this test.

What test would make more sense? "If NHTSA is determined to eliminate the sled test option, then there should be a full-scale crash test that's a more reasonable alternative," Ferguson says.

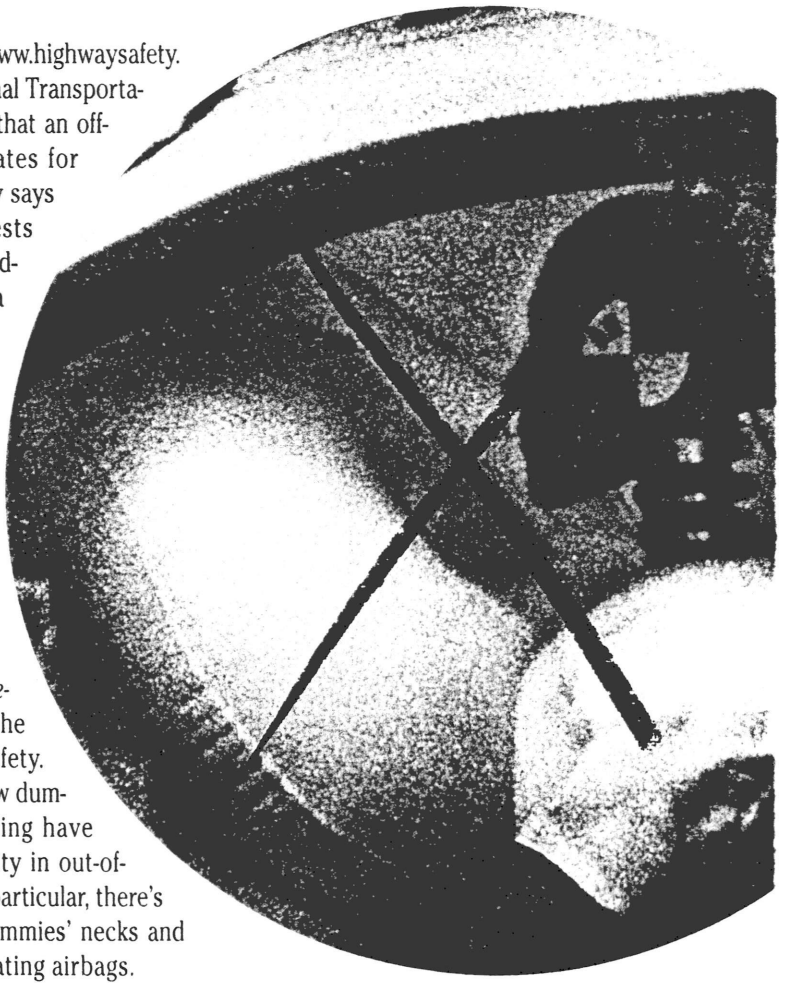
In comments to NHTSA, the Institute suggests an alternative could be a frontal offset test with unbelted dummies, which wouldn't require aggressive airbags. Plus this test would require improvements to vehicles with poor structural designs — that is, vehicles that allow occupant compartment intrusion (see *Status Report*, May 9, 1998; on the web at www.highwaysafety.org). Ford and the National Transportation Safety Board agree that an offset could help. Advocates for Highway and Auto Safety says alternative unbelted tests may be developed, including a frontal offset into a deformable barrier.

Test procedures: Most comments to NHTSA, including the Institute's, support the proposals to require a range of crash tests with an array of dummies to address risks to out-of-position occupants (see *Status Report*, Oct. 10, 1998; on the web at www.highwaysafety.org). But some of the new dummies NHTSA is proposing have problems with biofidelity in out-of-position crash tests. In particular, there's a problem with how dummies' necks and chins interact with inflating airbags.

"There's quite a lot of refining to be done," Ferguson says, "and NHTSA cannot finalize new airbag requirements until it addresses these many unresolved technical issues."

Too complex, ambitious: Few who commented on the airbag proposals failed to mention their scope. DaimlerChrysler

Every automaker objects to reinstating the 30 mph unbelted crash test into a rigid barrier. General Motors says it would "essentially require airbags with higher force levels than are necessary."



believes they're "unnecessarily complex and ambitious ... will force the use of unproven, immature technologies" with unknown consequences. The company asks NHTSA to "reconsider the scope" by going back and scaling down its proposals.

So complex are these proposals that another round of rulemaking is almost certain to be needed. DaimlerChrysler, Ford, General Motors, Nissan, and Toyota urge NHTSA to issue new proposals once it hones its thinking.

Do no harm: The depowered airbags already in cars have succeeded in reducing — but they haven't eliminated — the deaths and injuries caused by inflating bags. "Most automakers are already far along in developing and implementing advanced airbag technology without federal coercion," Ferguson says. "It's important to avoid doing anything that could slow down or reverse this progress, which is what will happen if the final rule results in a return to overly aggressive airbags."

Even if airbags are designed so their full power is supposed to be used only in very severe crashes, "there's still the potential to cause harm with little or no likelihood of offsetting benefits," Ferguson adds. "This is what NHTSA has to avoid."

Blueprint for graduated licensing in U.S. and Canada

Graduated licensing laws are rapidly being enacted in the United States and Canada. These restrict beginners so they get their initial on-the-road driving experience when the risk is low. Then they graduate to more complex driving situations.

Six provinces and 24 states have adopted some form of graduated licensing since 1994. Now many of these programs are under review. Other jurisdictions are considering legislation, and lawmakers often are uncertain what components to include.

To assist legislators, the Institute and the Traffic Injury Research Foundation in Canada have identified the core provisions of an ideal graduated licensing law:

1. Consider the age makeup of the beginning driver population in deciding whether to apply restrictions to all beginners or only younger ones. In the United States, young drivers constitute the largest group of beginners and have the highest crash risk.

2. Implement a three-stage licensing system beginning with a supervised learning period. Then comes an intermediate license that allows some unsupervised driving and, finally, full privileges.

3. Maintain the starting age for learning at 16, or raise it to 16. Some jurisdictions have lowered the starting age, which may increase rather than decrease risk.

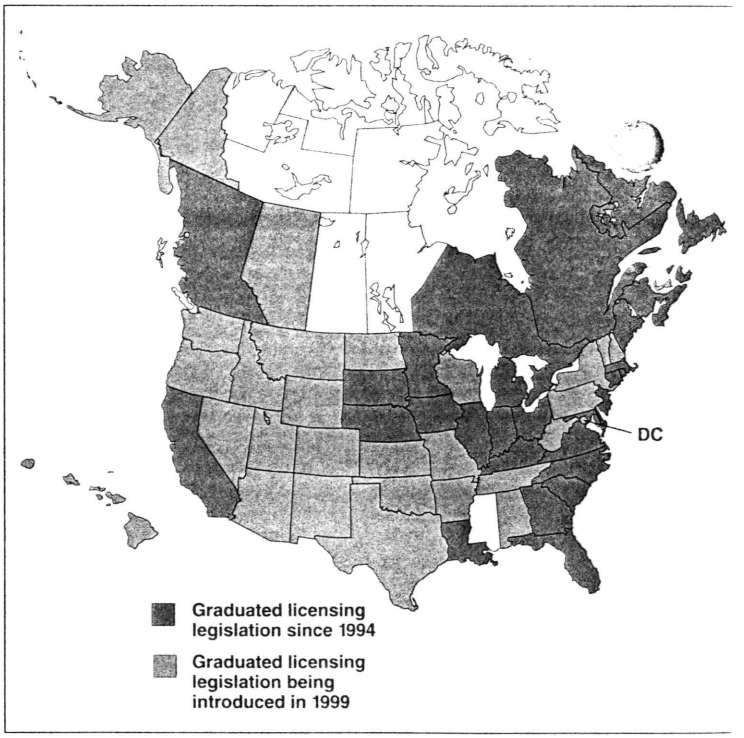
4. Require adult supervision in the learning stage. Restrict driving at the adult's discretion.

5. Require 30 to 50 hours of driving, some of which should be allocated to night driving. Adult supervisors would certify that the required number of hours had been driven.

6. Establish a minimum six-month learner's phase. In some places, this phase lasts a year.

7. Don't permit unsupervised driving before age 16½. The highest risk is when beginners first get licenses and can drive unsupervised.

8. Restrict unsupervised driving at night, ideally starting at 9 or 10 p.m. Work-related driving generally is allowed. Driving to and from school-related activities often is permitted, too.



9. Limit teen passengers during some or all of the intermediate phase because unsupervised driving with teenage passengers increases crash risk.

10. Hold beginners in the intermediate stage until at least age 18. Both inexperience and immaturity contribute to young drivers' high crash rates, and graduated systems can address both by delaying full-privilege driving.

11. Consider an exit test to measure knowledge and competence before full-privilege driving.

12. Penalize beginners with poor driving records by delaying graduation to full-privilege driving.

13. Graduated licensing works with or without formal driver education programs. When training is available, it should be integrated to complement graduated licensing.

For a copy of "Graduated Licensing: Blueprint for North America," write: Publications, Insurance Institute for Highway Safety, 1005 North Glebe Road, Arlington, VA 22201.

Teens' social lives aren't cramped in states where licenses are delayed one year

Teens who get licenses at 17 do about as much socializing and working as teens licensed at 16

Teenagers who don't get full driving privileges until they're 17 years old spend just as much time at typical activities as teenagers licensed at 16. They work at paying jobs and participate in sports just as much. They do as much homework, socializing, and shopping.

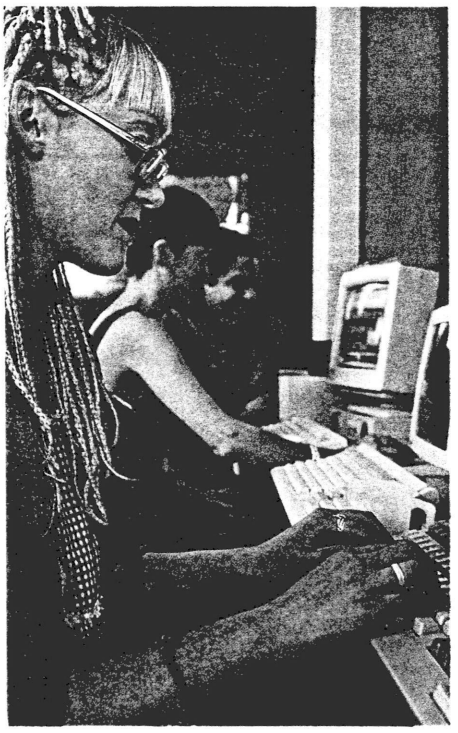
So concern that delaying licensure means trading mobility for safety isn't warranted, a new Institute study shows.

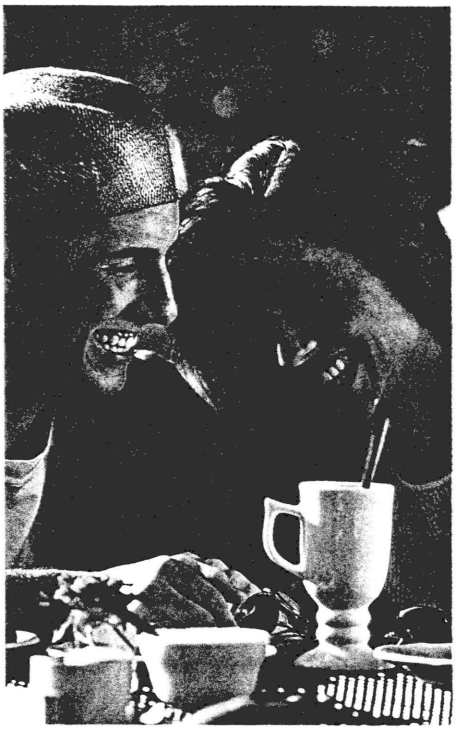
Graduated licensing systems like Florida's (see page 1) help reduce crash risk by restricting driving privileges until teenagers are more mature and have plenty of supervised practice behind the wheel. But such restrictions don't have to mean fewer opportunities to work or socialize.

Parents do carry an extra burden under graduated licensing. They have to keep driving their kids around longer, or they have to accompany their children who can only drive with an adult in the car. Still, the researchers found that licensing delays of as much as a year have minimal effect on students' participation in typical weekday or weekend activities.

More than 1,000 teenagers in Delaware, Connecticut, New York, and New Jersey were surveyed every six months during high school. The licensing age in Connecticut, Delaware, and New York is 16, compared with 17 in New Jersey. By the junior year, researchers found, 74 percent of Delaware students were licensed compared with 50 percent in Connecticut, 38 percent in New York, and only 8 percent in New Jersey.

There weren't many differences in the amounts of time students in the four states spent at various activities during the junior year. Delaware students did go to a few more special events like movies and concerts. They also went on dates somewhat more often. But overall, activities were about the same regardless of when teenagers got their licenses.





For a copy of "Variations in Teenage Activities With and Without a Driver's License" by D.F. Preusser et al., write: Publications, Insurance Institute for Highway Safety, 1005 North Glebe Road, Arlington, VA 22201.

STATUS REPORT

INSURANCE INSTITUTE FOR HIGHWAY SAFETY

1005 N. Glebe Rd., Arlington, VA 22201 703/247-1500 Fax 247-1588 Internet: www.highwaysafety.org

Vol. 34, No. 2, February 6, 1999

Florida's new licensing law reduces crashes among 15, 16, and 17 year-olds p.1

Presence of passengers increases teenage drivers' risk of crashing p.3

Changes to federal airbag rules shouldn't include reinstating 30 mph unbelted crash test, Institute and others tell NHTSA p.4

Recommendations for an ideal graduated licensing law p.6

Teenagers' activities aren't cramped by delaying licensure p.7

Editor: Jo Ann Tooley
Writers: Maria Kaufmann, Rob Tabor
Art Director: Karen Long

Contents may be republished with attribution.
This publication is printed on recycled paper.

ISSN 0018-988X

The Insurance Institute for Highway Safety is an independent, nonprofit, scientific and educational organization dedicated to reducing the losses — deaths, injuries, and property damage — from crashes on the nation's highways. The Institute is wholly supported by automobile insurers:

Alfa Insurance
Allstate Insurance Group
American Family Insurance
American National Property and Casualty
Amica Mutual Insurance Company
Amwest Insurance Group
Auto Club South Insurance Company
Automobile Club of Michigan Group
Baldwin & Lyons Group
Bituminous Insurance Companies
Brethren Mutual Insurance Company
Brotherhood Mutual
California Insurance Group
California State Automobile Association
Cameron Companies
CGU Insurance
Church Mutual
Colonial Penn
Concord Group Insurance Companies
Cotton States
Country Companies
Erie Insurance Group
Farm Bureau of Idaho
Farm Bureau of Iowa
Farmers Insurance Group of Companies
Farmers Mutual of Nebraska
Fidelity & Deposit
First Mercury Insurance Company
Foundation Reserve
Frankenmuth
The GEICO Group
General Casualty Insurance Companies
Grange Insurance
Guaranty National Insurance Companies
Harleysville Insurance Companies
The Hartford
Heritage Mutual Group
Kansas Farm Bureau
Kemper Insurance Companies
Liberty Mutual Insurance Group
Maryland Insurance Group
Merastar
Mercury General Group
Metropolitan Property and Casualty
Middlesex Mutual
Montgomery Insurance Companies
Motor Club of America Insurance Company
Motorists Insurance Companies
Motors Insurance
Mutual Service Insurance
National Grange Mutual
Nationwide Insurance Enterprise
North Carolina Farm Bureau
Northland Insurance Companies
Oklahoma Farm Bureau
Old Guard Insurance Company
Oregon Mutual Group
Pekin Insurance
PEMCO Insurance Companies
The Progressive Corporation
The Prudential
Response Insurance
Royal & SunAlliance
SAFECO Insurance Companies
SECURA
Shelter Insurance Companies
Southern Heritage
State Auto Insurance Companies
State Farm Insurance Companies
The St. Paul Companies
Tokio Marine Group
United Auto Insurance Company
USAA
Virginia Mutual Insurance Company
Warrior Insurance
Wisconsin Mutual
Yasuda Fire and Marine of America

AMENDMENTS TO HB-1291
BEFORE THE
SENATE TRANSPORTATION COMMITTEE
3/11/99

Because there has been some confusion about the types of training that would be required for young drivers, we offer the following amendments for your consideration.

On Page 3, line 30, following the word "instruction" delete the words "and a course of behind-the-wheel instruction as approved"

On Page 3, delete line 31.

On Page 4, line, delete line 1 through line 6, and insert the following:

b. Completed a course of behind the wheel instruction as approved by the superintendent of public instruction;

c. Successfully completed a course at a commercial driving training school which has been approved by the superintendent of the state highway patrol pursuant to chapter 38-25;

d. In lieu of completing an approved classroom driver education session, the permit holder must complete fifty hours of dual driving with their parent or guardian. These fifty hours of dual driving must follow guidelines established by the department of transportation designed so the young driver experiences various day and night driving conditions, or

On Page 4, line 7,

Delete the letter "d" and insert the letter "e"

There is some confusion about what type of penalty will be assessed if a young driver violates graduated driver licensing. Please refer to page 5, lines 6 through 8 for the original penalty intent. To eliminate any confusion about the penalty, we offer the following amendments for your consideration.

On page 7, line 4,

Remove "39-06-17" and insert "<u>39-06-04.1 through 04.6 or</u>"

On Page 9, line 9,

Following the word "person" insert the following "<u>except for restricted licenses issued under paragraphs 39-06-04.1 through 04.6"</u>

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1291

Page 1, line 1, after "enact" insert "a new section to chapter 15-21 and"

Page 1, line 2, after "relating" insert "to a Driver and Traffic Safety Education Program;"

Page 1, after line 7, insert:

Section 1. A new section to chapter 15-21 of the North Dakota Century Code is created and enacted as follows:

Driver and Traffic Safety Education Program - The superintendent of public instruction or the superintendent's designee shall preside over the Driver and Traffic Safety Education Program committee, whose makeup shall include:

a. one member appointed by the North Dakota Driver and Traffic Safety Education Association,
b. one member whose business offers a commercially available driver's education program,
c. two members appointed by the state highway patrol superintendent,
d. one member appointed by the director of the Department of Transportation from the Driver's License and Traffic Safety division,
e. and one member appointed by the North Dakota Safety Council.

Section 2. The committee shall meet some time in April of each year and shall develop and approve the minimum content of the Driver and Traffic Safety Education classroom instruction and the minimum content of the behind-the-wheel instruction to be used by all Driver and Traffic Safety Education Program instructors. The committee shall also establish minimum credential requirements for driver and traffic safety education instructors. The superintendent of public instruction or the superintendents designee shall act as facilitator for all meetings and shall publish and provide to driver and traffic safety education instructors the content of the curriculum.

Page 3, line 29, remove "as approved by the superintendent"

Page 3, line 30, remove "of public instruction "

Page 3, line 31, after "instruction" insert "pursuant to section one of this act"

renumber accordingly

Cross-References.
Extended term of license held by members of armed forces, see § 39-06-19.1.

39-06-03. What persons may not be licensed. The director may not issue any license hereunder:

1. To any person who is under the age of sixteen years, except that the director may issue a restricted permit or license as hereinafter provided in sections 39-06-05 and 39-06-17 to any person who is less than sixteen years of age.
2. To any person whose license has been suspended in this state or in any other state during such suspension, except as provided in section 39-06.1-03 or 39-06.1-11, nor to any person whose license has been revoked, except as provided in sections 39-06-35 and 39-06-36.
3. To any person who is an habitual drunkard, or is an habitual user of narcotic drugs, or is an habitual user of any other drug to a degree which renders the person incapable of safely driving a motor vehicle.
4. To any person who has previously been adjudged to be afflicted with or suffering from any mental disability or disease and who has not at the time of application been restored to competency by the methods provided by law.
5. To any person who is required by this chapter to take an examination, unless such person has successfully passed such examination.
6. To any person who is required under the laws of this state to deposit security or file proof of financial responsibility and who has not deposited such security or filed such proof.
7. To any person when the director has good cause to believe that such person by reason of physical or mental disability would not be able to operate a motor vehicle with safety upon the highways.
8. To any person when the director has good cause to believe that the operation of a motor vehicle on the highways by such person would be inimical to public safety or welfare.
9. Repealed by S.L. 1977, ch. 348, § 2.

Source: S.L. 1955, ch. 251, § 3; R.C. 1943, 1957 Supp., § 39-0603; S.L. 1967, ch. 292, § 2; 1969, ch. 340, § 1; 1973, ch. 301, § 18; 1975, ch. 339, § 3; 1977, ch. 348, § 2.

Collateral References.
Automobiles ⇦ 138.

7A Am. Jur. 2d, Automobiles and Highway Traffic, §§ 109-111.

60 C.J.S. Motor Vehicles, §§ 154, 155.

Age requirements for licensing of motor vehicle operators, validity, construction, and application of, 86 A.L.R.3d 475.

39-06-03.1. Nondriver photo identification card issued by director — Release of information — Penalty — Public awareness.

1. The director shall issue upon request a nondriver color photo identification card to any North Dakota resident of the age of twelve years or over who fulfills the requirements of this section. The director may issue upon request a nondriver color photo identification card to any North Dakota resident under twelve years of age

39-06-04. Instruction permit. Any person who is at least fourteen years of age may apply to the director for an instruction permit. The director may issue to the applicant an instruction permit which entitles the applicant while having such permit in the permittee's immediate possession to drive a motor vehicle upon the public highways for a period of one year when accompanied by a licensed operator who holds a license corresponding to the vehicle the permittee operates and has had at least one year of driving experience and who is occupying a seat beside the driver. Persons holding an instruction permit for the operation of a motorcycle shall operate the motorcycle only during hours when the use of headlights is not required pursuant to section 39-21-01, and may not carry or transport any passenger. Any instruction permit may be renewed or a new permit issued for an additional period. A person who is not yet eighteen years of age is not eligible for a license until that person has had an instruction permit issued for at least three months. The director may recognize an instruction permit issued by another jurisdiction in computing the three-month instructional period.

Source: S.L. 1955, ch. 251, § 4; R.C. 1943, 1957 Supp., § 39-0604; S.L. 1967, ch. 292, § 3; 1977, ch. 343, § 1; 1987, ch. 458, § 2; 1989, ch. 460, § 3.

Collateral References.
7A Am. Jur. 2d, Automobiles and Highway Traffic, § 108.

Liability, for personal injury or property damage, for negligence in teaching or supervision of learning driver, 5 A.L.R.3d 271.

39-06-05. Restricted instruction permit — When instruction permit not required.

1. The director upon receiving proper application may issue a restricted instruction permit effective for a school year or more restricted period to an applicant who is at least fourteen years of age and enrolled in a commercial driver training course which includes practice driving and which is approved by the superintendent of the highway patrol pursuant to chapter 39-25. Such instruction permit entitles the permittee when the permittee has such a permit in the permittee's immediate possession to operate a motor vehicle only on a designated highway or within a designated area but only when an approved instructor is occupying a seat beside the permittee.
2. Any student who is at least fourteen years of age and enrolled in behind-the-wheel driver's training through a high school program approved by the superintendent of public instruction may operate a motor vehicle, under the supervision of a driver training instructor certified by the superintendent of public instruction, without a permit or license to operate a motor vehicle; provided, that the school district sponsoring the driver's training program has an insurance policy covering any damage which may be done by any such student while operating the vehicle, and provided further that proof of coverage is filed with the superintendent of public instruction by the

3. A restricted operator's license or permit to operate the parent's or guardian's automobile, or an automobile which is equipped with dual controls and while accompanied by a qualified instructor, may be issued to any child, who is at least fourteen years of age, and otherwise qualified, upon the written recommendation of the parent or guardian. No operator's license may be issued until the child, accompanied by the parent or guardian, appears in person and satisfies the director that:
   a. The child is at least fourteen years of age.
   b. The child is qualified to operate an automobile safely.
   c. It is necessary for the child to drive the parent's or guardian's automobile without being accompanied by an adult.
   d. The child has completed a course of classroom instruction and a course of behind-the-wheel instruction acceptable to the director; or, in the alternative, has successfully completed a course at an approved commercial driver training school.

   The parent or guardian at all times is responsible for any and all damages growing out of the negligent operation of a motor vehicle by any such child. The provisions of this subsection do not authorize the child to drive a commercial truck, motorbus, or taxicab except the holder of a class D license, fourteen or fifteen years of age, may drive a farm motor vehicle having a gross weight of fifty thousand pounds [22679.62 kilograms] when used to transport agricultural products, farm machinery, or farm supplies to or from a farm when so operated within one hundred fifty miles [241.40 kilometers] of the driver's farm.
4. The director may upon receiving satisfactory evidence of any violation of the restrictions of such license suspend or revoke the same but the licensee is entitled to a hearing as upon a suspension or revocation under this chapter.
5. It is a class B misdemeanor for any person to operate a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to that person. If the restricted license was issued under section 39-06.1-11 and the underlying suspension was imposed for a violation of section 39-08-01 or equivalent ordinance, or is governed by chapter 39-20, punishment is as provided in subsection 2 of section 39-06-42 and upon receiving notice of the conviction the director shall revoke, without opportunity for hearing, the licensee's restricted license and shall extend the underlying suspension for a like period of not more than one year. The director may not issue a restricted license for the extended period of suspension imposed under this subsection. If the conviction referred to in this section is reversed by an appellate court, the director shall restore the person to the status held by the person prior to the conviction, including restoration of driving privileges if appropriate.

Source: S.L. 1943, 1957 Supp., § 39 340, § 4; 1973, ch. 297 § 1; 1973, ch. 301, § 19; 1975, ch. 339, § 4; 198 ch. 458, § 7; 1989, ch. 4 § 1.

License Issued Contr
Defendant was prope ing a motor vehicle in vi temporary restricted lic for, received, accepted restricted license, notv was statutorily ineligibl 39-06.1-11, to receive s

39-06-18. Du
license issued unde erroneous informa reason, the person substitute, upon fu or license has beer payment of a fee. T or license for a lice being replaced for duplicate or substi erroneous informa

Source: S.L. 1955, 1943, 1957 Supp., § 3 277, § 4; 1981, ch. 38 § 5; 1997, ch. 332, § 5

Effective Date.
The 1997 amendme

39-06-19. E
cense issued unde section. The expi birth occurred in a anniversary of the numeral. The exp birth occurred in the anniversary o even numeral. If t reissuance of a lic section 39-06-14, license. In all othe presented to the c of the operator's applicant as upo operator's license