



Issue Brief: Teen Driving in Maryland

Introduction

Motor vehicle crashes are the leading cause of death for U.S. teens.¹ In 2013, about 2,550 U.S. teens (aged 13 -19 years) were killed and almost 299,000 sustained non-fatal injuries from motor-vehicle accidents.² In Maryland, there were 12,502³ motor vehicle crashes involving young drivers⁴ in 2011, with 4,917⁵ crashes involving injury. In 2013, there were 33 crashes involving young drivers and at least one fatality in Maryland.⁶ Although people ages 15 to 24 represent only 14% of the U.S. population, they account for 30% (\$19 billion) of the total costs of motor vehicle injuries among males and 28% (\$7 billion) of the total costs of motor vehicle injuries among females.⁷

Several factors contribute to the high risk involved in teen driving. According to the Maryland Highway Safety Office, “[r]esearch shows that the major contributing factors to teen-related crashes are inexperience and immaturity, combined with speed, non-seat belt use, distracted driving, drowsy driving and impaired driving from alcohol or drugs”.⁸ Compared with every other age group, teen drivers have the lowest rate of seat belt use.⁹ In fact, 56% of teens between the ages of 16 and 20 who were involved in fatal motor vehicle crashes occurring in 2009 were not wearing seat belts.¹⁰ In addition, “at all levels of blood alcohol concentration, the

¹ Centers for Disease Control and Prevention, *Web-based Injury Statistics Query and Reporting System (WISQARS)*, <https://www.cdc.gov/injury/wisqars/leadingcauses.html> (last visited January 17, 2017).

² *Id.*

³ Maryland Highway Safety Office, *Annual Evaluation Report FFY2012*, http://mhso.mva.maryland.gov/TrafficSafetyData/files/Annual_Report_FFY2014FINAL.pdf (last visited January 17, 2017) (see page 43).

⁴ In this instance, young drivers are defined as being between 16 and 20 years old.

⁵ Maryland Highway Safety Office, *Annual Evaluation Report FFY2012*, http://www.mva.maryland.gov/_resources/docs/FFY2012_MHSO_Annual_Report_Final.pdf (last visited January 17, 2017) (see page 43).

⁶ Centers for Disease Control and Prevention, *Web-based Injury Statistics Query and Reporting System (WISQARS)*, http://www.cdc.gov/injury/wisqars/fatal_injury_reports.html, (last visited January 17, 2017).

⁷ Eric A. Finkelstein et al., *Incidence and Economic Burden of Injuries in the United States* (1st ed. 2006).

⁸ Maryland Highway Safety Office, *Annual Evaluation Report FFY2012*, http://www.mva.maryland.gov/_resources/docs/FFY2012_MHSO_Annual_Report_Final.pdf (last visited January 17, 2017) (see page 42).

⁹ Centers for Disease Control and Prevention, *Teen Drivers: Fact Sheet*, http://www.cdc.gov/MotorVehicleSafety/Teen_Drivers/teendrivers_factsheet.html (last visited January 17, 2017).

¹⁰ *Id.*

risk of involvement in a motor vehicle crash is greater for teens than for older drivers".¹¹ In 2013, 17% of drivers between the ages of 16 and 20 involved in fatal crashes had a blood alcohol concentration greater than .08%.¹² To make matters worse, young drivers are less likely to use seat belts when they have consumed alcohol: "in 2012, 55% of the young drivers of passenger vehicles involved in fatal crashes who had been drinking were unrestrained."¹³ Additional factors that contribute to the high crash rate among teen drivers include imperfectly learned vehicle control skills, poor ability to anticipate and identify hazards, a willingness to take risks, and sensitivity to peer influences in adopting inappropriate norms.¹⁴

Current State of the Law

To obtain a Maryland driver's license, an individual must first obtain a learner's instructional permit and then a provisional license. To be issued a learner's instructional permit, an individual must be at least 15 years and 9 months old.¹⁵ An individual with a learner's instructional permit is only permitted to operate a vehicle while accompanied by and under the immediate supervision of an individual who is at least 21 years old and has been licensed for at least 3 years, with the supervisor seated beside the driver.¹⁶ In order to obtain a provisional license, an individual must be at least 16 years and 6 months old¹⁷ and have a) held a learner's instructional permit for at least 9 months;¹⁸ b) completed a driver education program;¹⁹ c) at least 60 hours of behind-the-wheel driving practice,²⁰ 10 hours of which must occur during the period beginning 30 minutes before sunset and ending 30 minutes after sunrise; and d) passed a road test.²¹

Several restrictions are placed on individuals who hold a provisional license in Maryland.

- Provisional drivers under the age of 18 may not drive between 12:00 midnight and 5:00 a.m. unless the licensee is driving to or from work, a school class or official school activity, an organized volunteer program, an opportunity to participate in an athletic event or related training session, or is accompanied and supervised by a licensed driver who is at least 21 years old.²²
- Provisional drivers under the age of 18 are not permitted to carry passengers under the age of 18, except for family members, for the first 151 days of licensure.²³
- Provisional drivers under the age of 18 must have all passengers in the vehicle using seat belts.²⁴

¹¹ Centers for Disease Control and Prevention, *Teen Drivers: Fact Sheet*,

http://www.cdc.gov/MotorVehicleSafety/Teen_Drivers/teendrivers_factsheet.html (last visited January 17, 2017).

¹² National Highway Traffic Safety Administration, *Traffic Safety Facts 2013: Alcohol-Impaired Driving*, <http://www-nrd.nhtsa.dot.gov/Pubs/812102.pdf> (last visited: January 17, 2017).

¹³ National Highway Traffic Safety Administration, *Traffic Safety Facts 2012 Data: Young Drivers*, <http://www-nrd.nhtsa.dot.gov/Pubs/812019.pdf> (last visited: January 17, 2017).

¹⁴ John D. Lee, *Technology and Teen Drivers*, 38 J Safety Res, 203 (2007).

¹⁵ MD Code, Transportation, § 16-103(c)(1)

¹⁶ MD Code, Transportation, § 16-105(b)

¹⁷ MD Code, Transportation, § 16-103(c)(2)

¹⁸ MD Code, Transportation, § 16-105(d)(2)(i)

¹⁹ MD Code, Transportation, § 16-105(d)(2)(ii)

²⁰ *Id.*

²¹ MD Code, Transportation, § 16-105(d)

²² MD Code, Transportation, § 16-113(d)(3)

²³ MD Code, Transportation, § 21-1123

²⁴ MD Code, Transportation, § 16-113 (d-1)(1)

- Provisional drivers under the age of 18 may not operate a motor vehicle while using any wireless communication device, even hands-free, except for in emergency circumstances.²⁵

To be issued a full license an individual must be at least 18 years old²⁶ and must have accumulated 18 months of conviction-free driving.²⁷

Further, there are sanctions in place for individuals who are under 18 years of age who hold a provisional license and are convicted of moving violations. For example, for a first offense, an individual is required to attend a driver improvement program.²⁸ Second and third offenses result in license suspensions (from 30 days to 180 days) and restrictions after the suspension period that prohibit driving except for education and employment purposes for another 90 to 180 days.²⁹ Fourth or subsequent offenses lead to longer suspension and a requirement that the individual retake the law and skills test in order to have the license reinstated.³⁰ Additionally, there is a zero alcohol tolerance policy for individuals who operate motor vehicles who are under the age of 21. If an individual's blood alcohol content is .02 or above, the individual's license will be suspended for one year for a first offense. For a second or subsequent offense, the individual's license is suspended for 2 years.³¹

This approach to driver's licensing is not unique as many states have adopted similar graduated drivers licensing programs. Several states have more relaxed requirements for licensure of teens than Maryland. For example, in Kansas a 14 year old is eligible to receive an instruction permit,³² which is equivalent to a learner's instructional permit in Maryland; and a 15 year old is eligible to receive a restricted driver's license,³³ which is equivalent to a provisional license in Maryland.³⁴ Similarly in North Dakota, younger people may obtain permits and licenses and drivers who are 16 or older are not subject to any passenger or nighttime restrictions.³⁵

Some states impose stricter restrictions on teen drivers than Maryland. For instance, in North Carolina, individuals who hold a provisional license are restricted from driving from 9:00 p.m. to 5:00 a.m. with exceptions similar to those in Maryland.³⁶ In Connecticut, all new drivers are required to take an 8 hour driving course; parents are required to attend 2 of these hours to learn about various safety matters.³⁷

²⁵ MD Code, Transportation, § 21-1124 (c)

²⁶ MD Code, Transportation, § 16-103(c)(3)

²⁷ MD Code, Transportation, § 16-111(d)(1)

²⁸ MD Code, Transportation, § 16-213(c)(1)

²⁹ MD Code, Transportation, § 16-213(c)(2)(ii)

³⁰ MD Code, Transportation, § 16-213(c)(4)(ii)

³¹ MD Code, Transportation, § 16-205

³² K.S.A. 8-2,100

³³ K.S.A. 8-2,101

³⁴ K.S.A. 8-235d

³⁵ NDCC, 39-06-17

³⁶ N.C.G.S.A. § 20-11

³⁷ C.G.S.A. Chapter 246 § 14-36j

Effective Measures to Curb the Dangers of Teen Driving

Graduated Driver Licensing³⁸ (GDL) programs reduce the risk of teen driver accidents by allowing young drivers to gain experience in incremental steps before they are exposed to more hazardous driving situations. A review of GDL programs concluded that these programs have reduced young driver crash risk by 20% to 40%.³⁹ GDL programs have been associated with an overall 11% reduction in fatal crashes involving 16- year-old drivers.⁴⁰

GDL laws usually split licensure into three stages. The first, during which individuals are issued instructional permits, allows the individual to drive only when supervised by an appropriate licensed driver.⁴¹ In the intermediate stage, the driver is issued a provisional license, allowing the individual to drive unsupervised, except during certain increased-risk conditions.⁴² During the third stage of licensure, the individual is issued a full license, with no restrictions.⁴³

GDL programs vary widely and only the more comprehensive programs have been associated with larger crash reductions.⁴⁴ The seven components usually associated with a GDL program are: 1) minimum age for a learner permit; 2) mandatory waiting period before applying for an intermediate license; 3) minimum hours of supervised driving; 4) minimum age for an intermediate license; 5) nighttime restrictions; 6) passenger restrictions; and 7) minimum age for full licensing.⁴⁵ A study has shown that only GDL programs with at least 5 of the listed components have experienced a significant reduction in fatal crash involvement of 16-year-old drivers. The reductions for 16-year-old drivers were 18% for programs with 5 components and 21% for those with 6 or 7 components.⁴⁶ Specifically, the study revealed that programs that included a mandatory waiting period of 3 months before being eligible for an intermediate license, a nighttime driving restriction, and either 30 or more hours of supervised driving or a passenger restriction were associated with reductions of 16% to 21% in fatal crashes of 16-year-old drivers.⁴⁷ However, GDL programs that only have age criteria restrictions were not associated with reductions in crash rates.⁴⁸

³⁸ “Graduated licensing represents an attempt to lessen the hazards of the highway for novice drivers by introducing between the learner permit and full licensure stages an intermediate stage in which driving is subject to certain protective measures.” A. James McKnight & Raymond C. Peck, *Graduated driver licensing: what works?*, 8 *Inj Prev*, 32 (2002).

³⁹ Jean T. Shope, *Graduated driver licensing: review of evaluation results since 2002*, 38 *J Safety Res* 166 (2007).

⁴⁰ Li-Hui Chen, Susan P. Baker & Guohua Li, *Graduated Driver Licensing Programs and Fatal Crashes of 16-Year-Old Drivers: A National Evaluation*, 118 *Pediatrics*, 56 (2006).

⁴¹ Joshua D. Lyon, Rong Pan & Jing Li, *National evaluation of the effect of graduated driver licensing laws on teenager fatality and injury crashes*, 43 *J. Safety Res.*, 29, (2012).

⁴² *Id.*

⁴³ *Id.*

⁴⁴ Centers for Disease Control and Prevention, *Drivers Aged 16 or 17 Years Involved in Fatal Crashes — United States, 2004–2008*, 59 *Morbidity and Mortality Weekly Report*, (2010).

⁴⁵ Li-Hui Chen, Susan P. Baker & Guohua Li, *Graduated Driver Licensing Programs and Fatal Crashes of 16-Year-Old Drivers: A National Evaluation*, 118 *Pediatrics*, 56 (2006).

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Id.*

Additionally, a 2010 study has shown that monitoring devices installed in cars are somewhat effective in reducing the risk-taking behavior of recently licensed 16- and 17-year-old drivers.⁴⁹ In the study, the cars of participants were equipped with a device that detected all instances of sudden braking or acceleration and nonuse of seat belts, and monitored vehicle speed. All incidents of sudden braking or acceleration, seat belt non-use and speeding were posted on password-protected internet websites that were accessible to each teenager's parents.⁵⁰ Further, these incidents instigated by in-vehicle audio alerts, which notified the teen driver of the occurrence.⁵¹ The study concluded that the in-vehicle alerts by themselves were insufficient to change the behavior of teenage drivers. Close and continuous monitoring by the parents of the teenage drivers was necessary in improving behavior. The study found the most success when parents received personalized report cards that detailed their children's driving.⁵²

Another aspect of a successful GDL program comes from New Jersey where they have implemented a provision requiring that all probationary drivers (under age 21) display a light-reflecting decal on the front and back license plates of any motor vehicle they operate. The decal serves as notice to police that a probationary driver is operating the vehicle and therefore subject to GDL restrictions, allowing for more effective enforcement by police and increasing the likelihood that young drivers will actually comply with the GDL restrictions. A recent study of the 2010 law provides evidence that the law is having a positive impact on teen crashes:

The **rate of probationary driver involvement in police-reported crashes decreased** from 140.9 per 10,000 drivers in the pre-law period to 128.3 per 10,000 in the post-law period, **a 9% reduction** that remained even after fully accounting for overall New Jersey crash trends, gender, and seasonal variation Similarly, the **rate of crashes occurring between 12:01AM and 5:00AM decreased 13%** . . . , and the **rate of multiple-vehicle crashes decreased 8%** . . .⁵³

This is compelling data that should inform future policy action on teen driving.

Parental involvement is critical to success of any GDL program and to improving the safety of teen drivers. In addition to the monitoring equipment, parents' involvement in driver education can be used to enhance safety. Connecticut requires a 2-hour component to the drivers' education program that the parents are required to attend with their teens.⁵⁴ Massachusetts⁵⁵ imposes a similar requirement, and a voluntary program exists in Georgia⁵⁶. While Maryland requires that parents spend 60 hours with their teen driving in order to progress from a learner's permit to a provisional license, parents are not required to attend any classroom component of drivers' education.

⁴⁹ Charles M. Farmer, et al., *Effects of in-vehicle monitoring on the driving behavior of teenagers*, 41 J. Safety Res, 39 (2010).

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² *Id.*

⁵³ Allison E. Curry, et al., *Graduated Driver Licensing Decal Law: Effect on Young Probationary Drivers*. *Am J Prev Med*, 44(1): 1-7 (2013).

⁵⁴ C.G.S.A. Chapter 246 § 14-36j.

⁵⁵ Mass. Acts of 2006, Chap. 428, available online, <https://malegislature.gov/Laws/SessionLaws/Acts/2006/Chapter428>.

⁵⁶ See, Georgia Department of Drivers Services, *40-Hour Parent/Teen Driving Guide*, <http://www.eregulations.com/georgia/parent/> (last visited January 17, 2017).

Parents are the best partners in reducing teen driving risks but peer-to-peer programs may be effective as well. Programs such as the Teens in the Driver's Seat (TDS)⁵⁷ program focus on the five key factors that contribute to teen crashes and related injury: 1) nighttime driving; 2) speeding; 3) distractions by electronic devices and other passengers; 4) low seatbelt use; and 5) alcohol. Teens are trained by adults on overarching goals and effective methods but the teens truly run the program, resulting in more buy-in from those involved.

Finally, law enforcement plays a critical role in reducing youth crashes. Police must be made aware of the applicable GDL provisions and be encouraged, from public health professionals and their supervisors, to enforce those provisions. Assuring that the judiciary likewise treats GDL violations seriously contributes to effectiveness of the provisions.

This document was developed by the Legal Resource Center for Public Health Policy at the University of Maryland Francis King Carey School of Law, with funding and support provided in part by the Centers for Disease Control and Prevention. The Legal Resource Center for Public Health Policy provides information and technical assistance on issues related to public health in Maryland. The legal information and assistance does not constitute legal advice or legal representation. For legal advice, please consult specific legal counsel.

⁵⁷ <http://www.t-driver.com/>