

Background

Traffic crashes are the leading cause of death among adolescents.¹

In the United States, nearly 1,000 16-year-old drivers are involved in fatal crashes annually.²

In Illinois, there were 260 fatalities in 2005 from crashes that involved young drivers between the ages of 15 – 20.³ Of these 260 fatalities:

- 108 were the young drivers;
- 56 were passengers in young drivers' vehicles;
- 75 were occupants of other vehicles;
- 21 were non-occupants.⁴

Nationally in 2005 there were 7,460 young drivers age 15 - 20 involved in fatal crashes.⁵ Of this number, 3,467 young drivers were killed.⁶ Moreover, an additional 281,000 young drivers age 15 – 20 were injured in motor vehicle crashes.⁷

Statistics show that young drivers make up a disproportionate percentage of drivers in fatal crashes when compared to the entire driving population. In 2005, 12.6 percent of all drivers involved in fatal crashes were between 15 – 20 years old.⁸ Yet this same age group accounts for just 6.3 percent of the total driving population.⁹

A recent study conducted by the Johns Hopkins Bloomberg School of Public Health shows that the most comprehensive Graduated Driver Licensing (GDL) programs can reduce traffic fatalities for 16-year-old drivers by as much as 21 percent.¹⁰ While Illinois' GDL system contains many of the components that are believed to reduce traffic fatalities for these young drivers, Secretary of State Jesse White launched an initiative to ensure that every reasonable step -- both legislatively and administratively -- is taken to save more lives.

On August 29, 2006, Secretary White announced the creation of a Teen Driver Safety Task Force composed of legislators, traffic safety experts, law enforcement officials, educators and judges. The Task Force held public hearings in Springfield, Carterville and Chicago to examine Illinois' GDL law, other states' programs and recent studies that have concluded comprehensive GDL programs reduce teen traffic fatalities. The Task Force heard proposals to improve teen driving laws from a variety of traffic safety organizations, national experts and victim advocates.

For a complete membership list of Secretary White's Teen Driver Safety Task Force, please see Appendix A.

For a complete list of presenters who provided testimony before the Teen Driver Safety Task Force, please see Appendix B.

Through the testimony presented, the subsequent discussions between Task Force members and presenters, and general deliberations among Task Force members, the three hearings generated the information on which the following recommendations were built. It is the strong belief of the Teen Driver Safety Task Force that these recommendations, taken as a whole, will give Illinois the most comprehensive GDL program in the nation. Using these recommendations as a blueprint, Secretary White will work to introduce legislation during the 2007 Spring Legislative Session.

Teen Driver Safety Task Force Recommendations

Recommendation #1:

Extend the permit phase from three months to nine months.

Tripling the length of the permit phase will allow the novice teenage driver more time behind the wheel with an experienced parent, guardian or responsible adult before a driver's license may be issued. In addition, these teenage drivers will be given the opportunity, while still under the permit phase, to drive under various weather conditions common throughout Illinois. Under the current law, most teens are able to attain their driver's licenses without having to drive in inclement weather common to the fall and winter months in Illinois.

In testimony provided by the Illinois Department of Transportation's Traffic Safety Division, Illinois' permit phase was compared to those of the 50 states and the District of Columbia. Thirty-six of the 50 states currently require the teenager to hold a learner's permit for six months before moving on to the next phase of licensing.¹¹ Six additional states require a nine-12 month permit phase.¹²

Recommendation #2:

Shift the nighttime driving restriction from 11 p.m. to 10 p.m. on weekdays and from 12:00 a.m. to 11 p.m. on weekends. Also extend the nighttime driving restriction to include 17-year-old drivers.

Studies show that states with GDL nighttime driving restrictions have reduced teen fatal crashes, in some cases by as much as 10 percent.¹³ The Johns Hopkins Bloomberg School of Public Health study indicates that nighttime driving restriction laws contribute to the effectiveness of a GDL program. A multitude of presenters expressed the importance of adjusting the nighttime driving restriction.

Moreover, the current nighttime driving restriction law does not include 17-year-olds. The Task Force recommended that because 17-year-olds fall under the GDL's initial licensing phase with their 16-year-old counterparts, and all of the restrictions encompassed therein, the nighttime driving restriction law should include 17-year-olds.

Recommendation #3:

Extend from six months to 12 months the provision that limits to one the number of passengers under the age of 20 allowed in a vehicle driven by a newly licensed, young driver.

In the United States, nearly 1,000 16-year-old drivers are involved in fatal crashes each year.¹⁴ This statistic alone demonstrates the need to better ensure the safety of newly licensed drivers in Illinois. Presenters and Task Force members alike argued persuasively that two of the leading causes in traffic crashes involving 16-year-old drivers are general inexperience and distractions from multiple teenage passengers.

Beyond statistical support, the Task Force heard emotional testimony from several presenters who have suffered the loss of a loved one to a fatal crash. In more than one case, a fatality occurred while a 16-year-old driver had more than one teenage passenger in the vehicle.

Eliminating the distractions caused by multiple passengers during that first full year of independent driving will help reduce crashes and fatalities involving 16-year-old drivers. In addition, the teenager will obtain a year of driving experience under favorable conditions and, as a result, at age 17 will be better able to handle any distractions that may arise from having more than one fellow teen in the vehicle.

Recommendation #4:

Eliminate all exemptions, including the three-hour proficiency exam, that allow a student driver to pass driver education with less than six hours of actual, on-the-street driving with a certified driver education instructor.

The amount of time a teenager spends behind the wheel of a vehicle while in the presence of a certified driver education instructor is critical. The very foundation of a teenager's driving habits is formed during this critical period. Permitting any fewer than the full six hours of driving with a certified driver education instructor deprives a teenager of critical lessons and experience.

Currently, students in high school driver education classes can take a proficiency exam after completing three hours of practice driving. While only 2.12 percent of driver education students in Illinois use the three-hour proficiency exam, the Task Force felt strongly that all student drivers must spend a minimum of six hours of behind the wheel driving in the presence of a driver education instructor.¹⁵

In addition, current Illinois Administrative Rules allow exemptions that reduce the number of hours spent on the street driving with a certified driver education instructor to less than six hours. In fact, if the student driver takes advantage of all possible exemptions, he or she may need to obtain just one hour (60 minutes) of actual, on-the-street driving with a certified driver education instructor in the vehicle.

The Task Force recommends eliminating any and all exemptions that reduce the six hours a teenager must spend behind the wheel with a certified driver education instructor. Any additional time the teenager spends on in-class driving simulators and driving ranges can only supplement the student's behind the wheel experience, but these efforts should not be used as a substitute for behind-the-wheel experience on the street with a certified driver education instructor.

Secretary White is committed to assisting the Illinois State Board of Education and the driver education industry to ensure adequate funding is provided in order to execute this measure.

Recommendation #5:

Create an offense for which a passenger age 15 and older but under the age of 20 can be ticketed if found to be violating the passenger restriction law.

A teenager's actions are often motivated by consequences (or in some cases the absence of consequences). Without a consequence for passengers in violation of the passenger restriction law, teenagers are perhaps more apt to violate this statute. Ticketing the passengers in the vehicle -- this includes any passenger riding in the trunk of a vehicle as well -- will demonstrate that while they are not in control of the vehicle, they must respect the law and the consequences for violating the passenger limit statute.

The Task Force recommended that passengers under the age of 15 not receive traffic tickets. Passengers age 15 and older but under the age of 20 should be aware of

the law, since the majority of those passengers would currently be enrolled in, or would have already completed, driver's education.

Recommendation #6:

Require nine months conviction-free driving record before a teen may move from the permit phase (age 15) to the initial licensing phase (16-17). Require six months conviction-free driving before a teen may move from the initial licensing phase to the full licensing phase (18-20).

A teenager must prove that he or she is ready and able to drive in a safe and responsible manner before graduating to the next licensing phase. Entering a new phase shouldn't be dependent on age alone. As a result, the Task Force recommends that teenagers remain conviction-free driving for nine consecutive months during the permit phase before graduating to the initial licensing phase. In addition, the Task Force recommends that teenagers display six consecutive months of conviction-free driving immediately before they graduate to the full licensing phase.

Because the restrictions of preceding licensing phases are more severe, these stricter conditions should remain in effect until the driver's conduct merits graduating to the next licensing phase.

A judge on the Task Force, not speaking on behalf of the judiciary, but only voicing his personal beliefs, thought that the Secretary should explore legislation that would allow the Secretary to treat any supervision dispositions in excess of the statutory limit of two in a 12-month period as convictions. This suggestion requires substantial in-depth analysis to determine if there is a significant problem in persons receiving more than two court supervision dispositions in a 12-month period. This suggestion may go beyond the scope of GDL holders and therefore will be studied by the Secretary and, if necessary, submitted to the legislature as a separate legislative proposal.

Recommendation #7:

Suspend the driver's license of a driver under age 21 for any traffic conviction that occurs after the driver had served a suspension for receiving two traffic convictions for moving violations within a 24-month period.

Under current GDL law a driver under age 21 will receive a minimum 30-day driver's license suspension when he or she receives two traffic convictions for moving violations within a 24-month period. After the driver serves the suspension, he or she is allowed to obtain two more convictions within a second 24-month period before the driver's license is suspended for a second time.

The Task Force recommends that GDL holders that are suspended for two moving violation convictions within 24 months not be allowed to accumulate two more traffic citations before receiving a second suspension of their driving privileges. The Task Force further recommends that an additional suspension of driving privileges occur after each traffic conviction if the GDL holder has already been subject to an initial suspension as a result of two moving violation convictions within 24 months. The Secretary of State may impose these additional suspensions for moving violation convictions that occur after the initial suspension for two moving violations within a 24-month period, until the driver turns 21. At that time, the driver would have full driving privileges and any

suspension for additional moving violations would be imposed under 625 ILCS 5/6-206(a)(2), which requires three moving violations within a 12-month period.

Recommendation #8:

Require teenagers under age 18 that receive a citation for a traffic violation and request court supervision to appear in person before the presiding judge with a parent or guardian. Require the attendance of traffic school as a requisite for the granting of court supervision. Prohibit the granting of court supervision through a mail-in process.

Court supervision is an adjudication that can be granted, by request, for traffic violations. Some Illinois counties require an individual to appear in person in order to be granted court supervision, while other counties allow for a mail-in method, thus allowing the defendant the convenience of avoiding an appearance before the court.

During the permit phase (age 15) and initial licensing phase (age 16-17), teens must demonstrate they are safe and responsible drivers. The Task Force recommends that court supervisions for minors not be granted unless the defendant appears in person before the judge and that a parent or guardian accompanies the minor defendant. This ensures that the parent or guardian is fully aware of the traffic violation by the minor defendant and understands the requirements and ramifications of granting court supervision to the minor defendant.

Lastly, the sentence of traffic school as a condition of court supervision ensures that the minor defendant receives more education on traffic safety and works to serve as a reminder to all teen drivers that traffic violations will not be treated lightly.

Recommendation #9:

Establish penalties, up to and including vehicle impoundment, for drivers who are involved in street racing.

Street racing has become a deadly phenomenon that encourages drivers to race other drivers on city and town streets, county and state highways and interstate highways. This particular activity has become popular among some younger drivers. In fact, the Task Force heard testimony from a family whose child was killed as a result of this reckless activity.

The Task Force recommends the establishment of specific sanctions and penalties for street racing, including impoundment of the driver's vehicle, regardless of the age of the driver. California and Texas have enacted legislation targeting street racers through sanctions of impoundment. Harsh, no-nonsense penalties are needed to combat and punish deadly, thrill-seeking behavior such as street racing.

Recommendation #10:

Procedural and Administrative Changes:

In addition to the foregoing statutory and Administrative Rule changes recommended by the Task Force, the following procedural and administrative changes are also recommended:

1. Create a voluntary parent-teen contract that sets forth a list of established rules between the parent(s) and teenager to which the teenager must adhere. In

- addition to helping promote safe and responsible driving for the teenager, the voluntary contract can also help get parents involved with their teen's driving.
2. Produce and distribute a parent/teen guide to new teen drivers and their parents or guardians. The guide will serve as a resource outlining not only Illinois driving laws and the GDL program, but also safe and responsible driving tips from driver education instructors and other traffic safety experts.
 3. Urge the Illinois State Board of Education to restore administrative positions and funding for those positions within the agency that deal with driver education.
 4. Establish a committee headed by the Illinois State Board of Education to review and update the statewide standards for Illinois' Driver Education.
 5. Urge the Illinois State Board of Education to incorporate into their administrative rules a mandatory parent-child meeting on driver education with a certified driver education instructor before the child may begin participating in a driver education class. The certified driver education instructor will give an overview of driver education and what is expected of the teenager and the teenager's parent(s) or guardian(s). The school board or school district shall not be allowed to seek a waiver opting out of this required meeting.
 6. Encourage insurance companies to develop a reward program to encourage teenagers to drive safely and responsibly. Rather than provide a safe driver discount on the front end of a policy, it is suggested that insurance companies consider providing a rebate to those teen drivers who maintain a conviction-free driving record for one year.
 7. Initiate an educational campaign within the Secretary of State's Court Liaison Unit to reinforce among law enforcement and the judicial system the importance of prosecuting GDL offenses.
 8. Establish a points-assigned violation for teenagers convicted of violating the passenger restriction law, which will make this offense a moving violation. This recommendation is currently being implemented.

Appendix A

Teen Driver Safety Task Force Membership

Elected Officials

Senator John Cullerton, Co-Chair

State Representative Jay Hoffman, Co-Chair

Senator Cheryl Axley

Senator Mattie Hunter

Senator Tony Munoz

State Representative John D'Amico

State Representative Ron Wait

Judge Jeffrey R. Ford, Champaign County

Judge Perry Thompson, DuPage County

Federal & State Agencies

Don McNamara, National Highway Traffic Safety Administration

Steve Blackistone, National Transportation Safety Board

Tim Imler, Illinois State Board of Education

Rebecca Watts, Illinois State Board of Education

Lt. Col. Craig Allen, Illinois State Police

Michael Stout, Illinois Department of Transportation Traffic Safety Division

Brad Demuzio, Illinois Secretary of State Police

Other Members

William "Bill" Briggs, Illinois Federation of Teachers

Paula Davis, Superintendent of Pekin Schools

Mark Gruca, Illinois High School & College Drivers Education Association

Michael D. Karlin, Victim Advocate

Edward Maloney, Attorney at Law

Becky Markwell, Illinois Traffic Safety Leaders

Susan McKinney, Mothers Against Drunk Driving

Laimutis "Limey" Nargelenas, Illinois Association of Chiefs of Police

Dave Perozzi, Alliance Against Intoxicated Motorists

Greg Sullivan, Illinois Sheriffs Association

John Ulczycki, National Safety Council

C. E. Welch, Illinois Education Association

Appendix B

List of Presenters Providing Testimony Before the Teen Driver Safety Task Force

Mike Steiner, Illinois Secretary of State's Office
Tim Imler, Illinois State Board of Education
Don McNamara, National Highway Traffic Safety Administration
Paula Davis, Superintendent of Pekin High School
Lt. Col. Craig Allen, Illinois State Police
Lori Reimers, State Farm Insurance
Beth Mosher, AAA-Chicago
John Ulczycki, National Safety Council
Laimutis "Limey" Nargelenas, Illinois Association of Chiefs of Police
Michael Stout, Illinois Department of Transportation, Division of Traffic Safety
Mark Gruca, Illinois High School and College Driver Education Association
Robert Sumwalt, Vice Chairman, National Transportation Safety Board
Michael Karlin, Victim Advocate
Barbara Quinn, Illinois Parent Teachers Association
Brent Johnston, Driver Education Instructor
Dave Perozzi, Alliance Against Intoxicated Motorists
Mr. and Mrs. Robert Brandt, Victim Advocates
Ed Maloney, Attorney at Law
Beverly Leck, Victim Advocate
Gene Richardson, Streamwood Police Department
Raymond Kracik, Illinois High School and College Driver Education Association
Justin McNaull, AAA-Chicago Insurance
Richard Pike, Allstate Insurance Company
Tony Stewart, Chicago Indoor Racing
Mark Horowitz, Moorshire Group
Scott Schrecengost, Raydon Corporation
Joseph Rauer, Hinsdale Police Department
Martha Parsons, Student at Hinsdale Central High School
State Representative Paul Froelich
Captain Tim Becker, Illinois State Police
State Representative John D'Amico
Randy and Cathy Waddell, Victim Advocates
Randy Milligan, State Farm Insurance
Rod Prentice, State Farm Insurance
Mike Little, State Farm Insurance
Ann Perilli, Victim Advocate
Mary Bromann, Driver Education Instructor

References

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- ¹ National Highway Traffic Safety Administration. Traffic Safety Facts: 2005 Data.
 - ² Baker, S., Chen, L.H, and Li, G. National Evaluation of Graduated Driver Licensing Programs. Johns Hopkins Bloomberg School of Public Health. June 2006.
 - ³ National Highway Traffic Safety Administration. Traffic Safety Facts: 2005 Data.
 - ⁴ Ibid.
 - ⁵ National Highway Traffic Safety Administration. Traffic Safety Facts: 2005 Data.
 - ⁶ Ibid.
 - ⁷ National Highway Traffic Safety Administration. Traffic Safety Facts: 2005 Data.
 - ⁸ Ibid.
 - ⁹ National Highway Traffic Safety Administration. Traffic Safety Facts: 2005 Data.
 - ¹⁰ Baker, S., Chen, L.H, and Li, G. National Evaluation of Graduated Driver Licensing Programs. Johns Hopkins Bloomberg School of Public Health. June 2006.
 - ¹¹ Stout, Michael. Illinois Department of Transportation. Power Point Presentation. September 2006.
 - ¹² Ibid.
 - ¹³ Baker, S., Chen, L.H, and Li, G. National Evaluation of Graduated Driver Licensing Programs. Johns Hopkins Bloomberg School of Public Health. June 2006.
 - ¹⁴ Ibid.
 - ¹⁵ Illinois State Board of Education. Driver Education 3-Hour Lab Proficiency Examination Data. September 2006.