

Barriers to Novice Driver Licensure

A Summary of State Laws and Unintended Consequences of Comprehensive Graduated Driver Licensing Programs on Entry

When first introduced, graduated driver licensing (GDL) laws were a novel approach to managing risk in novice drivers, phasing new drivers in through multiple steps of increasing driving privilege.¹ Since the late 1990s, the success of GDL implementation in improving outcomes for teen drivers has been well documented.² However, there appears to be a limit to how restrictive a GDL program can be before it encourages drivers to delay licensure until GDL restrictions no longer apply. Injury researchers have documented a decrease in fatal crashes for new drivers under age 18 since the implementation of GDL, while the number of fatal crashes for 18 and 19-year-olds increased during the same period.³ This delayed driver licensing effect is seen more prominently for some young drivers depending on family structure, affluence, and proximity to driver training locations.⁴

While all aspects of a GDL program create intentional hurdles that young drivers must master before obtaining an unrestricted driver's license, this research shows that factors outside of their control may unintentionally hinder access to licensure. This policy report describes barriers to licensure that have been described in the literature, alongside relevant legal provisions that may affect these barriers. The GDL programs discussed in this fact sheet are evaluated solely based on codified state law (statutes and regulations) in effect as of December

¹ Allan F. Williams, Anne T. McCartt, Laurel B. Sims, History and current status of state graduated driver licensing (GDL) laws in the United States, *Journal of Safety Research*, (2016), <https://doi.org/10.1016/j.jsr.2015.11.006>.

² *Id.*

³ Scott V. Masten, Robert D. Foss, Stephen W. Marshall, Graduated Driver Licensing and Fatal Crashes Involving 16- to 19-Year-Old Drivers, *JAMA*, (2011), <https://jamanetwork.com/journals/jama/fullarticle/1104325>; James C Fell, Eduardo Romano, Are strong graduated driver licensing laws having unintended consequences?, *Ann Adv Automot Med.*, (2013), <https://pmc.ncbi.nlm.nih.gov/articles/PMC3861835/>; Mike Males, California's graduated driver license law: Effect on teenage drivers' deaths through 2005, *Journal of Safety Research*, (2007), <https://www.sciencedirect.com/science/article/pii/S0022437507001223>.

⁴ Federico E Vaca et. al., Associations Between Graduated Driver Licensing Restrictions and Delay in Driving Licensure Among U.S. High School Students, *J Transp Health*, (Apr 16, 2021), <https://pubmed.ncbi.nlm.nih.gov/34012771/>.

31, 2021, and do not include any additional requirements or exceptions that may exist in informal state licensing agency policies or practices.

Private Driver Education Is Costly

The cost of driver training and licensing is another demonstrated barrier to licensing for many novice drivers, particularly those with lower incomes. Both training costs and distance from training locations were listed as barriers in a recent study that found lower income teenagers in Columbus, Ohio, were four times less likely to complete driver education and obtain a license before age 18 than teens from more affluent families.⁵ In Ohio, both classroom and behind-the-wheel (BTW) instruction are required, and these courses cost on average \$50-\$100 for classroom instruction and \$300-\$400 for BTW instruction.⁶ Cost has become a more significant barrier in the past 10 years as states have removed funding from driver education programs provided through public school and shifted the financial burden of driver training to families.⁷ Many state laws do provide for financial subsidies for driver education, however subsidies that only apply to public driver education have become obsolete as states shift away from offering this option. Figure 1 shows states with laws that allow for financial assistance for driver education students.

In practice, many of these laws may not result in financial aid for all students that need it. California, Michigan, Ohio, and Texas subsidy laws only apply to state-provided driver education, but do not require that all public school districts offer such courses.⁸ In comparison, Illinois requires that driver education be offered in public school districts for a fee, but that fee may be waived for students who are unable to pay for the course.⁹ The Illinois law may result in a meaningful financial impact because driver education programs are provided publicly, and it appears that information about applying for and receiving a driver education fee waiver is readily available.¹⁰ Other subsidies are ambiguous and do not guarantee that all students in

⁵ Dong, Xiaoxia, Jasmine Siyu Wu, Elizabeth A. Walshe, Flaura K. Winston, and Megan S. Ryerson, 2023, *Residing in a Driver Training Desert Leads to Delayed Licensure: Investigating the Relationship between Accessibility to Driver Training and Young Driver's Licensure*. Findings, August. <https://doi.org/10.32866/001c.85096>; Xiaoxia Dong, Jasmine Siyu Wu, Shane T. Jensen, Elizabeth A. Walshe, Flaura K. Winston, Megan S. Ryerson, *Financial status and travel time to driving schools as barriers to obtaining a young driver license in a state with comprehensive young driver licensing policy*, *Accident Analysis & Prevention*, Volume 191, 2023, <https://doi.org/10.1016/j.aap.2023.107198>.

⁶ University of Maryland Carey School of Law, Legal Resource Center for Public Health Policy, *Novice Driver Licensing* (March 17, 2025), [LawAtlas.org/datasets/novice-driver-licensing](https://lawatlas.org/datasets/novice-driver-licensing) and *How Much Does Driving School Cost in Ohio?*, *DriversEd.com*, (July 12, 2024), <https://driversed.com/trending/how-much-does-driving-school-cost-ohio>.

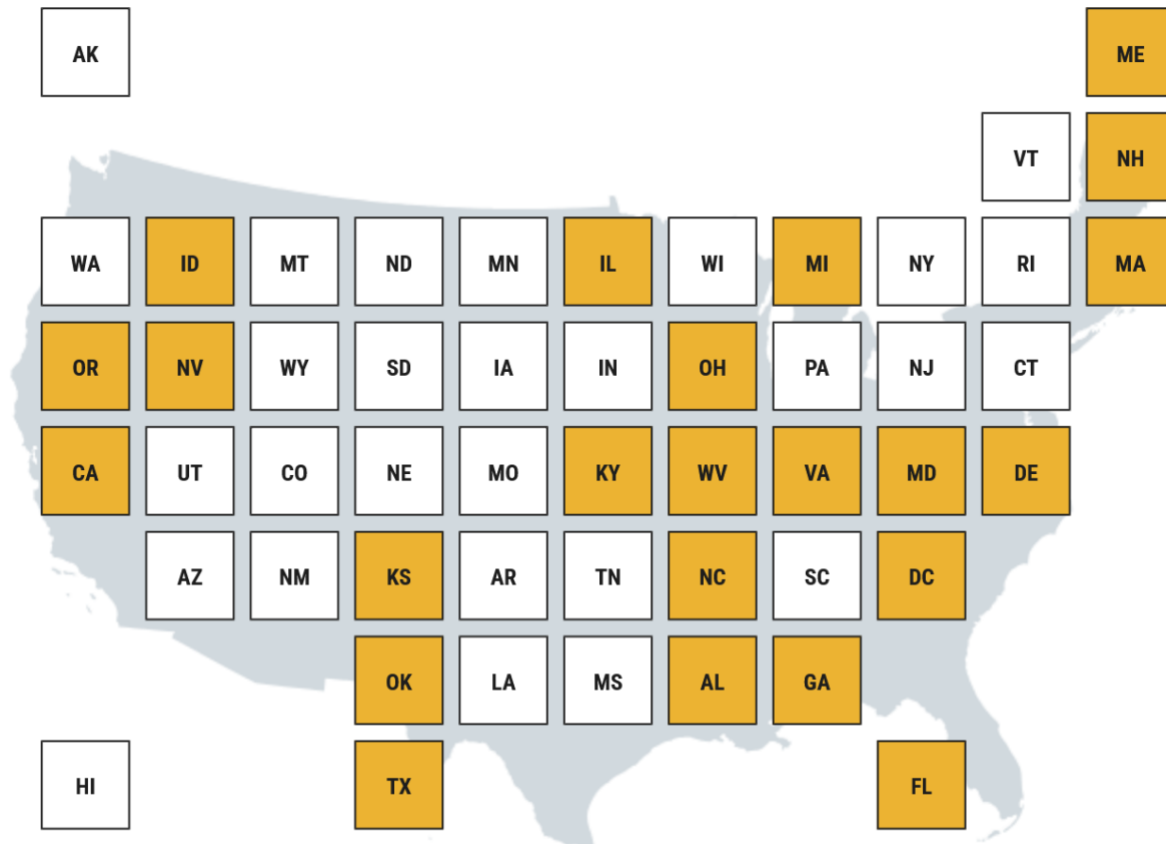
⁷ Kathi Valeii, *Driver's Ed Is Becoming Harder for Poor Kids to Afford*, *Pacific Standard*, (2018), <https://psmag.com/economics/why-poor-people-and-poc-dont-take-drivers-ed/>; *Some schools drop driver's ed to cut costs*, *NBC News*, (2009), <https://www.nbcnews.com/id/wbna34483262#.XU2hVC57n6c>.

⁸ Cal.Educ.Code § 41902; M.C.L.A. 256.669; RC 3313.641; V.T.C.A., Education Code § 11.158.

⁹ 105 ILCS 5/27-24.2.

¹⁰ *Waivers & Payment Options*, Round Lake Area Schools, <https://www.rlas-116.org/registration-fees-transportation/fees/waivers-payment-options>.

Figure 1: State laws that authorize scholarship or subsidy for driver education as of December 31, 2021



Parental Involvement Requirements Can Present a Barrier to Some New Drivers

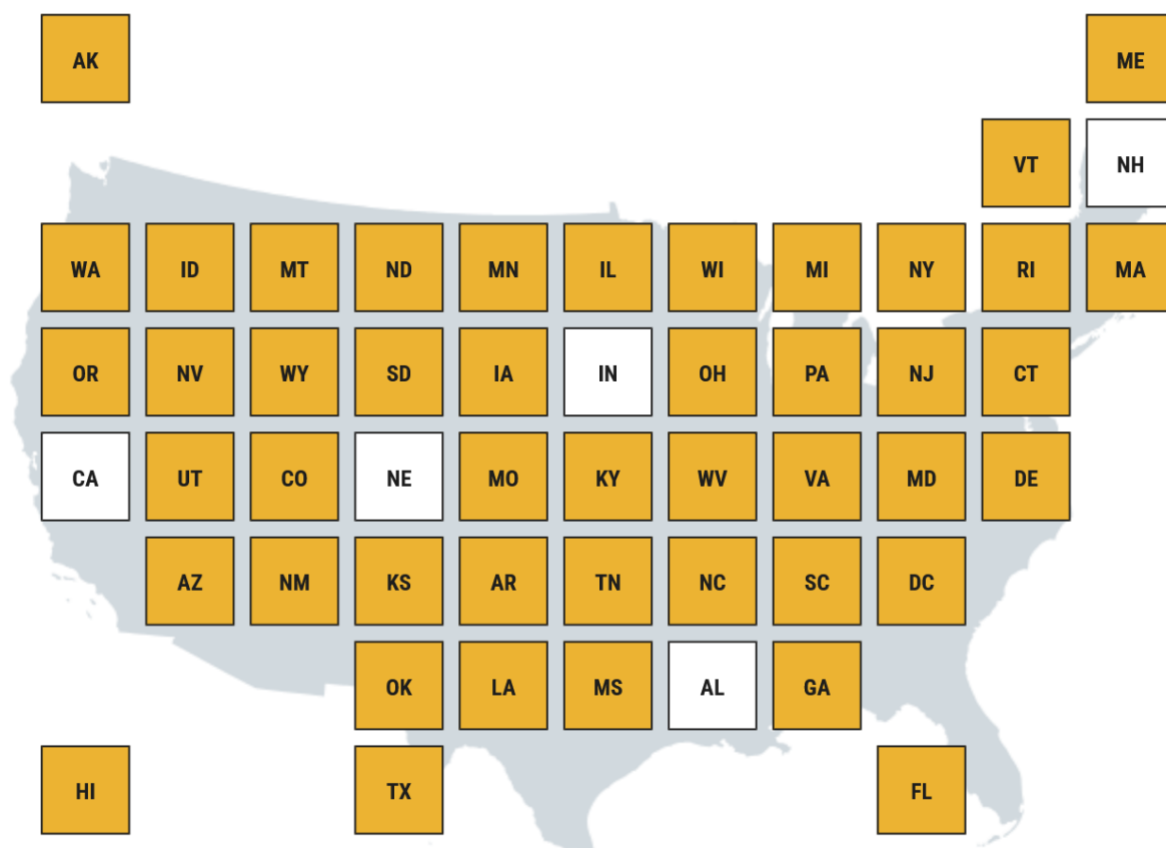
Teenagers interviewed about their reasoning for delayed licensure reported cost and parent involvement as two major factors, particularly in families with single parents or multiple teenagers.¹² Although parental involvement is usually associated with the supervised driving practice requirement, parents are also integral to the first steps of entering GDL where they

¹¹ N.R.S. 483.785.

¹² Jennifer Zakrajsek, Andrea Barretto, C Raymond Bingham, Jean Shope, Edith Parker, Cleopatra Caldwell, Disparities in teens' access to Graduated Driver Licensing, (Nov 2010), [https://www.researchgate.net/publication/266903079 Disparities in teens' access to Graduated Driver Licensing](https://www.researchgate.net/publication/266903079_Disparities_in_teens'_access_to_Graduated_Driver_Licensing)

must authorize the learner permit application. This can be a barrier for teenagers not living with their parents, such as those in a state foster care program.¹³ Teenagers in foster care rarely obtain a license before they age out of their foster care program, and foster parent authorization/participation is cited as one of the driving factors of this trend.¹⁴ There are 46 states whose law explicitly requires some kind of parent/guardian authorization to obtain a learner permit.¹⁵

Figure 2: States that require parent authorization for obtaining a learner permit as of December 31, 2021



¹³ Virginia Commission on Youth, Barriers to Obtaining a Driver's License for Virginia's Foster Youth, (2018), <https://vakids.org/wp-content/uploads/imported-files/Final20Report20Foster20Youth20Drivers20Licenses.pdf>.

¹⁴ *Id.*

¹⁵ *Supra* note 6.

Some parent authorization laws provide explicit exceptions for teen drivers who do not have a parent, guardian, or a person legally acting as a parent to sign.¹⁶ Sixteen states do not explicitly list any other adults who are authorized to sign a minor’s application to obtain a learner permit.¹⁷

Explicitly Allowed to Sign Application	States
Any “responsible adult” willing to assume the obligation	AK, AZ, CO, FL, GA, ID, IL, KY, MD, MS, MT, NV, NM, NC, OH, RI, SC, SD, TN, UT
Minor can sign themselves with proof of insurance	KY, MT, WI
Foster parent	AZ, AR, DE, CO, CT, KY, MA, MN, NM, RI, SC, TN
Employer	AZ, AR, ID, ME, MD, MN, MT, NV, TX
Judge	NC, WY
Driving Instructor	GA, MO*
Parent/Guardian/In loco parentis	DC, HI, IA, KS, LA, MI, NJ, NY, ND, OK, OR, PA, VT, VA, WA, WV

*Must be enrolled in federal residential job training program

Alabama, California, South Dakota, and Indiana do not expressly require any parent authorization.¹⁸ New Hampshire is not included, because a learner permit is not included in their GDL program, but parent authorization is required in order to get a provisional license later in the GDL process.¹⁹ In cases where the person who authorized an application dies, Arkansas, South Dakota, and Texas all require that the learner permit be cancelled until another party can reauthorize the application.²⁰ While 12 states expressly allow foster parents to sign the learner permit application, teens pursuing licensure while in a foster home face unique

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ N.H. Rev. Stat. § 263:17.

²⁰ AR Code § 27-16-904, SDCL § 32-12-8, Texas Transportation Code § 521.305.

additional challenges in paying fees, accessing vehicles, and completing practice driving hours.²¹ Licensing schemes and programs specifically for teens in foster care can address some of these unique barriers. For example, Florida’s Keys to Independence program reimburses licensing and car insurance fees for teens in foster care or experiencing homelessness.²²

School Attendance Impacts Ability to Obtain and Maintain a Learner Permit

Some state laws disallow students with poor school attendance from participating in the GDL program. So-called “no pass, no drive” laws provide a strong incentive for teenagers to maintain school attendance but can have unintended consequences for teens who may be missing school because they lack appropriate transportation to school, or work before or after school hours.²³ State laws that only consider school attendance and not school enrollment may even encourage teens who need a license to drop out of school.²⁴ Twenty-three states require some type of academic enrollment or proof of school attendance in order to obtain a learner permit.²⁵ Attendance requirements could be a compounding barrier for students who have trouble getting transportation to school and work and may therefore be barred from entering a GDL program.²⁶ All 23 states with this requirement mandate that the applicant prove they are in school (including high school equivalency programs or home school).

Some of these states only require showing school attendance on an application for a learner permit, while others directly connect ongoing school attendance to licensure. While there is a documented impact of enrollment-based policies on increasing teens in school, truancy-based policies that do not consider enrollment may encourage dropouts.²⁷ The following table surveys state laws that connect student attendance directly to their driving privileges.

²¹ *Supra* note 14.

²² Keys to Independence, About Us, (2024), <https://keystoindependencefl.com/about/>.

²³ Kendall J. Kennedy, The Unexpected Effects of No Pass, No Drive Policies on High School Education. J. Pol. Anal. Manage, (2020), <https://onlinelibrary.wiley.com/doi/10.1002/pam.22182>.

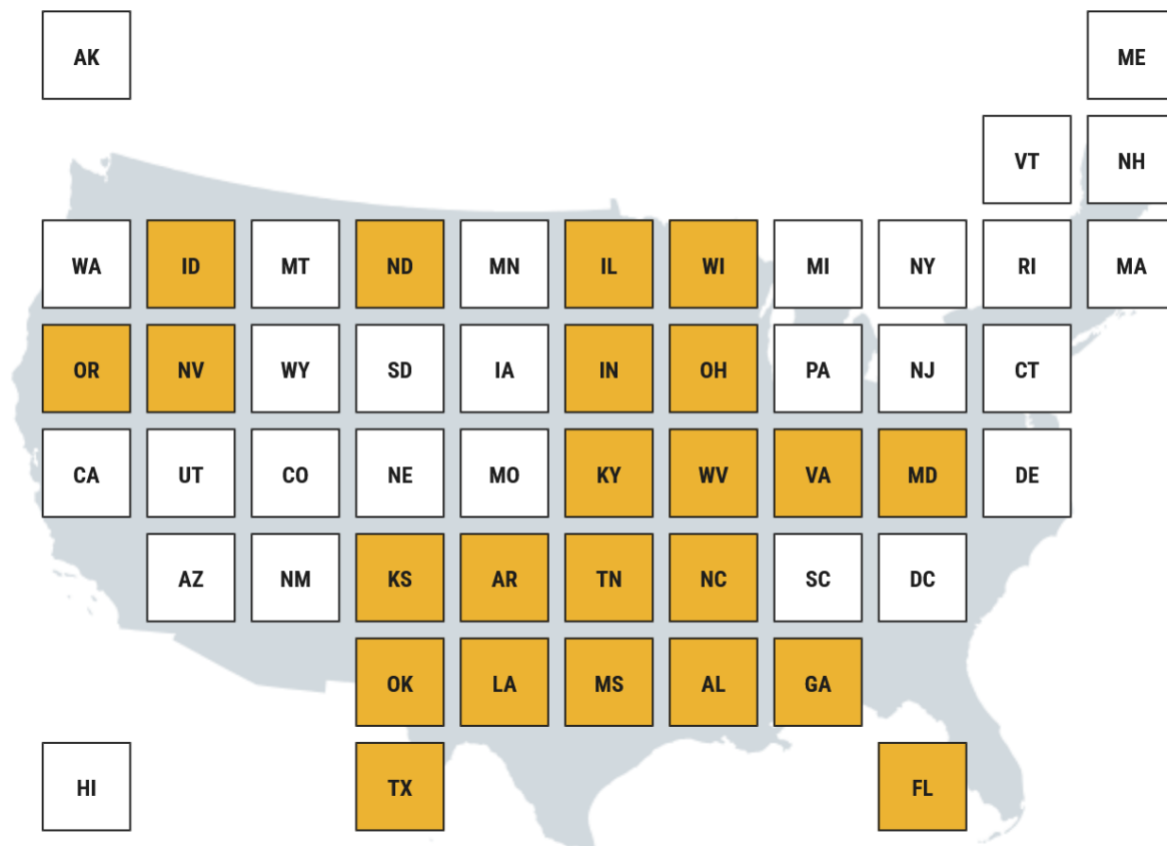
²⁴ *Id.*

²⁵ *Supra* note 6.

²⁶ *Supra* note 25.

²⁷ *Supra* note 25.

Figure 3: States that require academic enrollment for obtaining a learner permit as of December 31, 2021



State	Law	Summary
Alabama	AL Code § 16-28-40	Drivers under 19 years old must have their license or learner permit suspended upon withdrawal from school. More than 10 consecutive or 15 total unexcused absences in one semester is considered withdrawal.
Florida	Fla. Stat. § 322.091	Minor is not eligible for driving privileges unless they “satisfy relevant attendance requirements.”
Idaho	ID Code § 49-303A	Schools may “implement interventions” to improve student attendance. If a student is in

		noncompliance with the relevant school policy, the school may notify parents of intent to have a student's license suspended.
Illinois	625 ILCS 5/6-107.1	No permit may be issued to a student who is absent without a valid cause for more than 1% but less than 5% of the past 180 school days.
Indiana	IN Code § 20-33-2-11	A student 13 – 15 years old who has more than 10 unexcused absences in one school year may not be issued driving privileges until age 18.
Louisiana	LSA-R.S. 32:431.1	Any minor who is “a dropout or habitually absent or tardy” may have driving privileges denied or suspended.
Maryland	MD Code, Transportation, § 16-105	A learner permit may not be issued to a student with more than 10 unexcused absences during the prior school semester.
Nevada	N.R.S. 392.123	An application for a learner permit must show compliance with school attendance policy or hardship justification for needing a license.
Ohio	RC 3321.13	A student with unexcused absence of more than 60 consecutive hours in a single month or for at least 90 hours in a school year may be denied a learner permit.
Tennessee	TN ST § 49-6-3017	A student with more than 10 consecutive or 15 days total unexcused absences during a single semester is considered withdrawn and cannot obtain a learner permit until attending school or 18 years old.
Texas	V.T.C.A., Transportation Code § 521.204	A student must have attended school for at least 80 days in the semester preceding the date of the driver's license application.

Virginia	VA Code Ann. § 46.2-323	Minor applicants for a learner permit are required to provide evidence of compliance with the compulsory school attendance law.
West Virginia	W. Va. Code St. R. § 126-84-4	A student must be in satisfactory standing regarding attendance, behavior, and academic progress.
Wisconsin	W.S.A. 343.14 and 118.16 (definition of “habitual truant”)	A student must be enrolled in a school program or high school equivalency program and must not be habitual truant, meaning unexcused absence for part or all of 5 or more school days during a semester.

Some states laws also impose academic performance or school behavior requirements. In addition to an attendance policy, Tennessee requires schools to notify the licensing agency when a student does not pass at least three classes during a semester.²⁸ In Alabama, students are subject to a disciplinary points system that may delay licensure, where school suspensions, alternative school placement, and expulsion before GDL entry age can add up to delay the learner permit age by up to one year.²⁹ Tying GDL access to specific academic, behavioral, and school attendance requirements may present a licensure barrier to students who are already struggling to attend and do well in school. Students affected by “no pass, no drive” laws may ultimately opt to drop out of school, drive without a license, or delay licensure until they are no longer subject to GDL requirements.³⁰

Licensure Requirements Relaxed after Exempted Age

Some research suggests that more comprehensive, restrictive GDL programs may lead to young people delaying licensure until the age their state begins to relax licensure requirements.³¹ There are 40 states that have an “exempted age,” meaning an age at which there are no requirements for licensure other than passing the required exams, or requirements are significantly relaxed from the official GDL program requirements. For example, New Mexico requires novice drivers over age 18 to take only the portion of driver education related to impaired driving, while novice drivers under age 18 are required to complete a full 30-hour

²⁸ TN ST § 49-6-3017.

²⁹ AL Code § 32-6-7.4.

³⁰ *Supra* note 25.

³¹ James C Fell, Eduardo Romano, Are strong graduated driver licensing laws having unintended consequences?, *Ann Adv Automot Med.*, (2013), <https://pmc.ncbi.nlm.nih.gov/articles/>.

classroom and 7-hour behind-the-wheel course of instruction.³² This difference in requirements may motivate some new drivers to wait until the age when there are fewer requirements, especially in cases where the full GDL course is costly or inflexible.³³ The following table summarizes some state requirements for drivers older than the exempted age and the comparable requirement for drivers under the exempted age.

State	Over Exempted Age	Under Exempted Age
Illinois	6-hour classroom or online course for required for 18-20 years old. No additional requirement over 20 (92 Ill. Adm. Code 1030.5)	30 hours of classroom instruction, 6 hours behind the wheel instruction (105 ILCS 5/27-24.2) 50 hours supervised driving (92 Ill. Adm. Code 1030.5)
Florida	4-hour traffic law and substance abuse education for all adults (FL ST § 322.095)	4-hour traffic law and substance abuse course (FL ST § 322.095) 50 hours supervised driving (FL ST § 322.05)
New Mexico	DWI prevention and education program required for 18-25 years old, or any adult with previous DUI conviction (N. M. S. A. 1978, § 66-5-9)	30-hour driver education course (N.M. Admin. Code 18.20.3.12) 7 hours behind the wheel instruction (N.M. Admin. Code 18.20.3.13)
New York	4–5-hour pre-licensing course required for adults (15 NYCRR 7.7)	4–5-hour classroom course (McKinney's Vehicle and Traffic Law § 502) 50 hours supervised driving (McKinney's Vehicle and Traffic Law § 502)
Ohio	4-hour classroom or online course required for adults who fail their road test (R.C. § 4507.21)	24-hour classroom course, 8-hour behind the wheel course (R.C. § 4508.02) 50 hours supervised driving (R.C. § 4507.21)

³² N.M. Admin. Code 18.20.3.12.

³³ *Supra* note 4.

Texas	6-hour driver education course for 18-25 years old (Tex. Transp. Code §§ 521.1601 and 521.142)	32-hour classroom course, 7-hour behind the wheel course (16 TAC § 84.600)
	No additional requirement over 25.	30 hours supervised driving (16 TAC § 84.600)

Non-driving Convictions Affect the Ability to Enter GDL

State laws that tie non-driving-related convictions to driving licensure can present an unintended barrier to mobility and delay in licensure, with some states even requiring delay until age 18 for certain non-driving offenses. Examples of non-driving convictions tied to licensure include unpaid fines, failure to appear in court, and certain drug offenses. Preventing teen licensure for these violations can result in inability to get a job and pay future fines, creating a cycle of penalties, delayed licensure, or driving without a license.³⁴ Similar license-for-payment schemes apply to adult license suspension and disproportionately affect low-income drivers.³⁵ There are 37 states that delay licensure by some period for non-driving offenses, 11 of which delay licensure until a specified age (*e.g.*, age 18).³⁶

³⁴ Danielle Conley, Ariel Levinson-Waldman, Discriminatory Driver's License Suspension Schemes, American Constitution Society, (March 19, 2019), https://www.acslaw.org/issue_brief/briefs-landing/discriminatory-drivers-license-suspension-schemes/.

³⁵ *Id.*

³⁶ *Supra* note 6.

Legend:

- Licensing process delayed by a specified period
- Must wait until specified age (e.g., 18) to obtain any license

States with both requirements (purple and yellow): MN, IL, IA, MO, KY, TN, NC, SC, AR, LA.

States with delayed licensing (purple): AK, ME, NH, RI, MA, CT, NJ, PA, OH, WI, MI, NY, VT, HI, TX, FL, WA, OR, CA, UT, CO, NM, KS, OK, MS, AL, GA, DE, MD, VA, WV, KY, TN, NC, SC, AR, LA, HI, TX, FL.

States with age requirement (yellow): MN, IL, IA, MO, KY, TN, NC, SC, AR, LA.

States with neither requirement (white): ID, MT, ND, SD, NE, WY, NV, UT, CO, NM, KS, OK, AR, LA, MS, AL, GA, VA, WV, KY, TN, NC, SC, AR, LA, MD, VA, WV, KY, TN, NC, SC, AR, LA, DC, ME, VT, NH, RI, MA, CT, NJ, PA, OH, WI, MI, NY, VT, HI, TX, FL.

³⁷ *Id.*

Non-driving conviction affecting licensure	States
Use of a fraudulent license to purchase alcohol	KY, CT, KY, MN, MO, PA, RI, SD, TN
Possession/ use of alcohol (outside vehicle)	CT, LA, MT, NV, NJ, NM, NC, TX, WY
Possession/use of cannabis (outside vehicle)	CT
Firearm possession	AL, AK, KS, NC, TN
Controlled substance possession/use	AK, AR, DE, FL, KS, LA, MN, MO, MT, NV, NJ, NM, NC, OH, WY
Property damage	AZ, NV, NC
Failure to appear in court	CO, MI, NM, WA, WV
Failure to pay child support	HI, IL, MI, MS, WA, WV, WY

Conclusion

Strong GDL laws have a positive safety impact on novice drivers of ages that are subject to the state program, however many barriers may cause teenagers to delay licensure until GDL does not apply to them. This delayed licensure effect can be mitigated by removing barriers that prevent novice drivers with limited resources or extenuating circumstances from being able to participate in the program. As shown by this review of barriers in each state GDL program, most states include a parent approval step in GDL that is largely outside the control of the novice driver and may be more difficult for teenagers without a parent/legal guardian who can participate. In addition, many states tie school participation and non-driving convictions with the ability to enter and continue participating in GDL. While this is a strong incentive for teenagers to attend school and avoid non-driving convictions, removing the chance for some drivers to get their license through the GDL program for factors unrelated to driving can result in unintended outcomes.

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