



NEW JERSEY



TEEN DRIVER
STUDY COMMISSION

RECOMMENDATION REPORT • MARCH 2008

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EXECUTIVE SUMMARY

Motor vehicle crashes are the leading cause of teen death in the United States. An average of 6,000 teens die and another 300,000 are injured annually across the nation. Teens crash for many reasons, but the most common are overconfidence, speeding, impaired driving, distraction and inexperience. In addition, seat belt use among teens is the lowest of any age group on the road.

In New Jersey, teens (17 to 20 years of age) represent just five percent of the population, but are involved in 12 percent of the crashes. In 2006, there were 55,792 teen crashes in the state. While many of the crashes were not life threatening, 48 teen drivers and 19 teen passengers driven by teens died in motor vehicle crashes in 2006, a six percent increase over the previous year. Speed, distraction and inexperience, coupled with a lack of seat belt use, were prevalent factors in these fatal crashes. And in some cases, these teen drivers had multiple violations on their driving records.

In response to the teen driver problem, all 50 states have enacted Graduated Driver Licensing (GDL) laws. Graduated driver licensing is designed to introduce teens to driving in stages, over an extended period of time, in an environment that minimizes risk. A teen typically progresses through a permit phase, where he or she practices with supervision, to a provisional or probationary phase, which allows for independent driving with restrictions. Following successful completion of this phase, a teen is granted full driving privileges.

Nationwide, GDL appears to be working. Between 1996 and 2005, both fatal and police-reported crashes per population fell approximately 40 percent for 16-year-olds, 25 percent for 17-year-olds and 15 to 19 percent for 18-year-olds. Additionally, the number of teens killed in crashes in 2005 (latest year for which national data is available) was the lowest since 1992.

Teen driver crashes and fatalities in New Jersey are down five and 15 percent, respectively, since enactment of a GDL law in 2001. New Jersey has the nation's oldest minimum driving age: permit at 16, license with restrictions at 17 after six months of practice driving, and full licensure after 12 months of restricted driving, usually no younger than 18. That, coupled with nighttime, passenger and cell phone restrictions, as well

as mandatory seat belt use by everyone in the vehicle, appears to be having a positive impact.

But despite having a strong GDL law, the state has experienced a rash of fatal teen crashes in the past two years. This prompted the New Jersey Legislature to introduce a bill, signed into law by Governor Jon S. Corzine, in March 2007, establishing a Teen Driver Study Commission.

The 15-member Commission was charged with assessing the state of teen driving in New Jersey and making recommendations to help reduce crashes and save lives. The Commission first met on September 27, 2007 and every other week thereafter through February 27, 2008. Three public hearings and expert panels were convened to ensure that the Commission was focusing on the most critical issues.

The scope of the Commission's work focuses on teens 16 to 20 years of age, who annually account for more than three quarters of the state's new drivers. While new drivers 21 years of age and older are not addressed in this report, progressive stages for these older drivers, as mandated under the current GDL system (at least three months on a permit, six months on a provisional license prior to full licensure), are essential.

From this work, 47 recommendations were identified and categorized into seven key areas: the Graduated Driver License, driver education, driver training, enforcement/judicial, insurance industry, schools, and technology. The recommendations do not call for an increase in the minimum driving age (currently 17 with restrictions) or a single path to licensure for all new drivers. Garnering support for a later driving age in a highly mobile state would be difficult and there are socio-economic barriers associated with one licensure path.

In addition, there are no specific recommendations addressing the impact alcohol use has on teen driver crashes because alcohol and other illegal substances do not appear on the list of the top 25 causation factors for teen crashes in New Jersey. However, education and prevention of unsafe driving behaviors, including DWI, is addressed in the recommendations.

What the recommendations do address are specific issues that can result in gains in teen driver safety for this age group. A champion has been named for each and charged with promoting timely and full implementation. While

all merit enactment and/or further study, the following 14 recommendations are absolutely essential for stemming the tide of teen driver crashes in our state and should be addressed immediately.

Develop an “event-based” GDL monitoring program that includes sanctions (training, suspension and postponement) that effectively deter GDL and non-serious and serious motor vehicle violations.

Sanctions are essential for an effective GDL program. Adopting an “event-based” rather than a “point-based” violations system (currently used in New Jersey) will ensure that the Motor Vehicle Commission can monitor a GDL holder’s behavior and assess sanctions (i.e., driver training, license suspension or postponement of full licensure) when a GDL and/or traffic violation is committed. If a teen can circumvent the point-based system, by pleading a point carrying offense to a non-point carrying offense such as “unsafe operator,” the current monitoring system is not activated and the remedial needs of a GDL holder are not addressed.

offense, a teen be required to complete a driver improvement program and advancement to the next phase of the GDL (probationary or basic licensure) be postponed for 60 days. For a second non-serious violation, the teen would receive a 60-day license suspension and a 120-day postponement. For a third and subsequent non-serious violation, the teen’s license would be suspended for 90 days and include a 180-day postponement. If the teen commits a serious violation (i.e., DWI, reckless driving, racing, speeding more than 15 mph over the limit, leaving the scene of an accident), he or she would receive a 180-day license suspension and a 180-day postponement.

In addition to event-based monitoring, sanctions should be strengthened. Enhancing the sanctions sends a strong message to teens that driving is a privilege, not a right. Plus, teens view driver training and license suspension as the most effective deterrents to unsafe and unlawful behavior. It is recommended that for a first non-serious

Any suspension and/or postponement would not run concurrent with a suspension or postponement term mandated for a prior offense. And, penalties associated with serious violations, (i.e., license suspension for DWI) would not be superseded by GDL sanctions.

Until event-based monitoring and enhanced sanctions are implemented, ban plea agreements for traffic offenses committed by GDL holders.

As noted above, a GDL holder who receives a citation for a point carrying violation can, in some instances, plead to a non-point carrying offense, thereby circumventing MVC’s monitoring system and sanctions under the law. A review of fatal teen driver crash records in New Jersey shows that several teen drivers had taken advantage of this safe harbor. And it is unclear how many other teens are

getting multiple bites at the apple thus putting themselves, their passengers and others on the road at risk. An Attorney General directive to prosecutors banning plea agreements for GDL license holders, at least until event-based monitoring is implemented, will ensure that new drivers, who fail to drive safely and in compliance with the law, are sanctioned accordingly.

Implement the programming changes necessary to ensure that MVC's current and pending computer system can accommodate all components of the GDL law.

New Jersey's GDL law has been in effect since 2001, but the computer programming changes needed to fully implement monitoring and sanctions have never been instituted due to competing priorities and resource issues at MVC. Having the technology in place to monitor GDL and motor vehicle violations (as noted in the previous recommendation) and administer sanctions is absolutely essential if the law is to perform as intended.

MVC is expected to bring a new computer system (MATRX) online in three to four years. While the agency should ensure that the new system fully supports the GDL law, including event-based monitoring and other requirements and recommendations, it should also conduct, as soon as possible, an analysis of the programming requirements needed to bring the current system into compliance with the GDL law. At the very minimum, MVC is urged to find a solution for addressing the need to monitor and properly sanction GDL holders now.

Develop a GDL identifier that must be affixed to a vehicle when driven by a permit or probationary license holder.

Being able to identify a teen driver stands out as the single most vexing issue for those responsible for administering and enforcing GDL laws. Requiring a GDL holder to display an identifier (which has been done in a number of countries for many years) on the vehicle he or she is driving, will aid police in enforcing the provisions of the GDL law and remove any concerns about "profiling." What the identifier would look like and where it would be

affixed should be addressed by MVC through rulemaking. The Legislature, however, would need to amend the current GDL law to include "failure to display the identifier" as a violation (\$100 fine). And under an "event-based" monitoring system (detailed above), a conviction for failing to display the identifier would trigger training, license suspension and/or postponement for the teen driver.

Require a parent/guardian to attend a teen driver orientation program with his or her teen prior to applying for a permit.

Parents play a pivotal role in the licensing of their children. Ensuring that they fully understand this and have the tools to manage their teen drivers is essential. There is strong evidence, however, that many parents have limited knowledge of how New Jersey's GDL law works. An orientation program that not only includes a

comprehensive review of all aspects of the law and the importance of parental supervision, but an overview of teen crash risk and the importance of driver education and training is needed. A teen and his or her parent/guardian would have to complete the orientation as a condition of obtaining a permit.

Require teens to complete a minimum number of hours of certified practice driving during the permit phase.

Under the current GDL law, novice drivers under 21 years of age must hold a permit for a minimum of six months. While 16-year-olds must complete a six-hour, behind-the-wheel driver training program to obtain a permit, teens between 17 and 20 years of age have no such requirement. While the Commission considered requiring all teens under 21 to complete a six-hour, behind-the-wheel training program, it recognized that there are distinct socio-economic differences in our state that must be taken into consideration.

Six hours of driver training, however, does not make a skilled and/or safe driver. For this reason, it is recommended that a teen entering the GDL system at 16 years of age complete the six-hour program and log a minimum of 50 hours of certified practice driving (a parent/guardian or

adult at least 25 years of age supervises the teen's practice driving and certifies, by signing off in a log, the date and length of time spent behind-the-wheel).

Teens entering the system between 17 and 20 years of age have the option of completing the same minimum requirements as a 16-year-old permit holder (as noted above) or they must log a minimum of 100 hours of certified practice driving (20 of which must be at night). A teen would be required to have the certified practice driving log notarized prior to turning it into MVC when taking the skills/road test necessary for obtaining a probationary license. Currently 43 states mandate certified practice driving in the permit phase to ensure that teens not only have the chance to build skill, but to do so under varying conditions prior to driving unsupervised.

Extend the permit phase from a minimum of six months to one year for all new drivers 16 to 20 years of age.

Practice makes perfect and nowhere is that more important than when learning to drive. Research shows that it takes more than 1,000 hours of driving before a teen's crash risk drops significantly. Extending the learner's permit from six months to 12 (as currently done in four other states)

will provide more time for New Jersey teens to practice and gain driving experience in a controlled supervised environment. Studies suggest that teen driver crash rate decreases of 22 to 40 percent are possible with extended learner periods.

Limit the number of passengers in the probationary phase to one regardless of the passenger's relationship to the driver.

A teen driver is 158 percent more likely to be killed in a crash while carrying two passengers. The risk increases to 207 percent when there are three passengers in a teen driver's car. The increased risk is often the result of distraction and others in the car encouraging the teen driver to take risks. Most teen crashes in New Jersey occur after school, so minimizing risks associated with passengers is critical.

Currently, a New Jersey teen holding a probationary license may transport family members and no more than one, non-family member passenger in a vehicle. While

the teen and his or her passengers are clearly at risk, enforcing this restriction is all but impossible for law enforcement officials. In addition, new research data shows that a child's risk of dying in a crash doubles when a teen is behind-the-wheel. Limiting the number of passengers a probationary driver may transport to just one, regardless of his or her relationship to the teen, is an important and proven safety measure. Additionally, a probationary driver is a "driver in training" and should not be considered a transportation provider for classmates and/or siblings.

Sanction, in addition to the teen driver, all passengers 16 to 20 years of age on a permit, probationary or basic license, who violate the GDL passenger and safety belt restrictions.

Teens know the GDL law, particularly when it comes to the restrictions. But an analysis of fatal teen driver crashes in New Jersey found that many of the drivers were violating the passenger restrictions and the seat belt requirement (driver and all passengers must buckle up). Teens pointed out to the Commission that what will stop them from violating the GDL law is strict enforcement coupled with sanctions for everyone in the vehicle. For

this reason, if a police officer stops a vehicle driven by a GDL holder and there are two or more passengers in the vehicle, it is recommended that everyone between 16 and 20 years of age in the licensing system be penalized for violation of the passenger restriction. If a passenger is not wearing a seat belt, both the driver (even if he or she is belted) and the passenger would be fined. This will necessitate an amendment to the current GDL law.

Lower the nighttime driving hours restriction from 12 a.m. to 11 p.m. for probationary license holders.

New Jersey's GDL law currently restricts teens on a probationary license from driving between midnight and 5 a.m. Although only 15 percent of miles driven by 16 and 17-year-olds are between 9 p.m. and 6 a.m., more than 40 percent of their fatal crashes occur during this time. Knowing this and that restrictions beginning at midnight

are too late to affect the majority of nighttime driving crashes, it is imperative that New Jersey's restriction be lowered to at least 11 p.m. A one-hour restriction will result in a safety gain, while allowing today's highly mobile teens to still participate in extracurricular activities and get to and from work.

Close the loophole in the seat belt law to ensure all back seat passengers 18 years of age and older buckle up.

New Jersey's primary seat belt law contains a loophole that does not require backseat passengers 18 years of age and older to buckle up. However, all individuals riding in a vehicle operated by a GDL holder are required to buckle up. Once a teen graduates from a probationary license to a basic license that requirement does not apply to back seat passengers 18 years of age or older. Knowing that teens continue to crash, while their violations nearly

double after they graduate from a probationary to a basic license, ensuring that everyone in the vehicle is properly restrained is essential. Seat belts are the single most effective safety device in a motor vehicle crash. Several recent fatal teen crashes in New Jersey involved lack of seat belt use by passengers, several of whom were 18 years of age or older.

Appropriate funding for driver education through the GDL-mandated Driver Education Fund.

The GDL law dedicates \$5 of the \$10 permit fee to a Driver Education Fund. Administered by MVC, the fund collects approximately \$1.37 million annually. While these monies are dedicated, expending them requires an annual appropriation, which has not happened since the Fund was established in 2001. Ensuring that these funds are used for their intended purpose – the development of

driver education and training materials and initiatives – is essential considering the \$9 billion annual impact traffic crashes have in New Jersey. To remedy this situation, it is recommended that MVC annually request appropriation language to ensure that the funds are appropriated and expended as intended under the GDL law.

Develop and deliver to public and private schools a standardized traffic safety/driver education curriculum and incorporate it into New Jersey’s Core Curriculum Content Standards for students in grades K-12.

Crash risk does not begin at 16; children start learning to drive the minute they are strapped into their car seats. Incorporating traffic safety into New Jersey’s Core Curriculum Content Standards for students beginning in kindergarten is essential. In addition, developing a standardized curriculum, starting with high school driver education, is needed. The Department of Education has

begun work on the former, while MVC is leading the latter. Both tasks have been given high priority and will be instrumental in ensuring that children learn basic traffic safety principles in elementary school, leading to basic skills in middle and early high school followed by higher-order skills in high school and following licensure.

Amend the GDL law and the corresponding regulations to clearly define six hours of behind-the-wheel driver training.

A teen who opts to obtain a permit at 16 must successfully complete six hours of behind-the-wheel training. While MVC requires that a driving school course “be a minimum of six hours behind-the-wheel instruction,” the Commission heard testimony to the contrary from parents and teens. To remedy this problem, it is recommended that the

current MVC regulation be amended to ensure that a teen receives six hours of one-on-one, private instruction. MVC is also encouraged to research and adopt a standard, up-to-date curriculum for behind-the-wheel instruction, based on a nationally accepted model that goes beyond simply preparing a student to pass the MVC skill test.

Finally, the Commission believes that the community at-large must play a role in addressing teen driving. Teen driver safety is not just a parental problem, a police problem or a school problem. Every citizen and every public and private sector organization must invest in teen driver safety. The expenditure of time and/or resources, whether it is championing a statutory or regulatory change, partnering with a school or other entity to ensure driver education is readily available to all teens, or advising a parent when his or her teen is driving irresponsibly, will pay dividends in the form of improved safety for all who use our roadways.

Motor vehicle crashes are the leading cause of teen death in the United States. The fatality rate for 16- to 20-year-olds, based on miles driven, is four times that of drivers 25 to 69 years of age.¹ In 2005 (the most recent year for which national data is available), more than 6,000 young people in this age group were killed in motor vehicle crashes in the U.S. For every teenager killed, another 90 on average are injured.² The end result is that the number

of U.S. teens killed in motor vehicle crashes each year is the equivalent of a commercial airplane full of teens crashing to the ground once every week.

Teens crash for many reasons, but data shows that this age group makes nine common mistakes, sometimes in combination with each other, that can result in deadly consequences. These include in no particular order:

Overconfidence and an “it can’t happen to me” attitude.

While teens recognize that they might crash and are concerned about making mistakes behind the wheel, they overrate their own driving skills believing that they will be able to handle risky situations. Research suggests that the part of the brain responsible for decision-making and impulse control does not fully mature until the mid-twenties.³

Failing to buckle up.

Seat belt use among teens, particularly those killed in motor vehicle crashes, is the lowest of any age group on the road.⁴ Six out of 10 drivers ages 16 to 20 who were killed in crashes in the U.S. were unrestrained. Almost two out of three teens killed as occupants of motor vehicles are unrestrained.⁵

Talking on a cell phone or texting.

Cell phone ownership and use by teen drivers is at an all-time high. Nearly 50 percent of teens talk on a cell phone while driving.⁶ The problem is that a young driver’s reaction time slows down to that of a 70-year-old when he or she talks on a cell phone while driving.⁷

Speeding.

One-third of U.S. teen fatalities involve speeding and speeding⁸ by teen drivers is observed much more frequently than substance use.⁹ Crash risk increases incrementally with each mile per hour driven over the speed limit.¹⁰

Impaired driving.

Alcohol-involved crashes increase from relatively low rates among 16-year-old drivers to a peak among drivers 20 to 24 years of age. In 2004, drivers involved in a fatal crash with a Blood Alcohol Content (BAC) of 0.08 percent or higher ranged from 13 and 17 percent, respectively, for 16- and 17-year-olds, to 24 to 29 percent, respectively, for 18- and 19-year-olds.¹¹

Passenger distractions.

By carrying just one passenger the risk for a crash increases by 50 percent. With three or more passengers, the risk is nearly four times greater than while driving alone.¹²

Driving at night.

Teens are twice as likely to crash at night (9 p.m. – 6 a.m.) than during the day.¹³

Failure to anticipate potential dangers.

Crash rates for newly licensed drivers are highest during the first six months of driving. Evidence suggests that lack of experience plays a key role in a novice driver's tendency to make poor judgments about hazards and that most crashes result from a lack of awareness about what is risky.¹⁴

Ignoring car maintenance.

Teens are more likely to drive older vehicles¹⁵ and as few as one in four is responsible for paying at least some of the costs associated with vehicle maintenance and damage repairs.¹⁶ A lack of financial investment may attribute to their willingness to drive in a careless fashion.

A NEW JERSEY PROBLEM

In 2006 (the most recent year for which state data is available), more than 550,000 drivers were involved in a crash in New Jersey. Of that number, 55,792 or 12 percent of these drivers were between 17 and 20 years of age. While the number of teen drivers involved in crashes decreased by 5 percent between 2002 and 2006, teen drivers account for just 5 percent of the state's driving population and, therefore, are overly represented in crashes.¹⁷

In New Jersey, for every 100 licensed young drivers, 16 on average were involved in a crash, more than double the rate for all drivers. One out of every six young drivers licensed in New Jersey was involved in a crash and a teen driving crash occurs in the Garden State every nine minutes. And while historically more male than female teens are involved in motor vehicle crashes, in the past five years that gap has begun to narrow.¹⁸

Teens in New Jersey are involved in more crashes in June than any other month and these crashes are most likely to occur on Friday, followed by Wednesday and Saturday. The most dangerous time on the road for teens, based on percent of crashes, is between 3 and 6 p.m. followed by noon to 3 p.m. and then 6 to 9 p.m.¹⁹

Nearly a quarter (24%) of teen driver crashes are caused by driver inattention/distraction followed by unsafe speed (7%) and failure to yield to another motorist or pedestrian (5.3%). The other top ten causation factors are: following too closely (4.5%), road surface condition (2.6%), other

driver/bicyclist action (2.6%), backing unsafely (2.3%), failure to obey traffic control device (2.1%), improper turning (1.9%), and improper lane change (1.8%).²⁰

While nearly 56,000 teen drivers were involved in non-injury-related crashes in New Jersey in 2006, tragically 48 teen drivers and 19 passengers driven by teens died, a 6 percent increase over the previous year. Since 2001, 331 teens have died in motor vehicle crashes in New Jersey. A review of the crash reports shows that speed, distraction and inexperience coupled with multiple passengers and lack of seat belt use were prevalent factors in these fatal crashes. In addition, in some cases, teen drivers involved in these crashes had multiple violations on their driving records prior to the fatal event.²¹

Several counties, Monmouth, Middlesex, Morris, and Ocean, have been particularly hard hit by fatal teen driving crashes in the past few years. But it is important to note that no county or community in our state is immune from this problem. For the past five years, Middlesex County has consistently had the highest number of teen driving crashes followed by Bergen, Monmouth, Ocean, and Passaic. Meanwhile between 2002-2006, Dover Township (Ocean County) ranked number one in teen crashes with 6,423, followed by Newark (6,196), Woodbridge (4,829), Edison (4,712), Paterson (4,408), Hamilton (3,954), and Paramus (3,760), illustrating that teen driver crashes occur in both suburban and urban areas.²²

RESPONDING TO THE PROBLEM

Recognizing that something had to be done to stem the tide of teen driving crashes across the nation and help teens become safer drivers, states began enacting Graduated Driver License (GDL) laws beginning with Georgia, Michigan and North Carolina in 1997. New Jersey was the 36th state to embrace the GDL concept when legislation sponsored by Senators Robert Singer and Joseph Palaia, Assemblymen Joseph Malone and the late Melvin Cottrell and Assemblywoman Loretta Weinberg was signed into law by Governor Christine Todd Whitman in 1998 and went into effect on January 1, 2001.

Teens need experience to become proficient, skilled and thus “safe” drivers. But, the process of gaining experience runs counter to reducing risk – to learn to drive, you must drive. GDL is designed to introduce teens to driving in stages, over an extended period of time, in an environment that minimizes risk. The learner’s or permit phase allows teens to obtain much needed supervised practice driving over a set period of time (usually six months or longer). Crash risk at this stage is extremely low when a supervisor is present. As experience is gained, drivers are exposed to more real-world driving situations thus increasing their ability to safely drive in most conditions.

The intermediate, or provisional phase, allows newly licensed teen drivers to gain valuable independent driving experience in low-risk situations, but does not allow teens to drive unsupervised in the most dangerous situations (i.e., multiple passengers, late at night). Following successful

completion of this second phase, the teen is granted full licensure with no restrictions.

GDL appears to be working. Between 1996 and 2005 in the U.S., both fatal and police-reported crashes per population fell approximately 40 percent for 16-year-olds, 25 percent for 17-year-olds and 15 to 19 percent for 18-year-olds. Additionally, the number of teens killed in crashes in 2005 was the lowest since 1992, despite the largest teen population since 1977. During 2005, 3,889 passenger vehicle occupants ages 16 to 19 were killed on U.S. roads and an estimated 1.9 million were involved in police-reported crashes. This represents eight percent fewer deaths and 20 percent fewer police-reported crashes than what occurred during 1996 for this age group.²³

Two key elements of GDL – nighttime driving and passenger restrictions – are also paying dividends. Nighttime fatal crashes per population among 16-year-old drivers decreased 48 percent from 1996-2005. Nonfatal crashes declined, too. Nighttime police-reported crashes fell 47 percent for 16-year-old drivers and 29 percent for 17-year-olds. Meanwhile, crashes involving teens driving other teens fell 41 percent between 1996 and 2005. At the same time, fatal crashes involving 16-year-olds driving alone fell 24 percent. The proportion of fatally injured drivers with positive blood alcohol concentrations fell by 16 percent for 16-year-olds and 5 to 9 percent for 17- to 19-year-olds.²⁴

ASSESSING OUR SYSTEM

Since New Jersey’s GDL law went into affect in 2001, teen driver crashes are down five percent, while fatalities involving teens at the wheel are down 15 percent. The law, which has the nation’s oldest minimum driving age (17 for licensure) and many other essential elements cited as critical for an effective GDL (i.e., extended permit phase, passenger and nighttime driving restrictions, a cell phone ban and primary seat belt use) is having a positive impact. However, teens are still crashing and dying on New Jersey’s roadways.

In response to several teen driver crashes involving multiple fatalities, Governor Jon S. Corzine signed into

law in March 2007 legislation, sponsored by Senator Ellen Karcher and Assembly members John Wisniewski, Joseph Malone and Jennifer Beck, establishing a Teen Driver Study Commission. The Commission was charged with assessing, over a six-month period, the state of teen driving in New Jersey and making recommendations that will reduce crashes and ultimately save lives.

The 15-member Commission began meeting in September 2007 and continued to convene on a bi-weekly basis through late February 2008. The Commission poured over the latest national and international research on teen driving; analyzed New Jersey licensing, crash and

motor vehicle violations data; reviewed teen licensing requirements in other states and countries; heard from experts in a variety of fields including law enforcement, driver education/training, and child psychology; and invited public comment through three hearings (Livingston, Essex County; Colts Neck, Monmouth County; and Sewell, Gloucester County) and on the Division of Highway

Traffic Safety's website. What the Commission learned, through the assistance of many parents, teens, educators, police officers and concerned citizens, is that more can and must be done to improve the way New Jersey educates and licenses teen drivers. Additionally, more can also be done to monitor their driving, enforce laws and sanction unsafe behavior.

THE COMMISSION'S RECOMMENDATIONS

The Commission agreed early in its discussions to focus the scope of its work on teens 16 to 20 years of age, who account for more than three quarters of new drivers annually entering the state's licensing system.²⁵ Therefore, the path to licensure for new drivers 21 years of age and older is not addressed in this report but progressive stages for these older drivers, as mandated under the current GDL system, are still essential.

As the Commission worked to develop the recommendations detailed in this report, it became clear that specific issues must be addressed if gains are to be made in teen driver safety. First, the Commission, following significant study and discussion, opted not to recommend raising the minimum driving age – currently 16 to obtain a permit and 17 to obtain a provisional license. While researchers point to brain development as a key factor in driver decision making and that an individual's brain is not fully developed until the mid-twenties²⁶, the Commission recognizes that garnering public and legislative support for a later driving age would be extremely difficult. In addition, the Commission also recognizes the need for mobility, particularly for those teens who need access to a driver's license in order to support themselves and/or their families.

Second, the Commission agreed that while simplifying the GDL law so that all new drivers follow the same path

to licensure was admirable, it was not possible based on socio-economic barriers in our state. Instead, the Commission determined that making the current path to licensure for teens more robust is the most appropriate way to address problems within the GDL program.

Third, while the Commission was charged with determining the impact alcohol has on teen driver crashes and fatalities, alcohol and other illegal substances do not appear in the list of the top 25 causation factors for teen crashes in New Jersey.²⁷ Education and prevention of unsafe driving behaviors, including DWI, is addressed in many of the recommendations in this report. In addition, New Jersey law provides a zero tolerance level for teens who use any illegal substances.

Finally, the Commission agreed that while the New Jersey Division of Highway Traffic Safety, in partnership with key public and private sector partners, is ultimately "responsible" for monitoring implementation of the recommendations detailed in this report, a champion(s) for each recommendation should be identified to carry the banner and ensure timely action by the appropriate entities.

The recommendations are segmented into seven categories as follows (detailed narrative for each is provided in the next section of this report):

1. Graduated Driver License (GDL)

- 1.1 Immediately develop and implement an “event-based” GDL driver monitoring program that includes sanctions (training, suspension and postponement) that effectively deter GDL and non-serious and serious motor vehicle violations.
- 1.2 Develop a GDL identifier that must be affixed to a vehicle when driven by a permit or probationary license holder and electronically flag all registered vehicles operated by this individual. Amend the current violations in the GDL law to include “failure to display the identifier.”
- 1.3 Require a parent/guardian to attend a teen driver orientation program, delivered through a network of approved providers, with his or her teen prior to applying for a permit. (If the teen driver is 18 to 20 years of age, participation by a parent is optional.)
- 1.4 Require a teen, entering the GDL system at 16 years of age, to complete an MVC-approved, six-hour behind-the-wheel driver training program and log a minimum of 50 hours of certified practice driving (10 of which must be at night) in the permit phase. Teens entering the GDL system at 17 to 20 years of age have the option of completing the same minimum requirements as a 16-year-old permit holder (six hours of behind-the-wheel driving training and 50 hours of certified practice driving, 10 of which must be at night) or they must log a minimum of 100 hours of certified practice driving (20 of which must be at night).
- 1.5 Extend the permit phase from a minimum of six months to one year for all new drivers between 16 and 20 years of age.
- 1.6 Limit the number of passengers in the probationary phase to one regardless of the passenger’s relationship to the driver.
- 1.7 Sanction, in addition to the teen driver, all passengers 16 to 20 years of age on a permit, probationary or basic license, who violate the GDL passenger and safety belt restrictions.
- 1.8 Lower the nighttime driving hours restriction from 12 a.m. to 11 p.m. for probationary license holders.
- 1.9 Conduct ongoing research to evaluate the crash and violation experience of teen drivers under the GDL system.
- 1.10 Adjust the permit and probationary license fee to offset the costs of making improvements to the GDL system.
- 1.11 Change the name of the second phase of the GDL from “provisional” to “probationary” to reinforce that driving is by law a privilege not a right.
- 1.12 Exclude GDL holders from operating emergency medical service (EMS) vehicles and obtaining blue light permits (fire and EMS volunteers).
- 1.13 List the GDL restrictions and violation penalties on the paper permit carried by teen drivers.

2. Driver Education

- 2.1 Dedicate and sustain funding for driver education through the GDL-mandated Driver Education Fund.
- 2.2 Develop and deliver to public and private schools a standardized traffic safety/driver education curriculum, and incorporate it into New Jersey's Core Curriculum Content Standards for students in grades K-12.
- 2.3 Reactivate the State Advisory Committee on Driver Education to ensure the Teen Driver Study Commission's recommendations are enacted and monitor ongoing progress in improving teen driver safety.
- 2.4 Develop and maintain a web-based driver education resource library for public access and a website for driver education professionals.
- 2.5 Create and disseminate social marketing campaigns, based on ongoing review of New Jersey teen crash data, to address teen driving issues such as speeding, distractions, GDL compliance, peer influence, and risky behaviors.

3. Driver Training

- 3.1 Amend the GDL law and the corresponding regulations to clearly define "six hours of behind-the-wheel driver training."
- 3.2 Encourage more parent/guardian involvement with the licensed driving school instructor so that he or she partners with the instructor to reinforce and build upon a teen's training.
- 3.3 Require licensed driving school instructors to attain a minimum level of training to improve the quality of instruction.
- 3.4 Improve oversight of licensed driving schools to ensure compliance with all statutory and regulatory requirements.
- 3.5 Enhance the road test to more accurately assess driver skill and safety, and study the feasibility of conducting the test on the road rather than on a closed course.
- 3.6 Develop a mechanism for a consumer to lodge a complaint against a driving school.
- 3.7 Continue to hold an annual statewide driver education forum for all driver education professionals.
- 3.8 Encourage continuing driver education following successful completion of the probationary phase to foster driver skill development and lifelong learning.

4. Enforcement/Judicial

- 4.1 Until event-based monitoring and the Commission's recommended sanctions/penalties are implemented, issue a directive banning plea agreements for GDL license holders.
- 4.2 Close the loophole in New Jersey's seat belt law to ensure all back seat passengers 18 years of age and older buckle up.
- 4.3 Require for all traffic offenses that a GDL holder's driver abstract be reviewed by the prosecutor and the judge.
- 4.4 Develop and disseminate a police training roll-call video to ensure awareness and enforcement of the GDL law.
- 4.5 Develop and deliver a GDL training program for prosecutors and judges.
- 4.6 Publicize free parental access to a teen's driving record.
- 4.7 Prominently place a GDL checkbox on the uniform traffic summons and NJTR-1 crash reporting form.
- 4.8 Revise the state Memorandum of Agreement to include police departments notifying schools when teens commit a GDL or moving violation.
- 4.9 Identify and disseminate best practices for involving parents, police officers, prosecutors and judges, elected and school officials, and volunteers in community-based teen driver education and crash-prevention programs.
- 4.10 Establish a protocol for and fund teen driving checkpoints near high schools and other locations frequented by teens.

5. Insurance Industry

- 5.1 Encourage families to use state-of-the art technology to monitor teen driving and reduce driver distractions, and assess on an ongoing basis the impact these technologies have on reducing teen driver crashes.
- 5.2 Work with the Industry and the Department of Banking and Insurance to provide incentives to encourage safe teen driving and deterrents to discourage poor teen driving.
- 5.3 Encourage all companies and businesses impacted by and/or concerned about teen driver safety to investigate ways to support school and community-based driver awareness and training initiatives.

6. Schools

- 6.1 Partner with public and private entities to help fund driver education initiatives.
- 6.2 Establish and regularly communicate teen driving policies to students and their parents/guardians.
- 6.3 Encourage the inclusion of teen crash prevention in the “service-learning” component of a community service requirement for graduation.
- 6.4 Consider altering early high school start times to allow for the sleep patterns of teens.
- 6.5 Include local law enforcement and transportation officials in the review of transportation plans for new school construction and/or existing school expansion or redesign.

7. Technology

- 7.1 Implement the programming changes necessary to ensure that MVC’s current and pending computer system can accommodate all components of the GDL law.
- 7.2 Encourage cellular providers to embrace and market existing technology that prevents a teen from using a cell phone while driving.
- 7.3 Encourage the development and availability of low cost technology that allows parents to monitor their teen’s driving behaviors.

Essential Components of a “New and Improved” Graduated Driver License (GDL) System For Teen Drivers 16-20 Years of Age

CURRENT GDL LAW
 CHANGE OR ENHANCEMENT TO CURRENT GDL LAW
 NEW MANDATE NOT REQUIRED UNDER CURRENT GDL LAW

Permit Phase

- Complete a parent/guardian teen orientation as a condition of obtaining a permit (parent/guardian participation optional for drivers 18 and older)
- Minimum age of 16
- Obtain a parent/guardian’s signature (if under 18)
- Hold permit for a minimum of one year (12 months)
- Pass vision screening and written test
- Display a “GDL” identifier (color specific) on vehicle
- Limit of one passenger regardless of relationship to driver (unless passenger is 25 years of age or older)
- Minimum of 6 hours behind-the-wheel training for 16-year-old permit holder, optional for permit holders 17-20 years of age
- Minimum 50 hours of certified practice driving (10 of those hours must be at night) with a parent/guardian (or licensed driver 25 years of age or older) with completion of 6-hour behind-the-wheel training. Minimum of 100 hours of certified practice driving (20 of those hours must be at night) with a parent/guardian (or licensed driver 25 years of age or older) without behind-the-wheel training
- No driving between 11 p.m. and 5 a.m.
- No use of portable electronic devices (i.e., hand-held or hands-free cell phones, ipods, video games, etc.)
- Driver and all passengers must wear seat belts

Probationary (Provisional) Phase

- Complete all requirements of the permit phase
- Pass skills/road test
- Minimum age of 17
- Hold probationary license for a minimum of one year (12 months)
- Display a “GDL” identifier (color specific) on vehicle
- Limit of one passenger regardless of relationship to the license holder (unless passenger is 25 years of age or older)
- No driving between 11 p.m. and 5 a.m. (waiver available for employment and religious activities and/or emergency situations)
- No use of portable electronic devices (i.e., hand-held or hands-free cell phones, ipods, video games, etc.)
- Driver and all passengers must wear seat belts

Event-based sanctions for all GDL holders committing GDL and Title 39 Violations:

- 1st non-serious offense – attend an MVC approved driver improvement program (30-day license suspension for non-compliance) and 60-day postponement of full licensure
- 2nd non-serious offense – 60-day license suspension and 120-day postponement of licensure
- 3rd non-serious and subsequent offense – 90-day license suspension and 180-day postponement of full licensure. (Suspension of license results in postponing completion of the Provisional Phase until the full 12 month requirement is met.)
- 180-day suspension and postponement for all GDL holders committing serious violations (i.e., high rate of speed, racing, reckless driving, leaving the scene of a crash, DWI)
- Passenger and seat belt violations result in assessment of the GDL fine (\$100) and event-based sanctions for all GDL license holders (permit and probationary phase) or basic license holders 16 to 20 years of age.
- Any suspension and/or postponement would not run concurrent with a suspension or postponement term mandated for a prior offense. Penalties associated with serious violations, (i.e., license suspension for DWI) would not be superseded by GDL sanctions.

The Teen Driver Study Commission's 47 recommendations were developed through extensive analysis and review of data, research and testimony, along with careful deliberation and discussion. What follows is a detailed overview of their recommendations to aid in understanding how each can have a positive impact on teen driver safety.

Also noted under each recommendation is a champion – the entity that has been charged with carrying the banner

and promoting timely and full implementation. It is important to note that some recommendations will require a statutory change, others a regulatory change and still others a policy change. The Commission urges the New Jersey Legislature and implementing agencies/organizations to embrace and champion all recommendations. The entity(ies) identified as the champion(s) under each recommendation is (are) responsible for its successful implementation.

1. GRADUATED DRIVERS LICENSE (GDL)

1.1 Immediately develop and implement an "event-based" GDL monitoring program that includes sanctions (training, suspension and postponement) that effectively deter GDL and non-serious and serious motor vehicle violations.

Champion: Motor Vehicle Commission

The Commission reviewed licensing sanctions associated with GDL violations and heard testimony detailing the failings of the current system. A GDL holder's ability to plea down point carrying violations to zero point violations makes a GDL holder who violates the law transparent to the MVC's monitoring system. This is because the monitoring of a driver's behavior is based on accumulation of motor vehicle points associated with each violation. An event-based monitoring system can effectively monitor and assess sanctions since it does not depend on motor vehicle points. Generally, any traffic violation, point or non-point carrying, would be counted and trigger sanctions. GDL restriction violations (i.e., passenger, nighttime driving, etc.) would also be considered an event. Short of a total prohibition on plea agreements (discussed in recommendation 4.1), event-based monitoring is the only way to address the remedial needs of GDL holders. This approach also ensures there is a consequence associated with a GDL holder's bad driving behavior.

Under New Jersey's current GDL law, failure to comply with the nighttime driving, passenger and cell phone (no use of electronic devices including hands-free phones) restrictions as well as failing to buckle up (everyone in the car regardless of age), carries a \$100 fine, but no points are assessed to

the licensee's driving record. The GDL also mandates that following the accumulation of three or more motor vehicle points (accrued as a result of motor vehicle violations) that the permit or probationary license holder complete an MVC driver improvement program. Failure to complete the program and/or the continued accumulation of motor vehicle points results in license suspension and postponement of the driver's eligibility to obtain a provisional (if in the permit phase) or basic (if in the probationary phase) license for a specified period of time.

A number of problems plague implementation of the sanctions component of GDL. First, the computer programming changes needed to fully implement GDL monitoring and sanctions were never implemented. When Governor Whitman signed the GDL legislation into law in 1998, MVC (then the Division of Motor Vehicles) was given three years to update its computer system. This did not happen due to competing priorities and resource issues. Consequently, to this day, teen drivers committing motor vehicle violations are not being sanctioned so they are not receiving 90-day suspensions, postponements or remedial training triggered by the three-point threshold. (A GDL holder is scheduled for driver improvement only after committing two, point-carrying offenses.)

This is a fatal flaw, to the extent that teens do not comply with protective restrictions under GDL or motor vehicle laws, the safety benefits of the law are reduced. Teens are aware of this computer “glitch” and spoke openly to the Commission at public hearings about their willingness to flaunt the law because there are no consequences.

Another flaw is a teen’s ability to plead down to a non-point carrying violation (as noted above). N.J.S.A. 39:4-97.2 allows a motorist two opportunities to plead certain point carrying violations down to “no points” by paying a \$250 fine. If the violator is a teen on a GDL, and no points are assessed for a moving violation, the training, suspension and postponement requirements are avoided. A teen, for example, who has been cited twice for exceeding the speed limit, while holding a probationary license, may plead the offenses down to unsafe operator, pay his or her fine and continue driving. At the end of the 12-month probationary period, he or she then is granted full basic licensure.

Voorhees Transportation Center at Rutgers University is currently conducting a study, on behalf of MVC, examining the impact of plea bargaining on driver monitoring. Sixteen and 17-year-old drivers had approximately four percent of motor vehicle violations and crash events recorded during their first year of driving over a multi-year period of the study. A preliminary analysis of this data shows that 32 percent of new male drivers and 19 percent of new female drivers received more than one “unsafe operator” violation in their first year of driving, typically an indication of a plea agreement.

In addition to these issues, the Commission heard from teens that consequences “have to be meaningful” to deter unlawful behavior. According to teens, license suspension and training – requiring a teen to give up his/her freedom and time – will get their attention. While these types of sanctions, as noted above, are included in New Jersey’s current GDL law, they are not stringent enough to deter violations.

The Commission believes that several things must happen to put the “teeth” back into GDL sanctions. First, MVC should adopt an “event-based” rather than a “point-based” violations system to ensure that all GDL holders who break the law are sanctioned. Any time a teen fails to comply with GDL restrictions or commits a traffic violation, it is counted as an event, regardless of whether or not motor vehicle points are assessed, thereby triggering a sanction

(i.e., driver training, suspension and postponement). This removes the ability for a teen to circumvent the sanctions, which are essential for teen driver safety. Second, the MVC must immediately put in place the technology needed to support event-based monitoring and the corresponding sanctions. This will require a programming change to the current computer system. Such a change cannot wait until MVC’s new computer system (MATRX) is brought online in three to four years.

Third, the sanctions should be strengthened so that teens are sent a stronger message about the privilege of driving. Sanctions should be based on first, second, and third and multiple offenses for non-serious violations (i.e., speeding up to 15 mph over the posted limit, improper passing, failure to stop at a stop sign, etc.). A separate sanction should apply to serious violations (i.e., DWI, reckless driving, racing, speeding more than 15 miles over the posted limit, leaving the scene of an accident, set by law and/or MVC regulation). The Commission recommends that the GDL law be amended as follows:

First Non-Serious Violation – Complete an MVC-approved driver improvement program and 60-day postponement (30-day license suspension for failure to complete the program)

Second Non-Serious Violation – 60-day license suspension and 120-day postponement

Third and Subsequent Non-Serious Violation – 90-day license suspension and 180-day postponement

Serious Violations – 180-day license suspension and 180-day license postponement

It should be noted that any suspension or postponement would not run concurrent with a suspension term mandated for a prior offense. For example, if a driver with a prior non-serious first violation was then convicted of a serious violation, he or she would receive a 180-day suspension plus a 180-day postponement. When combined with the 60-day postponement from the first non-serious violation, this would equal a total postponement of 240 days. The penalties associated with serious violations, (i.e., license suspension for DWI) would not be superseded by GDL sanctions.

While the Commission engaged in considerable debate about whether to suspend a GDL holder's license for a first offense, the members agreed that requiring a teen to participate in a driver improvement program would not only be punitive (as teens pointed out) but rehabilitative in nature. MVC is currently reviewing its more than 20-year-old driver improvement program and updating the content so that it addresses today's driving conditions and issues, and is relevant to teens. The new curriculum, which will include a peer-to-peer component, is expected to be deployed in 2008. In addition, if the sanctions and the necessary computer programming are implemented as recommended above, it is highly likely that MVC will experience a considerable spike in teens remanded to a driver improvement program. This may necessitate MVC working with a network of providers to administer the program.

If a teen fails to complete the driver improvement program, he or she would face indefinite license suspension. Loss of license is a strong deterrent. The first five and a half years after Georgia passed its Teenage and Adult Driver Responsibility Act (TADRA), the average annual fatal crash rate for 16-year-olds (the state's probationary licensing age) decreased 36.8 percent. Speed-related fatal crashes for 16-year-olds were cut by 42 percent and alcohol-related fatal crashes by nearly 60 percent.²⁸ Safety officials in the state attribute this impact to the law's mandatory license suspension.

Under TADRA, drivers under 21 who are caught traveling more than 24 miles per hour over the posted speed limit automatically forfeit their driver licenses for 6 months. Other offenses that result in automatic license revocation include: excessive speeding, hit-and-run or leaving the scene of an accident, racing or eluding an officer, reckless

driving, any four point or higher offense, purchasing or attempting to purchase alcohol and DWI. A second offense (or any DWI with a BAC of .08 or more) results in a 12-month license suspension. After the law went into effect in 1997, the state did not undertake any significant public outreach beyond what was provided by the news media. The free advertising generated by teens who lost their licenses after violating one or more TADRA provisions appears to have been highly effective in sending a strong message to other teens.²⁹

In Oregon, drivers under 18 (teens may start the licensing process as early as age 15 and gain full driving privileges at 17) face license suspension for any measurable blood alcohol level; can be suspended until age 18 for a major traffic conviction, and upon a single conviction, are subject to a four-stage driver improvement program which levies successively greater sanctions for each additional infraction. Crash data analysis between 1998 and 2004 (Oregon's GDL went into effect in 2000) shows a 42.6 reduction in fatal crashes for 16-year-old drivers.³⁰

Connecticut's Teenage Driver Safety Study Commission issued recommendations to Governor Jody Rell and the Legislature in January calling for mandatory license suspensions for teens who violate the passenger, nighttime and cell phone restrictions of the state's GDL or who are convicted for speeding, reckless driving or street racing. Suspensions vary from 30 days to 6 months for a first offense, 90 days to one year for a second offense, and 6 months to one year for a third and subsequent offense. Governor Rell has also proposed strengthening the state's underage drinking and driving law by requiring a minimum one year license suspension for 16- and 17-year-olds who operate a vehicle while intoxicated.³¹

1.2 **Develop a GDL identifier that must be affixed to a vehicle when driven by a permit and probationary license holder. Electronically flag all New Jersey registered vehicles operated by GDL holders. Amend the GDL law to include a violation for failure to display the identifier.**

Champion: Motor Vehicle Commission and New Jersey Legislature

A number of countries require novice drivers to display plates that indicate their status as either a learner or probationary driver. In Australia, drivers on a learner's permit display "L-plates," while probationary drivers display "P-plates." In British Columbia, novice drivers display "N-plates," while in Northern Ireland, they require "R-plates." Researchers suggest these "status" plates are important for several reasons: they allow for better enforcement of GDL laws; they allow other road users to be aware that the driver is a novice so that greater caution can be exercised, and they may help limit the risks that novices are willing to take while displaying their license status.³² (It is important to note, that the Commission found no evidence in other countries of identifiers being used by predators to target teens.)

In addition to these reasons, New Jersey parents who testified before the Commission pointed out that a vehicle identifier could have the same positive impact as a neighborhood watch program, where neighbors keep an eye out for unlawful or suspicious behavior and report it to law enforcement officials. In this case, neighbors would alert the parents of teens, as well as police, when they see teens driving in an unsafe or unlawful manner. This not only protects the teens, but others on the road as well as pedestrians and bicyclists.

Norway introduced a requirement for permit holders to display status plates when under private driver instruction (by a licensed instructor or when supervised by a parent, guardian or other adult). The initiative reduced the novice's crash risk.³³ In the Australian Capital Territory, the removal of license status plates is used as an incentive for probationary drivers to undertake additional driver education and/or training. Researchers also suggest using the display plate requirement as an incentive for safer driving by removing the requirement for probationary drivers who have had a violation free record for 12 months (Australia has a 2-year probationary driving period).³⁴

While no U.S. state is currently requiring the use of display plates or identifiers on their vehicles, every state

is concerned about enforcement of their GDL laws and is watching to see how New Jersey will address this problem. (Connecticut Governor Rell's Teen Driving Safety Task Force, which issued its preliminary recommendations on January 25, 2008, included a requirement that 16- and 17-year-old drivers prominently display an identifying windshield sticker when operating a vehicle.³⁵) Being able to identify a teen driver stands out as the single most vexing issue for those responsible for administering and enforcing GDL laws. Police officers believe that having an identifier on a vehicle driven by a teen will aid them in enforcing the provisions of the GDL and will remove any concerns about "profiling" from the equation. Additionally, it is important to note that by law, driving is a privilege, not a right, so requiring a GDL holder to place an identifier on the vehicle he or she is operating does not violate that individual's rights.

What the identifier should look like and where it should be affixed on the vehicle is best left to the Motor Vehicle Commission through rulemaking. However, the Commission believes that the identifier should be highly visible (even reflective so that it can be seen at night), removable (many vehicles have multiple operators), and displayed in the front and back of the vehicle. Failure to display the identifier should be treated as a violation of the GDL law, which would necessitate an amendment to the current law and carry a \$100 fine. Under an event-based monitoring system, it would also be considered an event thereby triggering driver training and/or suspension and postponement. The enactment of the identifier program through statutory and regulatory change would supersede all local identifier ordinances ensuring one statewide program. This will eliminate confusion for parents, teens and law enforcement officials.

In addition to the identifier, the Commission believes that placing a flag on the registration record of vehicles operated by teens would aid in enforcement. If a police officer, for example, stops a teen for a moving violation and finds, after running the vehicle plates, that he or she is driving on a probationary license and is not

displaying the marker, he or she would be cited for both the GDL (identifier) and moving violations. Testimony to the Commission provided by law enforcement officers highlighted the need to identify a GDL holder's vehicle to enforce passenger restrictions. To that end, this recommendation will ensure better enforcement of what could be the most significant GDL restriction.

The implementation and distribution of the identifier could be done through a private provider working in part-

nership with MVC. The Commission encourages the MVC to consider vendors who have multiple (in-person, mail, phone and online) fulfillment capabilities. Flagging vehicle registrations would be a function of MVC. Meanwhile, amending the current GDL law to include failure to display the marker, which would carry the same fine (\$100) and penalties as other GDL violations, must be addressed by the Legislature.

1.3 Require a parent/guardian to attend a teen driver orientation program, delivered through a network of approved providers, with his or her teen prior to applying for a permit. (Participation of a parent is optional for teen drivers 18 to 20 years of age.)

Champion: Motor Vehicle Commission

Parents play a pivotal role in the licensing of their children. They supervise their teens' early driving experience, determine when they'll get their license, govern access to vehicles and may impose restrictions on driving privileges beyond what is spelled out in the state's Graduated Driver License (GDL) law. But most importantly, parents are their children's role models. Since the first day a child was strapped into a car seat and took to the open road, he or she has been taking note of how mom and/or dad behave behind-the-wheel. Research clearly shows that teen drivers mimic their parents' behavior. Ensuring that a parent and/or guardian fully understands this and has the tools to manage his or her teen driver is absolutely essential, particularly under the state's GDL requirements.

New Jersey's current Graduate Driver License (GDL) law called for the development of an informational booklet to help parents and teens understand the GDL and how best to prepare for the privilege of driving. While such a booklet, *Safe Driving, A Parent's Guide to Teaching Teens*, was developed by the Motor Vehicle Commission and the Division of Highway Traffic Safety in 2006, it is not reaching its intended audience. The booklet is supposed to be distributed to a teen when he or she obtains a permit either through an MVC agency or from a driver education instructor. This, however, is not happening as evidenced by the number of parents who simply have no understanding of how the GDL works or that this booklet

even exists. And even if teens and their parents/guardians are receiving the booklet, there is no guarantee they are reviewing and/or using it.

Studies show, however, that simply distributing educational/advisory materials, such as the *Parent's Guide*, does not appear to influence their behavior as "driving" supervisors. More persuasive techniques are needed to ensure parents use the materials and guidance that are available to them.³⁶ An orientation program that not only includes a comprehensive review of all aspects of the GDL law, with a strong emphasis on the law's restrictions and penalties, along with teen crash risk can fill this need. The orientation should also address driver training (classroom, behind-the-wheel and practice driving, and driving school service agreements), continued parental supervision during the probationary phase, vehicle selection, automobile insurance, parent/teen and parent/parent driving agreements, and the rules of the road, as well as include distribution of the *Parent's Guide*.

Providing the orientation through a network of MVC-approved providers, who follow an MVC-developed curriculum, would ensure statewide accessibility for all and could be modeled after the current defensive driving program also administered by MVC. High schools, which already conduct driver education classes and are well suited to orient parents within the driver education

curriculum, would be encouraged to join the provider network. In addition, AAA Clubs, the New Jersey State Safety Council, licensed driving schools, community colleges and police training academies may wish to offer the orientation following approval by MVC. These entities would be allowed to charge a reasonable fee to offset the cost of instruction, materials and/or facility rental fees. In addition, an approved provider would present the parent or guardian and his or her teen with a certificate

following completion of the orientation. A teen would be required to present this certificate at an MVC agency or to a driver training instructor prior to obtaining a permit. The Delaware Office of Highway Safety, in partnership with high schools, provides a 90-minute GDL parent orientation program. Participation by a teen and at least one parent/guardian is required for successful completion of the school's driver education class.

- 1.4 Require a teen, entering the GDL system at 16 years of age to complete an MVC-approved, six-hour behind-the-wheel driver-training program and log a minimum of 50 hours of certified practice driving (10 of which must be at night) in the permit phase. Teens entering the GDL system at 17 to 20 years of age have the option of completing the same minimum requirements as a 16-year-old permit holder (six hours of behind-the-wheel driving training and 50 hours of certified practice driving, 10 of which must be at night) or they must log a minimum of 100 hours of certified practice driving (20 of which must be at night).**

Champion: Motor Vehicle Commission

Currently, a teen who enters the GDL system at 16 years of age must complete a six-hour behind-the wheel driver-training program, while a 17-year-old does not have to fulfill this requirement. This differentiator was written into the GDL law to ensure that a teen who cannot afford the costs associated with obtaining six-hours of behind-the-wheel training is not shut out of the licensing system.

While the Commission considered requiring all teens under 21 years of age to fulfill this mandate, it recognized that there are distinct socio-economic differences in New Jersey that must be taken into consideration. While most public schools did at one time provide traditional “30 and 6” (30 hours of classroom and six hours of behind-the-wheel instruction) driver education, this is no longer the case. Most schools, in an effort to control costs, either completely eliminated their behind-the-wheel programs (continuing to offer the 30-hour classroom component through the health and physical education curriculum) or opted to contract with a driving school to provide training to students at their own cost. Driving schools offer this training to students at an average cost of \$350 (for six hours of training).³⁷

Six hours of driver training, however, does not make a skilled and/or safe driver. For this reason, 43 states

currently require teen permit holders to log a minimum number of hours of certified, supervised practice driving. The number ranges from a low of 12 hours to a high of 100, with 40 to 50 being the norm.³⁸ In addition, some states require a certain number of these hours to be accumulated at night.

Taking into account the need to ensure that economics do not preclude a teen from obtaining a driver's license and that practice is essential in the permit phase, the Commission carefully scrutinized Oregon's licensing system. Under the Oregon GDL, a teen holding a permit may opt to log at least 50 hours of practice driving and complete a formal driver education course or log at least 100 hours of practice driving with no formal driver education. A study comparing the driving records of 16-, 17-, 18- and 19-year-olds in the state who followed these distinct paths found that the crash rate for teens taking formal driver education was 11 to 21 percent lower than those who logged 100 hours of practice driving without formal driver education. In addition, the teens who took driver education also had significantly lower traffic convictions (39 to 57 percent) and driver license suspension rates (51 to 53 percent) than their counterparts.³⁹

For this reason, the Commission’s recommendation is written to encourage all teens, regardless of age, to take formal driver education. The alternative route – 100 hours of certified practice driving – is included in the recommendation to accommodate those teens who simply cannot afford behind-the-wheel training. In addition, teens must log a minimum number of practice driving hours at night. This requirement is critical not only because a disproportionately high number of teen driver fatal crashes occur at night, but driving at night is one of the most dangerous times on the road for motorists regardless of driving experience.⁴⁰

Maintaining a practice log (which would be addressed at the teen/parent orientation) will be the responsibility of the teen and his or her parent/guardian. It is recommended that the log be notarized and that the teen turn it in at the MVC driver-testing center prior to taking his or her road skill test. While there may be concerns about “fudging”

the log, parents/guardians should be cautioned that the 50 and 100-hour requirements are minimum levels and not the “gold standard” for ensuring a safe, skilled driver. Not all teens learn to drive at the same pace; some teens will require more practice than others. While there is no research confirming a “magic” number, a Swedish study found that teens who had obtained an average of 118 hours of supervised driving had lower crash rates than those who had about 40 hours of supervised driving.⁴¹

It is also important to note that for practice driving to be meaningful, emphasis should not only be placed on the amount of time spent behind-the-wheel, but time of day, roadway type and conditions, and any other factors that may have an impact on the novice driver (i.e., other passengers in the car, and different cars being driven if several are at a teen’s disposal).

1.5 Extend the permit phase from a minimum of six months to one year for all new drivers 16 to 20 years of age.

Champion: Motor Vehicle Commission

Obtaining driving experience in a variety of situations before driving unsupervised is a key component of Graduated Driver Licensing systems. Currently, New Jersey’s GDL requires new drivers under 21 years of age, but no younger than 16, to hold a permit for a minimum of six months. While traffic safety researchers indicate that a substantial amount of practice – at least six months⁴² – is needed for a novice to gain real-world experience, studies suggest that teen driver crash rate decreases of 22 to 40 percent are possible with substantially extended learner periods.

Currently, four states – Colorado, Georgia, North Carolina, and Vermont – require a teen driver to hold a permit for at least 12 months, while Virginia requires nine months of practice driving.⁴³ To give novice drivers more time to gain experience, Sweden increased its learner’s permit from six months to an optional 18 months (licensing

age is 18) to study the impact of a longer permit period. Teens who took advantage of the extended permit period obtained three times as much driving practice, resulting in a 40 percent lower crash risk (compared to teens who did not opt for the extension) following licensure.⁴⁴

They say, “practice makes perfect” and nowhere is that more important than when learning to drive. Research shows that it takes more than 1,000 hours of driving before a teen’s crash risk drops significantly.⁴⁵ An extended learner’s permit will provide more time for a teen to practice and gain driving experience in a controlled, supervised environment that includes exposure to a full range of road conditions (i.e., rain, snow, fog) and driving situations (i.e., rush hour/congestion, merging, nighttime, on multi-lane highways).

1.6 Limit the number of passengers in the probationary phase to one regardless of the passenger's relationship to the driver.

Champion: New Jersey Legislature

Like nighttime driving, transporting passengers presents a significant risk to teen drivers. A 17-year-old driver is 158 percent more likely to be killed in a crash while carrying two passengers. That risk increases to 207 percent with three passengers in a teen driver's car.⁴⁶ This increased crash risk appears to result from distractions that young passengers create for novice drivers, who are both easily distracted and need to concentrate more than experienced drivers on the multiple tasks involved in driving. Passengers may also encourage the driver to take risks (i.e., speeding, running red lights, intentionally skidding) that he or she wouldn't normally take when driving alone. In New Jersey, where most teen crashes occur after school (between 3 and 6 p.m.), minimizing the risks associated with teens transporting passengers is particularly critical.

Currently, a New Jersey teen driver holding a probationary license may only transport family members and no more than one, non-family member passenger. While the teen and his or her passengers are clearly at risk, enforcing this restriction is all but impossible for law enforcement officials. How does a police officer know if a passenger is a family member, particularly if the passenger isn't carrying identification? And if a passenger is a teen driver's family member, does that reduce the crash risk noted above?

Most states exclude family members from passenger restrictions, but new research data shows that a child's risk of dying in a crash doubles when a teen is behind-the-wheel.⁴⁷ While there may be times when a young, inex-

perienced driver may need to transport a sibling, there's no reason to believe that siblings are less likely to create distractions for the driver. Since this exemption puts more than one child from a family at risk, limiting the number of passengers a probationary driver may transport to just one, regardless of his or her relationship to the driver, is an important and proven safety measure. It is also important to note that a probationary driver is a "driver in training" and should not be considered a transportation provider.

States with passenger restrictions are seeing gains in crash reduction. In North Carolina, for example, multi-teen occupant crashes dropped 13 percent for 17-year-olds after enactment of a provision limiting the probationary driver to a single young passenger.⁴⁸ Another study estimates that 83 to 493 lives could be saved annually in the U.S. if 16- and 17-year-old drivers were not allowed to carry passengers under the age of 20.⁴⁹

Limiting teens to one young passenger reduces risk – particularly distraction, a leading cause of teen crashes – and makes it easier for parents and police officers to enforce the GDL law.

It is important to note that critics of a passenger restriction often point to the potential for an increase in teen crashes caused by forcing more teen drivers onto the road. There is no empirical evidence that supports this concern. One study indicates that the increased risk resulting from more teens driving themselves is outweighed by the dramatically higher crash risk faced by teens who drive with multiple passengers.⁵⁰

1.7 Sanction, in addition to the teen driver, all passengers 16 to 20 years of age on a permit, probationary or basic license, who violate the GDL passenger and safety belt restrictions.

Champion: New Jersey Legislature

An analysis of fatal teen driver crashes in New Jersey found that many of the drivers were violating the passenger restrictions and the seat belt requirement. Research has shown that teen drivers carrying one teen passenger have twice the risk of a fatal crash as teens driving alone; the risk increases five-fold for teens carrying two or more teen passengers.⁵¹ Meanwhile, teens have the lowest seat belt use rates of any age group, leading to deadly consequences.⁵²

Teens know and understand the GDL law, particularly when it comes to the restrictions. They are also keenly aware that GDL enforcement is spotty, even lax, in some communities. And teens pointed out to the Commission that what will stop them from violating the GDL restrictions is strict enforcement coupled with sanctions for everyone in the vehicle.

Under this recommendation, if a police officer stops a vehicle driven by a GDL holder and there are two or more passengers in the vehicle, everyone in the licensing system between 16 and 20 years of age will be penalized. If the passengers are under the GDL (holding a permit or probationary license) the violation would be treated as an event and they, along with the driver, would be sanctioned accordingly based on whether it is their first or subsequent offense. If a passenger holds a basic license and is under 21, he or she would be assessed a \$100 fine as dictated under the GDL law. If a passenger is not wearing a seat belt, both the driver (even if he or she is belted) and the passenger would be fined. This will require an amendment to the current GDL law.

1.8 Lower the nighttime driving hours restriction from 12 a.m. to 11 p.m. for probationary license holders.

Champion: New Jersey Legislature

Research shows that a nighttime driving restriction is an essential component of a “good” GDL program. This restriction has proven particularly important during the probationary phase when teens are driving without supervision. Although only about 15 percent of the miles driven by 16- and 17-year-olds are between 9 p.m. and 6 a.m., more than 40 percent of their fatal crashes take place during these hours.⁵³

In North Carolina, after introduction of the state’s GDL which restricts driving between 9 p.m. and 5 a.m., teen crashes between that time period dropped 43 percent among 16-year-olds (the state’s probationary licensing age) and daytime crashes decreased 20 percent.⁵⁴ Following Michigan’s GDL, that restricts driving after midnight, there was a 24 percent reduction in 16-year-old driver crashes during the daytime (5 a.m.- 8:59 p.m.), a 21 percent reduction in crashes during the evening (9 p.m. - 11:59 p.m.) and a 53 percent reduction in nighttime crashes (midnight - 4:59 a.m.).⁵⁵ A nighttime driving restriction clearly results in a reduction in crashes and the

reduction corresponds closely to the time the nighttime restriction begins.

Knowing this and the fact that restrictions beginning at midnight or later are too late to affect the majority of nighttime driving crashes,⁵⁶ it is not only imperative that New Jersey maintain its nighttime restriction for probationary drivers, but that it be lowered one hour from midnight to 11 p.m. Based on research in other states, the Commission believes that a one hour reduction will result in a safety gain, while allowing New Jersey’s highly mobile teens to still participate in extracurricular activities (i.e., athletics, musical and theatrical performances, religious activities, etc.) and get to and from work. In addition the change to 11 p.m. mirrors the nighttime driving restriction for permit holders, offering some simplification of the GDL law for parents, teens and law enforcement officials.

A teen would be exempt (as currently allowed under New Jersey’s GDL) from the nighttime driving restriction, if he or she has proof of employment (detailing work hours) and/or is fulfilling a religious obligation.

1.9 Conduct ongoing research to evaluate the crash and violation experience of teen drivers under the GDL system.

Champion: Division of Highway Traffic Safety

It is imperative that New Jersey monitor and measure data related to teen drivers to ensure that initiatives are having their intended impact. What we learn by analyzing violations and crashes, for example, can be used to make adjustments, as needed, to the GDL system. Research also provides a “feedback loop” for driver education. For example, if a significant number of teens are being cited for violating traffic control devices, driver education curriculum can be adjusted to focus more attention on that problem thereby improving teen driver safety.

New Jersey should, like Oregon, also undertake ongoing research to compare the impact 50 hours of practice driving coupled with formal driver training has on teen driver crashes, violations and suspensions versus 100 hours of practice driving without formal driver training. In addition, a study should be initiated to compare the driving experience of teens who held their permit for six months versus those who held their permit for twelve.

1.10 Adjust the permit and probationary license fee to offset the costs of making improvements to the GDL system.

Champion: Motor Vehicle Commission

MVC should consider the fiscal impact of the recommendations noted above and later in this report and determine what are the appropriate permit and probationary license fees. The current permit fee, which was last raised by \$5 in 2001 following enactment of the GDL, is \$10. The permit is valid for two years from date of issue. The fee for a probationary license, which is valid for four years, is \$24.

education curriculum (detailed in recommendation 2.2), it will not cover the cost of providing an event-based monitoring system, parent orientation, administration, research, marketing, and system programming. MVC was recently granted authority by the Legislature (S65) to increase its fees and surcharges for certain documents/services including special and examination permits. An increase to the probationary license fee would require legislative approval.

While the fee increase in 2001 may cover costs associated with the implementation of a secondary school driver

1.11 Change the name of the second phase of the GDL from “provisional” to “probationary” to reinforce that driving is by law a privilege not a right.

Champion: Motor Vehicle Commission

Prior to enactment of the Graduated Driver License law in 2001, New Jersey referred to a driver on a restricted license as a “probationary” driver. While this recommendation may seem inconsequential when it comes to reducing crashes and saving lives, the Commission

believes that it will send a strong message to teens. Driving is a privilege that can be suspended when a license holder fails to drive in a safe, responsible and law-abiding manner.

1.12 Exclude GDL holders from operating emergency vehicles (EMS) and obtaining blue light permits (fire and EMS volunteers).

Champion: Motor Vehicle Commission

The operation of an emergency vehicle (i.e., ambulance, fire truck) takes skill and experience, something a probationary license holder simply does not have in his or her young driving career. It takes at least 12 months⁵⁷ and between 1,000 to 1,500 miles⁵⁸ of driving before there is a steep drop in crash risk for novice drivers. Giving teens the keys to a vehicle that may need to be operated at a high rate of speed and under extreme conditions (i.e., bad weather, congestion, through controlled intersections), is a recipe for disaster. According to EMS, minors (under

age 18) are prevented from operating an ambulance under EMS's regulations for certification; however, no provisions exist for uncertified operators (under the First Aid Council).

The MVC issues blue light permits to EMS volunteers and firefighters. The use of these lights by a driver in training is highly inadvisable and should be addressed through a regulatory change.

1.13 List the GDL restrictions and violation penalties on the paper permit carried by teen drivers.

Champion: Motor Vehicle Commission

The current 8½ by 11-inch paper document includes, under the permit holders demographic information, the following reference to holding a permit under New Jersey's motor vehicle laws: "This permit only valid when used in compliance with the provisions set forth on NJSA 39:3-13.1, NJSA 39:3-13.2 and NJSA 39:3-13.2A of the revised statutes."

This has no meaning or relevancy to a teen and it is unlikely that he or she will attempt to look up the statutes. For this reason, it would be more effective to list the GDL restrictions (i.e., nighttime, passenger, cell phones, mandatory seat belt use, etc.) on the permit (the back of the document is blank) and note that a violation of these and/or a motor vehicle statute will result in mandatory training and/or license suspension and postponement.

2. DRIVER EDUCATION

2.1 Appropriate funding for driver education through the GDL-mandated Driver Education Fund.

Champion: Motor Vehicle Commission and New Jersey Legislature

The Graduated Driver License law (C 27:5F-42) dedicates \$5 of the \$10 permit fee to the Driver Education Fund. Administered by MVC, the fund collects approximately \$1.37 million annually.⁵⁹ While these monies are dedicated, expending them requires an annual appropriation, which has not happened since the Fund was established in 2001.

Ensuring that these funds are used for their intended purpose is essential, particularly when you consider the economic impact – \$9 billion – traffic crashes annually have in New Jersey. While some states such as Oregon and Massachusetts fund high school driver education programs, no such funding is provided in New Jersey. While many schools continue to include 30 hours of classroom training in their health and physical education curriculum, behind-the-wheel training (essential for learning to drive) has been cut from most school budgets. In addition, funds for new curriculum and technology are scarce.

Since a funding mechanism is in place, the Commission recommends that MVC annually request appropriation language to ensure that the funds are appropriated and expended for driver education purposes. These funds should be used to develop, deliver and update the K-12 curriculum (detailed in recommendation 2.2); conduct ongoing driver education research; maintain a web-based driver education resource library for the public and a dedicated website for driver education professionals (detailed in recommendation 2.4); provide grants to schools for innovative traffic safety and driver education programs; and develop other driver education initiatives as needed. The return on this investment will not only be marked in dollars saved (i.e., health care, insurance and vehicle repair costs to name a few), but in fewer lives lost.

2.2 Develop and deliver to public and private schools a standardized traffic safety/driver education curriculum and incorporate it into New Jersey's Core Curriculum Content Standards for students in grades K-12.

Champion: Motor Vehicle Commission and New Jersey Department of Education

Crash risk doesn't begin at 16. Children start learning to drive the minute they are strapped into their car seats and continue that process while sitting in the back seat and eventually in the front. If driver education and training are to produce a safety benefit, it is clear that the lessons must begin at an early age. Incorporating traffic safety into New Jersey's Core Curriculum Content Standards for students beginning in kindergarten is essential.

But making sure that driver education is a priority in the state's school system has been difficult. First, there is no clear owner of driver education. While driver education can be part of a health and safety curriculum in secondary schools, curriculum is managed at the local level, not by the New Jersey Department of Education (DOE). While MVC produces a driver's manual and administers tests, curriculum development falls outside the agency's core responsibilities. Without a strong base of support for driver

education at the state level, some schools no longer offer it (even the 30-hour classroom program) and in many cases, it fails to provide an effective foundation for safe driving.

The good news is that the DOE is currently reviewing and revising the state's Core Curriculum Content Standards in Comprehensive Health and Physical Education (the area under which driver education falls) for publication in 2009. The DOE will ensure that the revised standards include additional cumulative progress indicators that reflect a comprehensive kindergarten through twelfth grade traffic safety and driver education focus. An effective scope and sequence is one factor that will lead to development of a more viable curriculum at the local district level.

At the same time, the Motor Vehicle Commission, in partnership with the Division of Highway Traffic Safety

(DHTS), is working on the development of a new high school driver education curriculum. This is good news. Driver education teachers have no uniform curriculum, an issue cited repeatedly as a major concern and frustration at the statewide driver education forums held in 2006 and 2007. This results in many teachers using MVC's driver's manual for content so students learn how to pass the written law knowledge test, rather than the skills and information necessary to learn how to drive safely.

Rather than reinvent the wheel, however, MVC is looking closely at Oregon's Driver Education Risk Prevention Curriculum that focuses on teaching driver decision management along with rules of the road and vehicle operation. Researchers point out that putting an emphasis on the first element is essential if driver education programs are going to produce safer drivers. For example, inexperienced drivers make poor judgments in their first months of driving, resulting in a high crash rate. These failed judgments often represent mistakes in assessing, or even noticing, hazards in the driving environment. They also reflect misconceptions about drivers' limited abilities and their susceptibility to crashing. A promising approach for improving young driver safety may lie in more effectively training them to perceive hazards and to respond accordingly⁶⁰ rather than focusing entirely on the kinds of basic vehicle control skills that are frequently equated with safe driving.

Oregon, like New Jersey, has many segments of government involved in the management of driver education and roadway safety. But the state has bridged the disconnect between these entities by employing an organization that blends the interests of all of the parties concerned with driver education. Oregon's Traffic Safety Education Organization coordinates changes to the curriculum, trains instructors, and distributes curriculum and teaching materials. The curriculum focuses on simple to complex risk prevention behaviors and is weighted using research based facts that show casual factors associated with teen driver collision. It is updated regularly to ensure

compliance with state benchmarks, the Transportation Safety Action Plan, the Safety Management Plan and nationally recognized measures. New Jersey should consider forming a similar organization (see recommendation 2.3).

Since the Oregon program is high school based, DHTS will also be reaching out to Texas, which is currently developing a K-12 traffic safety/driver education curriculum, and Kentucky, which is pursuing funding for an enhanced program for students in grades 6-12. Developing a program that builds on basic traffic safety principles at an early age in elementary and early middle school (i.e., proper restraint, bike helmet use, safe bicycling and walking, passenger behavior, distraction) leading to basic skills in late middle school and early high school (i.e., the introduction of vehicle handling skills) followed by higher-order skills in high school and following licensing (i.e., hazard detection, advanced judgment). Using a two-stage approach to teaching driver education over a four to five year period, aligns itself with the multi-stage approach of a graduated driver license.

In addition to developing curriculum for all grade levels, it is imperative that those who teach it do so effectively. NJAC 6A:9-11.6 states that any teacher who holds a Certificate of Eligibility with Advanced Standing (CEAS) or standard New Jersey instructional certificate with a driver education endorsement is authorized to teach driver education in all public schools. DOE recommends that the driver education endorsement be modified to allow only health certified or health and physical education certified instructors to teach driver education in New Jersey public high schools. A content specialist trained in health and safety would provide more effective instruction. These individuals should receive initial and ongoing training in the new curriculum (at all grade levels) and be held to the highest standards based on teacher competencies and best practices. Furthermore, MVC should work with DOE to ensure secondary school instructors are properly licensed, monitored and trained to teach the new driver education curriculum. This may require synchronizing MVC and DOE regulations.

2.3 Reactivate the State Advisory Committee on Driver Education to ensure the Teen Driver Study Commission's recommendations are enacted and monitor ongoing progress in improving teen driver safety.

Champion: Division of Highway Traffic Safety

While the Division of Highway Traffic Safety, in partnership with key public and private sector partners, is ultimately responsible for ensuring that the recommendations detailed in this report are implemented, having an entity in place to monitor this progress as well as improvements in teen driver safety is essential.

The GDL law established a State Review Board on Driver Education which was charged with making recommendations to MVC about the law, as well as driver

education and training.⁶¹ This board, however, was never appointed. The Commission recommends that the Board be activated and include representation from key state agencies (i.e., Division of Highway Traffic Safety, MVC, Department of Education) as well as those entities currently represented on the Teen Driver Study Commission (i.e., driver education, AAA, insurance, PTA, teens, enforcement/judicial, school administration and local government).

2.4 Develop and maintain a web-based driver education resource library for public access and a website for driver education professionals.

Champion: Division of Highway Traffic Safety

The Division of Highway Traffic, in partnership with NJIT, is building a web-based, driver education resource library (i.e., teaching tools, pamphlets and brochures, research reports, other websites, instructional programs, etc.) for parents, teens and other interested parties. The library will be accessible through a homepage link on the Division's website at www.njsaferoads.com. It is anticipated that the project will take six to eight months to complete, with a launch date in the fourth quarter of 2008. The website will be updated regularly to ensure that the content is current and relevant to users.

In addition to the resource library, the Division is also working with MVC, to build a website for driver education professionals. The site will provide public school teachers and commercial driving school instructors access to MVC's forms, driver's manual and parent's guide; the statewide driver education curriculum currently under develop-

ment; best practices; continuing education opportunities; and links to key traffic safety and driver education websites (i.e., AAA, Insurance Institute for Highway Safety, National Highway Traffic Safety Administration, Driving School Association of New Jersey, American Driver & Traffic Safety Education Association, National Transportation Safety Board, Centers for Disease Control and Prevention, MADD). In addition, the site will also include a link to the Division of Highway Traffic Safety's driver education resource library noted above. The Division anticipates launching the site in the fourth quarter of 2008.

Federal funds are being used to cover the start-up costs for both initiatives. DHTS and MVC will, however, look to use monies from the Driver Education Fund (noted in recommendation 2.1) to maintain both projects in the future.

2.5 Create and disseminate social marketing campaigns, based on ongoing review of New Jersey teen crash data, to address teen driving issues such as speeding, distractions, GDL compliance, peer influence, and risky behaviors

Champion: Division of Highway Traffic Safety

The Division of Highway Traffic Safety should dedicate a portion of its federal safety grant monies to fund a statewide social marketing campaign aimed specifically at teens 17 to 20 years of age. The campaign should address crash causation factors (i.e., distraction/inattention, speeding, lack of seat belt use, alcohol) as identified through crash data analysis for New Jersey teens. In addition, the campaign should be conducted in conjunction with enforcement initiatives targeted at teen drivers during the most dangerous times of the year – spring (proms), summer (graduation, trips to the shore), fall (sports, daylight savings time).

The campaign should use teen appropriate media (i.e., Internet websites, pod casts, school publications) and teen-related organizations (i.e., sports teams, student

government, service clubs, Girl and Boy Scouts, etc.) to deliver key messages. “Real” New Jersey teens, who have been impacted by teen driving crashes, should be identified to serve as campaign spokespersons and teens should be invited to come forward and share their stories. Data conveyed through the campaign should be relevant and impact a teen audience (i.e., New Jersey town-by-town crash data, a teen crash occurs in New Jersey every nine minutes).

Rather than reinvent the wheel, the Division should review best practices in other states and consider adapting successful programs such as Utah’s “Don’t Drive Stupid” campaign and North Carolina’s “R U Buckled” college seat belt initiative for implementation in New Jersey.

3. DRIVER TRAINING

3.1 Amend the GDL law and the corresponding regulation to clearly define “six hours of behind-the-wheel driver training.”

Champion: Motor Vehicle Commission and New Jersey Driving School Associations

Under New Jersey’s GDL, a teen opting to obtain a permit at 16 must successfully complete six hours of behind-the-wheel driver training. While MVC’s “initial driving school application” clearly states that a driving school course “be a minimum of six hours behind-the-wheel instruction,” the Commission heard testimony to the contrary from parents and teens. While it’s assumed that a teen will spend six hours behind-the-wheel, what the teen may actually be getting is six hours of “time in the car” (some of this time may be instructional) and that time might be shared with another student.

Since MVC regulates the driving school industry, the Commission recommends that the current regulation be amended (in sync with any changes to the GDL law) to

ensure that a teen receives one-on-one, private instruction. In addition, providing time guidelines for how to structure the lessons would ensure that driving schools allow adequate time to appropriately cover all topics mandated by MVC.

Today, MVC provides each licensed driving school with a list of instructions to be included in all behind-the-wheel courses. While the list of instructions such as signaling and speed control, are important, the list is provided to help ensure driving schools prepare students to pass the road skill test. For this reason, MVC is encouraged to research and adopt a standard, up-to-date curriculum for behind-the-wheel instruction, based on a nationally accepted model that goes beyond simply preparing a student to pass the MVC skill test.

3.2 Encourage more parent/guardian involvement with a driving school instructor so that he or she partners with the instructor to reinforce and build upon a teen’s training.

Champion: New Jersey Parent Teacher Organizations and New Jersey Driving School Associations

Driver training is a vital part of learning to drive. But the classroom teachers and behind-the-wheel driver training instructor(s) are not the only persons who should be working with the new driver. Parental involvement in driver training is a must. Parents must form a partnership with the driver training instructor to build upon the foundation provided in a six-hour program. This partnership should be forged the minute the driving school is selected.

A parent/guardian should not only review and sign the driving school’s service agreement (which a driving school is required to provide under MVC regulation) and list of fees (remembering that the latter, while important, should not be the only factor in selecting a driver training program), but request a synopsis of how the behind-the-wheel program will be structured. While a 16-year-old, by law, cannot practice drive with a parent or guardian until

after he or she has completed the full six-hour training program, it is imperative that practice begin as soon after that as possible. Since 17- to 20-year-olds can practice with a supervising driver between lessons, scheduling practice sessions as soon as possible after a professionally taught behind-the-wheel session and adhering to the timeline detailed in the synopsis will help to reinforce what a teen has learned and better prepare him or her for the next formal lesson. Checking in with the instructor after each session will also ensure that a parent/guardian is aware of his or her teen’s driving strengths and weaknesses.

Parent teacher organizations at New Jersey high schools are encouraged to join with the New Jersey Driving School Associations to launch a public education campaign to educate parents and driver training professionals about the importance of “teaming up” to help teen drivers.

3.3 Require driving school instructors to attain a minimum level of training to improve the quality of instruction.

Champion: Motor Vehicle Commission and New Jersey Driving School Associations

The training required to teach behind-the-wheel driver instruction through a New Jersey licensed driving school is minimal at best. A driving school must have at least one instructor on staff who has successfully completed one, three-credit driver education-related college course and logged at least 500 hours of behind-the-wheel instruction. The requirements for all other instructors employed by a driving school are that he or she undergo a criminal background check, hold a basic license in New Jersey (or comparable in other state), be at least 21 years of age, take a “special” law knowledge, skill and visual acuity test, and complete an MVC-approved, six-hour defensive driving course prior to initial license renewal. There are no other formal education requirements.

The Commission believes that before, not after, an individual is licensed as a driver training instructor, he or she should, at the very least, successfully complete a six-hour defensive driving program. Following licensure, driver training in-structors should be required to participate in continuing education programs to ensure that they know how to teach current information such as the latest visual search and scan techniques. Instructors should also be

monitored by school management, undergo periodic performance evaluations and maintain clean driving records.

It is important to note that MVC reviews an instructor’s driving record at time of license renewal. Instructors with nine points are called into MVC for a hearing and instructors with suspended driver’s licenses are not renewed. MVC, however, does not automatically suspend instructor licenses when a driver’s license is suspended. This should be rectified so that an instructor’s driver’s license is proactively monitored – by both MVC and his or her employer – and appropriate action taken to ensure he or she is not instructing students if his or her driving privileges have been revoked.

Membership in a professional driving school association is also encouraged. MVC should amend the current driving school regulations (scheduled for re-adoption in 2009) to ensure that driver training instructors acquire continuing education credits (CEUs) like other education professionals to maintain licensure and that new instructors complete a six-hour defensive driving course prior to licensure.

3.4 Improve oversight of driving schools to ensure compliance with all statutory and regulatory requirements.

Champion: Motor Vehicle Commission and the New Jersey Driving School Associations

MVC issues licenses that authorize driving schools and instructors to operate within the state of New Jersey. In addition to providing behind-the-wheel instruction, the license allows driving school owners and specified instructors or agents to purchase learner’s permits, schedule road tests and, with additional endorsements, administer state-approved knowledge and vision tests.

MVC is required to audit each licensed driving school annually (N.J.S.A. 39:1.2-4.1). The audit, however, should go beyond a review of the facility and required documents, and include performance, training and other

model criteria that may be established under the law and regulations. The Commission urges MVC to work with the various New Jersey Driving School Associations to better communicate and enhance standards that apply to every driver education/training program/school. These standards should encourage quality and compel adherence to program standards.

MVC and the Driving School Associations are also encouraged to consider a “Middle States-type” audit process, which uses peer-review to evaluate whether an entity is carrying out well-defined goals and objectives.

3.5 Enhance the road test to more accurately assess driver skill and safety, and study the feasibility of conducting the test on the road rather than on a closed course.

Champion: Motor Vehicle Commission

The behind-the-wheel driving test that a novice driver in New Jersey must pass to obtain a probationary license has not changed in more than fifty years. Does the ability to parallel park, perform a K-turn, use turn signals, and brake smoothly, among other things, mean that a novice is ready to drive unsupervised?

The main objective of driver license testing is increased safety, such that minimum standards are met and those who lack the required competencies are not permitted to enter the system.⁶² In light of this, the Commission must ask is our state's minimum standards for passing the driving test appropriate based on today's driving conditions? And are teens spending too much time practicing the skills necessary to pass the test rather than working on a systematic development of skills related to safer driving behavior?

It may be difficult for MVC to "raise the bar" on testing without first improving behind-the-wheel training. The

Commission recognizes the dynamic nature of safe driving and how, in some cases, it may not be possible to improve one program aspect without first achieving improvements in another. The Commission still believes it is time for MVC to look to the American Association of Motor Vehicle Administrators (AAMVA) for ways to enhance and/or improve driver skills and adopt standardized testing procedures. AAMVA is currently engaged in a three year project to develop a state-of-the-art, non-commercial model testing system that ensures new drivers receive proper information on safe motor vehicle operating practices and are tested in a standardized manner ensuring they possess the minimum knowledge and skills for the safe operation of a motor vehicle. The project will include the development of a model driver manual, knowledge test, GDL parent support materials for use in providing supervised instruction, vehicle safety inspection skills testing procedures, off-street basic control skills testing procedures and on-road testing procedures.

3.6 Develop a mechanism for a consumer to lodge a complaint against a driving school.

Champion: Motor Vehicle Commission and the New Jersey Driving School Associations

A driving school should help new drivers learn proper vehicle-control techniques, not just prepare a student to pass the state's driving exam. If a parent/guardian feels that a driving school is not providing sufficient instruction to meet this goal, he or she should talk with the instructor or the school manager or owner. In turn, the school instructors and management should take constructive action to ensure the new driver graduates with good basic skills. If corrective action is not taken, the parent/guardian should be able to file a complaint.

As noted in the previous recommendation, MVC is responsible for licensing and auditing driving schools/programs. In addition to completing the necessary paperwork for licensure and adhering to the insurance, vehicle, instructor, and record-keeping requirements, a

licensed driving school must present each student and his or her guardian with a statement of services or service agreement. This document must detail what services the school will provide and a list of fees (i.e., cost of six hours of instruction, cost for additional instruction beyond the six-hour requirement, missed lesson and/or cancellation fee). While the agreement must be signed by either the student or his or her parent/guardian, the Commission recommends that the parent/guardian be required to sign the agreement. This ensures that the parent/guardian fully understands the parameters of the training, fees, etc.

The Commission also urges MVC to prominently display on the homepage of its website a phone number(s) and/or form/email for lodging a complaint about a driving school. The number/website should connect directly with

the MVC Business License Compliance Driving School Unit, which is responsible for driving school licensure. This number, along with a link for filing complaints, should also be provided adjacent to the list of registered driving schools on the MVC website www.state.nj.us/mvc/Licenses/LicensedDrivingSchools.htm.

Including contact information for the New Jersey Driving School Associations is also recommended, since the organizations have a vested interest in ensuring the integrity of their members and the industry. Consumers

should also be encouraged to file compliments and complaints about driving schools with the Better Business Bureau and the State Division of Consumer Affairs.

Driving school complaints and compliments lodged with MVC should be properly documented and investigated, and the consumer should be advised of the outcome of the investigation. This information should also be taken into account during the audit process to ensure that corrective action/measures were put in place.

3.7 Continue to hold an annual statewide driver education forum for all driver education professionals.

Champion: New Jersey Driving School Associations

For the past two years, MVC and the Division of Highway Traffic Safety have sponsored a statewide forum for driver education professionals. While the majority of the attendees have been high school teachers, driving school instructors have been participating as well. From 75 participants in 2006 to over 300 in 2007, it is evident that driver education professionals are hungry for training and information that will help them deliver top-notch programs to their students.

The Commission recommends that this training continue to be held annually, but for now there be two forums – one for classroom instructors and one for behind-the-wheel instructors. MVC and the Division of Highway Traffic Safety should transition administrative responsibility of the instructor behind-the-wheel forum to the New Jersey

Driving School Associations. Both forums should give instructors the opportunity to hear from experts in the field, obtain continuing education credits through interactive workshops, preview the latest teaching tools and technology, and network with their peers.

While the ultimate goal is to hold one forum, separate workshops would guarantee relevant content for licensed driving school instructors (who focus primarily on behind-the-wheel training) and public school teachers (who are responsible for teaching the 30-hour classroom curriculum). In addition, the workshops will provide driving education/training professionals with the means to fulfill their CEU requirements (as mandated by DEO and/or MVC and detailed in recommendation 3.3) in state, at a reasonable cost and on an annual basis.

3.8 Encourage continuing driver training following successful completion of the probationary phase to foster driver skill development and lifelong learning.

Champion: AAA Clubs of New Jersey and the Insurance Council of New Jersey

The Commission heard testimony from a number of individuals promoting the benefits of advanced driver training. Typically, these courses, which focus on emergency handling skills such as skid control, are taught by car club members, police officers or race car drivers on a controlled course (i.e., race tracks, parking lots) over a one- or two-day period.

Although few of these courses have been evaluated, available research points to a safety “disbenefit;” meaning that crash involvement appears to increase, rather than decrease, among young drivers who participate in this type of training.⁶³ It has been suggested that training in vehicle-handling skills, particularly advanced skills, leads to overconfidence, which may offset or even replace normally cautious behavior by young drivers.⁶⁴

For this reason, the Commission believes that advanced driver training should be pursued following successful completion of the probationary phase of the GDL. During

the GDL, a teen’s progress should be monitored by a parent/guardian, who routinely rides with the teen and offers feedback. In addition, driver education, beyond the pre-licensing classroom instruction typically provided in the sophomore year of high school, should, following licensure, continue during the junior and senior year. The curriculum should shift from basic vehicle handling skills to more advanced cognitive/judgment skills to help teens become “wiser” drivers.

Driving, like many complicated tasks, takes continued practice. The Commission urges motorists, regardless of age, to continually assess their driving skills and seek out training that will foster skill development and lifelong learning. In addition, the Commission encourages institutions of higher learner to include for-credit courses in driver education (with a focus on decision making and behaviors) and businesses to offer defensive driving and advanced driving courses for employees and their families.

4.1 Until event-based monitoring and the Commission's recommended sanctions/penalties are implemented, issue a directive banning plea agreements for motor vehicle traffic offenses committed by GDL license holders

Champion: Office of the Attorney General

Recognizing that driving by law, is a privilege, not a right, and that this privilege can and should be rescinded if a motorist fails to drive safely and in compliance with the law, the Commission urges the Attorney General to send a directive to prosecutors banning plea agreements for GDL license holders.

As noted in an earlier recommendation, allowing a teen to plead down to a non-point carrying violation, negatively impacts the intent and integrity of New Jersey's GDL law. N.J.S.A. 39:4-97.2 allows a motorist two opportunities to plead certain point carrying violations down to "no points" by paying a \$250 fine. If the violator is a teen holding a GDL, and no points are assessed for a moving violation, the training, suspension and postponement requirements of the GDL never kick in. A teen, for example, who has been cited twice for exceeding the speed limit, while holding a probationary license, may plead the offense down to unsafe operator, pay his or her fine and continue driving. At the end of the 12-month probationary period, he or she is then granted full licensure.

A review of recent fatal teen driver crash records in New Jersey shows that several of the teens had taken advantage of this safe harbor. It is unclear, however, how many other New Jersey teens are getting multiple bites at the apple thus putting themselves, their passengers and others on the road at risk.

Research suggests that the danger is very real. An analysis of U.S. fatal crash data involving 15- to 17-year-old drivers between 1995 and 2004, found that of the 30,917 people who died, 11,177 were the teen drivers while 9,847 were their passengers, 7,477 were occupants of other vehicles, and 2,323 were non-motorists. Nearly two of every three people killed in teen-driver crashes are people other than the teen driver.⁶⁵

While the ability to plea bargain to an "unsafe operator" offense would become moot if New Jersey adopts an "event-based" GDL violations program (detailed in recommendation 1.1), issuing this ban on plea agreements in the interim would close this loophole and send a strong message to teens and their parents that teens who violate the law and put themselves and others at risk will be sanctioned accordingly.

4.2 Close the loophole in New Jersey's seat belt law to ensure all back seat passengers 18 years of age and older buckle up.

Champion: New Jersey Legislature

New Jersey's primary seat belt law contains a loophole that does not require backseat passengers 18 years of age and older to buckle up. However, all individuals riding in a vehicle operated by a GDL holder are required to buckle up. Once a teen graduates from a probationary license to a basic license that requirement does not apply to back seat passengers 18 years of age and older. This is troubling because it sends a mixed message to teen drivers, who have the highest crash risk of any age group⁶⁶ as well as young children who model adult behavior.

An analysis of New Jersey crash data for 2006 shows that 17-year-olds experienced the greatest number of crashes, 15,934, while their 18- (14,882), 19- (13,408) and 20-year-old (12,208) counterparts continued to be involved in a high number of crashes, as compared to other age groups, but the numbers start to decline with experience.⁶⁷ Meanwhile a one-year (December 1, 2006 through November 30, 2007) review of all motor vehicle citations (GDL and moving violations) issued to 16- to 20-year-old New Jersey drivers, reveals the opposite

trend. The lowest number of citations, 1,373, was written to 16-year-olds (permit holders), followed by 49,250 for 17-year-olds (probationary license holders). The number of citations spiked significantly for 18-year-old drivers (76,476) and continued to rise slightly for 19-year-olds (80,793).⁶⁸

Knowing that teens continue to crash (albeit at a slightly lesser rate as they continue to gain experience), while their violations nearly double after they graduate from restricted to full licensure, ensuring that everyone in the vehicle is properly restrained – even adults – is essential. Seat belts are the single most effective safety device in a motor vehicle crash.⁶⁹ The use of seat belts by backseat

passengers reduces the chance of death and serious injury in a motor vehicle crash by 55 to 75 percent.⁷⁰

During the past four years (2003 through 2006), 202 unbelted, backseat passengers died in motor vehicle crashes in New Jersey.⁷¹ Had these 202 individuals worn seat belts, as many as 168 might be alive today (based on a 55 to 75 percent survival rate). Several recent fatal teen crashes in New Jersey involved lack of seat belt use by passengers, several of whom were 18 years of age or older.

The Assembly recently passed legislation (A870) closing this loophole, but a bill has not yet been introduced in the Senate.

4.3 Require that for all traffic offenses a GDL holder's driver abstract be reviewed by the prosecutor and the judge.

**Champion: Motor Vehicle Commission, Administrative Office of the Courts,
New Jersey Municipal Prosecutors Association and Office of the Attorney General**

For most driving offenses, teen drivers, like all drivers, can plead guilty and pay to the court the required fine (online, mail or in-person). Assuming event-based monitoring of violations is implemented, more teen drivers are likely to challenge summonses by appearing in court. The Commission believes it is important for the prosecutor and also the judge to review a teen driver's conviction record prior to considering plea arrangements. Prosecutors and judges should recognize GDL is a critical time when new drivers develop behaviors that can extend over their entire driving career. Unless the driver abstract for a teen driver is reviewed, the court will be unable to distinguish a driver with one violation from one with

many. Affording the teen driver with multiple, and in some cases, serious violations a "free pass," can lead to more serious violations and collisions over the long term.

The Motor Vehicle Commission now provides on-line, free access to driver abstracts for all local prosecutors and the Administrative Office of the Courts provides access to driver abstracts for court personnel supporting the municipal judge. Easy access to driver abstracts can support efficient implementation of this recommendation. The Commission encourages the Office of the Attorney General to determine if this GDL holder abstract review should be added to the rules governing New Jersey Courts.

4.4 Develop and disseminate a police training roll-call video to ensure awareness and enforcement of the GDL law.

Champion: New Jersey Division of Highway Traffic Safety, New Jersey Police Traffic Officers Association and New Jersey Chiefs of Police Association

Ensuring that police officers understand the GDL law is essential if it is to have its intended effect. When the GDL was implemented in 2001, little, if any, attention was given to explaining the law to the enforcement community. This has not only resulted in spotty enforcement and general confusion in the law enforcement community, but awareness on the part of teens that if they violate the GDL law, it is unlikely that they will be stopped and possibly cited.

Giving police officers the tools they need to enforce the law starts with training. A roll-call video should immediately be developed and disseminated to all New

Jersey police agencies and the police training academies. The video should clearly explain New Jersey's current GDL law (restrictions, exceptions and sanctions) and why enforcing the components of the law is essential for minimizing teen driver risk. As the recommendations in this report are enacted, the video should be updated so that police officers are the first rather than the last to know.

With proper training, geographic and political disparities in GDL enforcement can be overcome, police officers will understand the rationale for GDL and its restrictions, and enforce the law accordingly throughout the state.

4.5 Develop and deliver a GDL training program for prosecutors and judges.

Champion: Administrative Office of the Courts, New Jersey Municipal Prosecutors Association and Motor Vehicle Commission

Judges and prosecutors must be aware of and support the enforcement of GDL restrictions by police. If judges or prosecutors frequently dismiss GDL violations, police enforcement will do little to increase compliance with restrictions. Additionally, if judges and prosecutors do not understand the importance of enforcing GDL restrictions, they may be unwilling to follow through with prescribed sanctions for GDL violations. This can undermine the success of an enforcement program and the GDL system in general.

While there are municipal judges in New Jersey who refuse to allow any plea agreements for teens who violate the GDL law or commit a moving violation, there are others who similarly dismiss teen driving cases with a simple slap

on the wrist. For this reason, developing a GDL training program for judges and prosecutors is essential.

The training, should, like the police roll-call video, address restrictions, exceptions and sanctions to the GDL law, as well as the rationale for the GDL approach itself. It should also address the need to review a teen driver's abstract (recommendation 4.3) prior to rendering a ruling on a violation, and the ability of the courts to access this information online through a new MVC initiative, and point out how plea agreements send an inappropriate message to teens about the "privilege" of driving. The program should also include best practices showcasing municipal judges and prosecutors who are taking an active role in fostering teen driver safety in their communities.

4.6 Publicize the availability of free parental access to teen driver information.

Champion: Motor Vehicle Commission, Parent Organizations and New Jersey Driving School Associations

Ensuring that parents monitor their teens' driving, particularly during the probationary period of the GDL, is essential. Having access to driver information keeps parents in the loop; this enhanced parental supervision, particularly during those first twelve months of unsupervised driving, can help reduce crashes which spike considerably after the permit phase.

Last fall, Governor Corzine signed into law legislation that gives the parents of teens under 18 years of age holding a permit or probationary license free access to their teens' driving records. The Motor Vehicle Commission should initiate a public outreach campaign with parent organizations, the New Jersey Driving School Associations and other traffic safety partners to advise parents about this service. While parents/guardians should be advised about the availability of information when attending the Commission-recommended teen driving orientation (detailed in recommendation 1.3), MVC should also

provide information about how to obtain a teen's driving record to parent organizations, driving schools, AAA Clubs and other organizations for distribution to their constituents. Information is currently available by calling the MVC Customer Contact Center in Trenton or by visiting an MVC agency. The information contained in the teen's driving record such as violations and suspensions is provided verbally. If the parent wishes to obtain a paper copy of the abstract there is a \$10 fee.

MVC should consider making abstracts available via its website to make it easier for parents to take advantage of the free service. At present, the driver abstract (record) page on the website contains no information about the free service, other than a link to the main abstract request section. New Jersey officials may wish to review the Illinois DMV website which includes a well-placed link on its homepage for parents seeking their teens' driving record.

4.7 Prominently place a GDL checkbox on the uniform traffic summons and NJTR-1 crash reporting form.

Champion: Administrative Office of the Courts and the Motor Vehicle Commission

Based on testimony from police officers at all three of its public hearings, the Commission recommends that a "GDL violation" checkbox be included on the form an officer uses to issue a summons or ticket to a motorist. In addition, a "GDL" checkbox should also be added to the form (NJTR-1) that a police officer uses to file a motor vehicle crash report. This box would be checked if the operator of the vehicle(s) was a GDL holder.

Since the GDL law went into effect in 2001, many police officers have not been citing the appropriate statute when

issuing a ticket to a teen who is violating one or more of the GDL restrictions. Having the checkbox on the form will call attention to GDL and help to ensure that police officers use the correct motor vehicle statute when completing the summons. Summons are also reviewed by prosecutors who should, based on prior concerns, be aware of GDL violators. Careful collection and reporting of motor vehicle summons and crash data is essential for tracking how well GDL restrictions are enforced and the impact they are having on reducing teen driver crashes.

4.8 Revise the State Memorandum of Agreement to include police departments notifying schools when teens commit a GDL or moving violation.

Champion: Department of Education

Some police departments are notifying schools when a teen commits a GDL or moving violation (see recommendation 4.9). In the Freehold Regional High School District this notification results in the teen losing his or her parking privileges for a set period of time. School officials indicate that students view the loss of their parking privileges as a strong deterrent to violating the GDL.

To encourage statewide adoption of such an initiative, the Commission recommends that the Memorandum of Agreement signed annually between all school systems and law enforcement agencies in New Jersey be revised to include police departments notifying schools when teens are convicted of committing a GDL or traffic violation. Hand-in-hand with this, schools should consider adopting policies related to driver behavior and parking privileges (see recommendation 6.2).

4.9 Identify and disseminate best practices for involving parents, police officers, prosecutors, judges, elected and school officials, and volunteers in community-based teen driver education and crash-prevention programs.

Champion: Division of Highway Traffic Safety

Teen driver safety is not just a parental or police problem, it's a community problem. Engaging all sectors of the community in helping to address teen driver safety is essential not just for teens but everyone on the road – including pedestrians and bicyclists. A community-based approach sends a strong message to teens that their behavior behind-the-wheel is being monitored not just by their parents and police officers, but everyone from neighbors, teachers, and coaches, to business owners and town officials, and will be reported and dealt with appropriately and in accordance with the law.

The New Jersey Division of Highway Traffic Safety should identify and share, through its 13 county-based Community Traffic Safety Programs (CTSPs) and other traffic safety partners, examples of effective community-based approaches to teen driver education and crash prevention. This information should also be posted on the Division of Highway Traffic Safety's website in the driver education resource library for access by the public and driver education and traffic safety professionals.

The good news is that communities in New Jersey are actively involved in teen driver safety. In Randolph (Morris County), for example, the town's Traffic Advisory

Council (TAC), which has the support of the mayor, town council and police department, has developed a community-wide approach to teen driver safety that includes a requirement that all high school students and their parents attend the National Safety Council's *Alive at 25* program in order for students to obtain parking privileges on campus. The municipal judge participates in this program pointing out that he has a "no tolerance" policy for teens that violate the GDL or other motor vehicle statutes. The TAC has also been working to secure funding to make simulator training available to teens and municipal employees through a partnership with the Morris County Fire & Police Training Academy.

The Freehold Regional High School District, the state's largest with six high schools, also requires its students and their parents to attend the *Alive at 25* program and has tied it to parking privileges. The District has taken it one step further by tying that privilege to a violation-free driving record. If a police officer in any of the communities served by the District cites a student for violating the GDL or another motor vehicle statute, the school is notified and the student's parking privileges are rescinded for a set period of time.

The Division should also look beyond New Jersey for best practices. For example, in Virginia, after a teen has completed all the requirements and conditions of the state's GDL, both the parent and teen must appear in court before a judge to receive the teen's driver's license. This formally emphasizes the responsibility of the parent for the teen's driving behavior.

Clermont County, Ohio, instituted a court-based program called "Last Chance" aimed at 16- to 24-year-olds who have received multiple driving violations. To date, 1,800 teens have participated, with an 80 percent success rate. The program is the combined effort of a number of agencies including the county sheriff, juvenile court, safe communities, the Office of Highway Safety, child focus, and MADD.

4.10 Establish a protocol for and fund teen driving checkpoints near high schools and other locations frequented by teens.

Champion: Division of Highway Traffic Safety, New Jersey Traffic Officers Association and New Jersey State Police

Enforcement accompanied by extensive publicity has been successfully employed to increase seat belt use⁷² and reduce alcohol-impaired driving.⁷³ The New Jersey Division of Highway Traffic Safety provides federal grants to municipal and State Police agencies to conduct *Click It or Ticket* (seat belt) and *Over the Limit, Under Arrest* (DWI) mobilizations across the state. Employing these same tactics to encourage young drivers to adhere to the GDL law should be implemented in New Jersey.

Checkpoints held near high schools and other locations frequented by teens can enforce seat belt, passenger and cell phone restrictions. Of equal importance, they provide concrete, highly visible evidence of enforcement. Checkpoints could be held during lunchtime or after school as students are dismissed. Many schools have a school resource officer who is assigned to the school and who can assist in conducting checkpoints.

To enforce nighttime driving restrictions, checkpoints and saturation patrols can be employed in the evenings in areas with high concentrations of teen drivers (i.e., after school sporting and musical events, adjacent to movie theaters and shopping malls). Enforcement of GDL restrictions should be a part of routine traffic enforcement. Publicity

for enforcement activities should focus on media outlets that are most likely to reach young drivers such as radio, the Internet, and school publications/newspapers.

The Division of Highway Traffic Safety is piloting a GDL enforcement mobilization with the Bergen County Traffic Officers Association in April 2008. Police departments in the county will receive grants from the Division to fund saturation patrols for a two-week period. The Division will develop public education materials designed to engage teens in talking about teen driver safety that will be distributed through police departments and high schools. Municipal prosecutors and judges will be alerted about the pilot program to enlist their support and the media will be urged to notify the public through a countywide press release.

Meanwhile, in South Jersey, the New Jersey State Police, through a Division of Highway Traffic Safety grant, is working with Seneca High School (Burlington County) to launch a teen driver enforcement initiative that includes monitoring parking lots and issuing citations for GDL violations, coupled with delivery of the *Alive at 25* program for students and their parents.

5.1 Encourage families to use state-of-the art technology to monitor teen driving and reduce driver distractions, and assess, on an ongoing basis, the impact these technologies have on reducing teen driver crashes.

Champion: Insurance Council of New Jersey and its Member Companies

Insurance companies are doing their part to help reduce the number of crashes involving teen drivers by subsidizing the cost of electronic devices that parents can install in their vehicles to monitor the way teens drive or by offering discounts to policy holders with teens who use these devices.

The American Family Insurance Group has supplied 2,000 families in the U.S. with video cameras that alert parents when a teen driver makes a driving error. The program includes discounts for families that use the camera, which is operated by an independent company that provides weekly reports for parents. AIG and Safeco Insurance use global positioning systems (GPS) to monitor teen drivers so that parents can be alerted by email, text message or phone if their teens exceed present boundaries for distance and limits for speed.⁷⁴

In Connecticut, Travelers Insurance Company partnered with DriveCam to install cameras in the vehicles of

60 volunteer policyholders with teen drivers in their household. Each vehicle was equipped with two cameras – one positioned to show the interior, the other positioned to show the roadway on which the vehicle was traveling. The cameras activated when the driver initiated an unsafe action such as sudden acceleration, hard braking, and sharp turns or impacted with another object. The footage, which was downloaded weekly, serves as the basis for a documentary that is being used to educate parents and teens about teen driver safety.

These technologies clearly provide an opportunity to monitor, provide feedback and ultimately improve teen driving habits. Therefore, The Insurance Council of New Jersey (ICNJ) and its member companies are encouraged to develop avenues to inform the public about the availability and value of these technologies, ideally in partnership with traffic safety officials, education professionals, the Department of Banking and Insurance, and the media.

5.2 Work with the Industry and the Department of Banking and Insurance to provide incentives to encourage safe teen driving and disincentives to discourage poor teen driving.

Champion: Insurance Council of New Jersey and Its Member Companies

Automobile insurance rates for teen drivers are always higher than for other drivers because as a group, teens pose a higher risk of crashing than more experienced drivers.⁷⁵ Among licensed drivers, young people between 15 and 20 years of age, have the highest rate of fatal crashes relative to other age groups, including the elderly. The risk of being involved in a fatal crash for teens is three times greater than for drivers ages 65 to 69.⁷⁶

Adding a teenager to an insurance policy can mean a 50 to 100 percent increase in the parents' insurance premium.⁷⁷ Some insurance companies offer discounts for students with good grades. This "good student discount" is usually

available to students who maintain a grade point average of "B" or higher.

The Commission recommends that the automobile insurance companies in New Jersey work with the Department of Banking and Insurance (DOBI) and the Legislature (as necessary) to develop and implement creative ways to incent safe teen driving and disincent unsafe teen driving. These discounts would be offered to families whose teens remain crash and violation-free during a specified period of time. Recently, Allstate Insurance began advertising that it will "pay" its policyholders for remaining crash free for a set time period.

If incentives/disincentives are permitted, allowing a greater ability to differentiate and allocate the true costs associated with safe versus unsafe teen driving, it may provide strong motivation for parents (who normally pay to ensure the vehicles driven by their teens) to more closely

monitor their teens' driving. And for those teens who must foot a portion or all of the costs associated with driving (including insurance), these initiatives could prompt them to take greater care when behind-the-wheel.

5.3 Encourage all companies as well as insurance companies impacted by and/or concerned about teen driver safety to investigate ways to support school and community-based driver awareness and training initiatives.

Many insurance companies are funding teen driver safety research that is helping to shape public policy. For example, a 2007 report published by The Children's Hospital of Philadelphia (CHOP) and State Farm Insurance, found that 64 percent of teens said they would stop using cell phones while driving if their license could be taken away if they were caught. Receiving an insurance discount would deter 58 percent and 51 percent would be deterred if there was a law against it.

While New Jersey currently has a ban on the use of any electronic device (hand-held or hands-free) by a teen holding a GDL, the CHOP/State Farm report reaffirms the importance of this public policy as an effective deterrent. To date, 15 states have enacted laws prohibiting young

drivers from using cell phones when driving. Insurance companies are encouraged to continue to participate in this type of research and share it with their insured families, government agencies, driver education professionals, law enforcement officials and the media.

In addition, insurance companies and the ICNJ are encouraged to assist in efforts to raise the awareness levels of parents and teens regarding driver safety issues. (i.e., providing speakers for teen driver orientation and classroom driver education programs). For example, State Farm has provided a \$22,000 grant to the Randolph (Morris County) Traffic Advisory Council to help establish a simulator-training program for teens and town employees.

6. SCHOOLS

6.1 Partner with public and private entities to help fund driver education initiatives.

Champion: New Jersey State Parent Teacher Organizations and Individual School Districts

Schools play a key role in helping to train teen drivers. While most public high schools no longer provide in-car training, the majority continue to provide a minimum of 30 hours of classroom training. This lays the foundation for the behind-the-wheel training a teen receives, whether supervised by a driver training professional, a parent/guardian, and/or another experienced adult, during the permit phase. Those schools that have discontinued behind-the-wheel and in-car training are encouraged to develop opportunities for students to receive, at a discount, behind-the-wheel training through partnerships with local driving schools or driving school associations.

As schools struggle to deliver quality education while controlling costs, they should be encouraged to think outside the box and pursue funding for driver education and other important initiatives from public and private

entities. While grants may be available from state agencies such as the Division of Highway Traffic Safety (federal dollars are used to fund grants to municipal entities), foundations (private and corporate, particularly insurance company foundations), businesses (i.e., car dealerships, insurance agencies and other businesses that have a vested interest in the community, teens and/or traffic safety), and local service and civic clubs may wish to contribute to teen driver safety initiatives.

Whether a school is trying to sponsor a teen driver safety day, purchase software that helps teens identify and react appropriately to roadway hazards, or train teachers to deliver a teen/parent educational program, funding or at the very least, in-kind services, may be available, from a variety of sources that schools should pursue.

6.2 Establish and regularly communicate teen driving policies to students and their parents/guardians.

Champion: Local High School Districts

School buses are the safest form of transportation for teens traveling to and from school and school-related activities. On a per-trip basis, students are 44 times more likely to be killed in a vehicle driven by a teen, than while riding on a school bus.⁷⁸

Despite this fact, today's teens are driving themselves, their classmates and siblings to school in record numbers, and this has resulted in a marked increase in crashes involving young drivers. In New Jersey, more teen crashes occur between 3 and 6 p.m. – when teens are driving home from school and school-related activities – than any other time of the day.⁷⁹

For this reason, it is essential that schools establish and regularly communicate teen driving policies to students and their parent/guardians. Including these policies in parent handbooks that are distributed at the start of the school year and require sign-off by a parent/guardian is a required procedure. However, schools are urged to use

back-to-school nights, parent/teacher conferences, parent/teen safe driving programs, and other events to regularly reinforce teen driving policies, with a strong emphasis on safe driving practices in and around school grounds.

Some school systems have tied student parking privileges to participation in a parent/teen safe driving program. Failure to abide by the rules, including any violation of the GDL restrictions or a motor vehicle statute, can, at some schools, result in the loss of parking privileges for a set period of time. The Commission encourages schools to consider adopting such policies since loss of parking privilege has been identified as a strong deterrent for teens who are tempted to violate the GDL and other motor vehicle laws. (Several earlier recommendations address schools and police officers working together on notification of teen GDL and motor vehicle violations.)

In addition, schools with open-lunch policies, where some or all students are allowed to leave campus during

the lunch period (this policy may be in place to relieve overcrowding in the cafeteria), should be aware that the second most crash-prone time on the road for New Jersey teens is between noon and 3 p.m.⁸⁰

It is not surprising that open-lunch policies are associated with more frequent vehicle crashes among young drivers.

A recent study compared crashes involving teen drivers in three counties in North Carolina: two with open-lunch policies and one without. The rate of crashes was three times higher between the hours of 12 p.m. and 2 p.m. in the two counties with open-lunch policies.⁸¹ Also of note, teens were carrying more passengers with them at the time of the crash in counties with open-lunch policies.

6.3 Encourage inclusion of teen crash prevention in the “service-learning” component of a community service requirement for graduation.

Champion: Local High School Districts and the New Jersey Department of Education

Many high schools require students to participate in school or community-based volunteer activities as a requirement for graduation. These “service-learning” activities run the gamut from volunteering at a hospital, soup kitchen, shelter or day care center to collecting food, clothing, books or school supplies as well as participation in countless other worthwhile projects that benefit the public good.

The Commission encourages schools to include teen crash prevention in the service-learning component of a community service requirement for graduation. Engaging teens in activities that address motor vehicle crashes, the number one killer of teens (as well as all individuals 33 years of age and younger)⁸², could foster stronger understanding and acceptance of the GDL law and the importance of safe driving behaviors.

For example, volunteering with a local first aid squad or in a hospital emergency room can expose a teen to the carnage associated with traffic crashes. While this may be too grim for some students, developing school specific, peer-to-peer driver education programs may be another way to engage students in working to improve teen driver safety, while garnering community-service hours.

The friends of Andrew Lundy, one of four individuals killed in a 2007 crash caused by teens racing each other on a county road, established *Project Lundy* with the support of the Freehold Regional High School District. The peer driver education program, delivered by teens to teens, aims to reduce deaths caused by teen drivers by helping teens understand the consequences of their actions when they are behind-the-wheel.

At Bergen County Technical High School in Paramus, 22 graphic design students in teacher Karen Waller’s class broke the Guinness World Record for the longest graffiti scroll by spray-painting messages about safe teen driving. The 2,000 feet of paper includes sayings, statistics and quotes about teen driver safety that a grab teen’s attention.

These and other examples of peer-to-peer service learning opportunities should be included in the statewide driver education curriculum currently being developed by the Motor Vehicle Commission (detailed in recommendation 2.2).

6.4 Consider altering early high school start times to allow for the sleep patterns of teens.

Champion: Local High School Districts

Driving drowsy can result in decreased alertness, slowed reaction time, failure to notice emergency situations and, in the extreme, falling asleep. Recent studies suggest that even moderate sleep deprivation can be comparable to having a blood alcohol content (BAC) level of .08 percent⁸³ – the limit at which someone is deemed legally drunk. From 2000 to 2003, approximately 4 percent of crashes in the U.S. involved a driver who was either sleepy or had fallen asleep.⁸⁴ Drivers younger than 25 are responsible for the majority of drowsy driving crashes.⁸⁵

Fatigue can play a role in early morning crashes. Recent research on human sleep needs indicates that because of a biologically based sleep phase shift, teens begin to fall asleep later. Consequently, in order to obtain sufficient rest, they need to be asleep during the early morning (i.e., 6 a.m.).⁸⁶ In response to this information, school systems throughout the U.S. are beginning to reverse the trend of earlier high school start times. The results of moving start times back from 7:30 a.m. or earlier to 8:30 a.m. or later have produced dramatic improvements in academic performance and behavior.⁸⁷

Studies in Forsyth County, North Carolina and Fayette County, Kentucky have found that another benefit of later school start times is a reduction in teen driver crashes. In both cases, when countywide school systems revised school start times, motor vehicle crashes involving high school age drivers decreased. In North Carolina, when this moderate-sized county changed the school start time from 7:30 a.m. to 8:45 a.m., the per capita crash rate of 16- and 17-year-olds declined 18 percent. This compares with a 7.6 percent decline in three other comparable counties over the same time period, reflecting the effect of a change in young driver licensing that took effect at the same time. A similar effect was seen in the Kentucky County.⁸⁸ Early high school start times have also been discontinued in Edina and Minneapolis, Minnesota; Ithaca, New York; and South Burlington, Vermont

The Commission recognizes that school start times are carefully scheduled to make use of school buses so this and other factors must be taken into account when considering implementation of this recommendation. However, the safety and educational gains associated with allowing teens to sleep later cannot be ignored.

6.5 Include local law enforcement and transportation officials in the review of transportation plans for new school construction and/or existing school expansion or redesign.

Champion: Local High School Districts and the New Jersey Department of Transportation

Each year, approximately 450 teens are killed and 78,000 injured in crashes during normal school travel hours.⁸⁹ Teen drivers represent only about 15 percent of the trips and miles traveled to and from school, yet they account for more than 50 percent of the injuries and fatalities related to school travel.⁹⁰ Since some of these crashes occur on or near school property, managing driving risk in and around schools can play a role in reducing young driver crashes.

Ensuring that local law enforcement and county and/or state transportation officials are involved in the transportation plans for all new school construction and/or existing school expansion or redesign is important. While this recommendation is most easily employed with new schools, reviewing transportation plans for existing schools when they are expanded or modified should be considered as well.

For example, if an existing school has a dangerous traffic pattern it could most easily be improved in conjunction with new construction.

It is also important to note that each school has different characteristics that affect teen driver risk, so a one-size-fits-all safety solution will not do. In urban areas, for example, traffic around a school may be high, and there may be fewer options for designing egress and ingress points. In suburban and rural areas, there may be more flexibility in designing traffic patterns, however, students may be dispersed onto two-lane roads with high speed limits that pose substantial risk for novice drivers. Keeping teen drivers away from school bus and parent-driven vehicle drop off areas, where pedestrian traffic will be high, should also be taken into consideration.

7. TECHNOLOGY

7.1 Implement the programming changes necessary to ensure that MVC's current and pending computer system can accommodate all components of the GDL law.

Champion: Motor Vehicle Commission

New Jersey's GDL law has been in effect since 2001, but the computer programming changes needed to fully implement monitoring and sanctions were never undertaken due to competing priorities and resource issues at MVC. Having the technology in place to monitor GDL and motor vehicle violations (as noted in recommendation 1.1) and administer sanctions is absolutely essential if the law is to perform as intended.

MVC is expected to bring its new computer system (MATRX) online in three to four years. While the agency should ensure that the new system fully supports the GDL

law, including event-based monitoring, compliance for orientation and certifications, and other new requirements, it should also conduct, as soon as possible, an analysis of the programming impact of all of the Commission's recommendations to determine the feasibility of implementing them on the current computer system. Where practical, programming should be undertaken to bring the current system into compliance with the GDL law. At the very minimum, MVC is urged to find an alternative solution now for addressing the need to monitor and properly sanction GDL holders – the cornerstone of the law.

7.2 Urge cellular providers to embrace and market existing technology that prevents a teen from using a cell phone while driving.

Champion: Cellular Telephone Industry

New Jersey's GDL law bans teens from using hand-held or hands-free electronic devices while operating a vehicle. Despite the restriction, teens admitted to the Commission at public hearings that they talk and text on cell phones and other devices while driving. While talking on a cell phone, whether hand-held or hands-free, is physically and cognitively distracting for a driver, it is particularly dangerous for teens. Young drivers, by necessity, must devote all of their attention to the task of driving because of a lack of experience. The distraction of adding a cell phone conversation to the mix greatly increases a teen's crash risk.

Research supports this assertion. A recent study conducted in Australia, where cell phone records are available to researchers, found that cell phone use is associated with a fourfold increase in the likelihood of a serious crash resulting in hospitalization of the driver.⁹¹ The increased risk of a crash was similar for men and women, and applied to both hand-held and hands-free phones. An earlier, study conducted in Canada, also found that the risk of collision was four times higher when a cell phone was being used.⁹² Again, hands-free phones offered no safety advantage over hand-held phones. Results of the recently completed "100-Car Naturalistic Driving Study," which closely

monitored driver behaviors during a year of driving in the Washington, DC metropolitan area, indicate that using a mobile phone accounted for more than 7 percent of all crash and near-crash incidents.⁹³

Technology exists today that can prevent a teen from using a cell phone while driving. The technology uses the GPS tracking devices embedded in most cell phones to monitor how fast the phone is moving when it is being used and whether it is on the road or not. Parents could sign up for the service through their cell phone carrier and choose what limits to place on phone use. These technologies range from disabling the phone altogether while it is in motion, to routing calls to voice mail, to playing a message that the person appears to be driving and it would be dangerous to answer the phone. (An override is available in the event of an emergency.)

The Commission urges cellular providers to embrace and market this technology to parents to not only help them ensure that their teens are adhering to the GDL restriction that is designed to protect them, but to also help minimize dangerous distractions as much as possible.

7.3 Encourage the development and availability of low cost technology that allows parents to monitor their teens' driving behavior.

Insurance companies are doing their part (as noted in recommendation 5.1) to help reduce the number of crashes involving teen drivers by subsidizing the cost of electronic devices that parents can install in their vehicles to monitor the way teens drive or by offering discounts to policy holders with teens who use these

devices. Many of these devices, however, are expensive, costing hundreds even thousands of dollar. Plus, not all insurance companies are offering such assistance to its insured families. The Commission urges companies to develop and market affordable technology that allows parents to monitor their teens' driving behavior.

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