114th CONGRESS

1st Session

**S. 528**

**IN THE SENATE OF THE UNITED STATES**

Mrs. GILLIBRAND (for herself, Mr. CARDIN, Mr. CARPER, Ms. KLOBUCHAR, and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science and Technology.

**A BILL**

To provide driver safety grants to States with graduated driver licensing laws that meet certain minimum requirements.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* SECTION 1. SHORT TITLE. This Act may be cited as the `Safe Teen and Novice Driver Uniform Protection Act of 2011' or the `STANDUP Act'.

SEC. 2. FINDINGS. Congress finds the following:

(1) The National Highway Traffic Safety Administration has reported that--

(A) motor vehicle crashes are the leading cause of death of Americans between 15 and 20 years of age;

(B) between 1999 and 2009, more than 90,000 Americans were killed in motor vehicle crashes involving drivers between 15 and 20 years of age, an average of 155 deaths per week;

(C) drivers between 16 and 20 years of age have a fatality rate that is 4 times higher than the rate for drivers between 25 and 70 years of age; and

(D) teenage drivers who are 16 years of age have a motor vehicle crash rate that is almost 10 times higher than the crash rate for drivers between 30 and 60 years of age.

(2) The National Transportation Safety Board found that during the most recent 10-year period--(A) teen drivers comprised less than 7 percent of the driving population and accounted for more than 13 percent of drivers involved in all deadly crashes; and(B) more than 20 percent of all highway fatalities occurred in crashes that involved teen drivers.

(3) Analysis by the Children's Hospital of Philadelphia Research Institute shows that--(A) teenage drivers comprise approximately 40 percent of the fatalities in motor vehicle crashes in which they are involved; and (B) the other 60 percent of the fatalities in those crashes are--

(i) passengers who were riding in the vehicle with the teen driver;

(ii) drivers and passengers in other vehicles involved in a crash with the teen driver's vehicle; and (iii) pedestrians.

(4) According to the Insurance Institute for Highway Safety--

(A) the chance that a vehicle driven by a 16- or 17-year-old will be involved in an accident--(i) doubles when there are 2 other teens in the vehicle; and

(ii) quadruples when there are 4 teens in the vehicle;

(B) States with strong nighttime driving restrictions experience lower fatal crash rates among drivers ages 15 to 17 years old; and

(C) a higher age requirement for licensing teen drivers is correlated with a lower number of fatal crashes per capita.

(5) The National Highway Traffic Safety Administration has found that distraction caused by cellular phones is significant enough to degrade driver performance, and is particularly dangerous for inexperienced drivers between 15 and 20 years of age.

(6) That National Transportation Safety Board has found that although only 20 percent of driving by teenage drivers occurs at night, more than 50 percent of the motor vehicle crash fatalities involving teenage drivers occur at night.

(7) According to a 2007 report from the Texas Transportation Institute at Texas A&M University--

(A) teenage drivers in rural areas are less likely to be aware of the risks and dangers associated with driving, placing them at higher risk of involvement in crashes;

(B) teen drivers are more likely than other drivers--(i) to drive with other teenage passengers;(ii) to drive late at night;(iii) to exceed the speed limit;

(iv) to use cell phones while driving; and (v) to fail to use seat belts while driving.

(8) The National Highway Traffic Safety Administration reports that although 23 percent of the population of the United States lives in rural areas, 57 percent of all traffic fatalities occur on rural roads, underscoring the elevated crash risk for teen drivers in rural areas.

(9) The American Academy of Pediatrics has found evidence that the area of the brain responsible for planning, impulse control, and executive decisionmaking does not fully mature until a person is between 20 and 25 years of age, placing teen drivers at greater risk of being involved in an accident.

(10) The Journal of the American Medical Association reports that after Michigan and North Carolina adopted comprehensive graduated driver licensing systems in 1997, crashes involving 16-year-old drivers decreased by 25 percent in Michigan and by 27 percent in North Carolina.

(11) According to the Office of the Illinois Secretary of State, teen driving deaths dropped by over 40 percent in Illinois in the first full year following the 2007 implementation of a stronger graduated driver licensing law.

(12) The National Transportation Safety Board reports that over 40 States and the District of Columbia have implemented some type of 3-stage graduated driver licensing system. However, most States have not yet enacted all of the lifesaving safety features of graduated driver licensing laws recommended by the National Transportation Safety Board and supported by research to protect the lives of teenage and novice drivers.

(13) A 2010 national survey by the Insurance Institute of Highway Safety indicates that--(A) parents of teens favor graduated driver licensing laws that are as strict or stricter than those that currently exist in any State;

(B) 2/3 of parents of teens believe that young drivers should begin learning to drive at 16 years of age or older;

(C) more than 1/2 of parents of teens believe that the minimum licensing age should be 17 years of age or older;

(D) 90 percent of parents of teens support a restriction on unsupervised nighttime driving;

(E) more than 75 percent of parents of teens believe that the restriction on unsupervised nighttime driving should begin at 10 p.m. or earlier;

(F) 89 percent of parents of teens support restrictions on teen passengers; and

(G) more than 75 percent of parents of teens believe that teen drivers should not be permitted to more than 1 teen passenger in their vehicle.

SEC. 3. STATE GRADUATED DRIVER LICENSING LAWS.

(a) Minimum Requirements-(1) IN GENERAL- A State is in compliance with this section if the State has a graduated driver licensing law that requires novice drivers younger than 21 years of age to comply with the 2-stage licensing process described in paragraph (2) before receiving an unrestricted driver's license.

(2) LICENSING PROCESS- A State is in compliance with the 2-stage licensing process described in this paragraph if the State's driver's license laws include--

(A) a learner's permit stage that--(i) commences at 16 years of age or older;

(ii) is at least 6 months in duration;(iii) prohibits the driver from using a cellular telephone or any communications device in a nonemergency situation; and

(iv) remains in effect until--

(I) the commencement of the intermediate stage; or

(II) the driver reaches 18 years of age;

(B) an intermediate stage that--

(i) commences immediately after the expiration of the learner's permit stage;

(ii) is at least 6 months in duration;

(iii) prohibits the driver from using a cellular telephone or any communications device in a nonemergency situation;

(iv) prohibits driving at night;

(v) prohibits the driver from operating a motor vehicle with more than 1 non-familial passenger younger than 21 years of age unless a licensed driver who is at least 21 years of age is in the motor vehicle; and

(vi) remains in effect until the driver reaches 18 years of age; and

(C) any other requirement that the Secretary of Transportation may require, including--(i) in the learner's permit stage--

(I) at least 40 hours of behind-the-wheel training with a licensed driver who is at least 21 years of age;

(II) a driver training course; and

(III) a requirement that any such driver be accompanied and supervised by a licensed driver who is at least 21 years of age at all times while such driver is operating a motor vehicle; and (ii) in the learner's permit or intermediate stage, a requirement that, in addition to any other penalties imposed by State law, the grant of an unrestricted driver's license be automatically delayed for any individual who, during the learner's permit or intermediate stage, is convicted of a driving-related offense, such as--

(I) driving while intoxicated;

(II) misrepresentation of his or her true age;

(III) reckless driving;

(IV) driving without wearing a seat belt;

(V) speeding; or

(VI) any other driving-related offense, as determined by the Secretary.

(b) Rulemaking-

(1) IN GENERAL- The Secretary of Transportation shall promulgate regulations necessary to implement this section .

SEC. 4. INCENTIVE GRANTS.

(a) In General- For each of the first 3 fiscal years beginning after the date of enactment of this Act, the Secretary of Transportation shall award a grant to any State that submits an application under subsection (b) if that State is in compliance with section 3(a) on or before the first day of that fiscal year.

(b) Application-

(1) IN GENERAL- Any State desiring a grant under this section shall submit an application to the Secretary of Transportation at such time, in such manner, and containing such information as the Secretary may require, including a certification by the Governor of the State that the State is in compliance with section 3(a).

(2) REVIEW- The Secretary shall review each State application and determine whether or not the State is in compliance with section 3(a).

(e) Authorization of Appropriations- There is authorized to be appropriated $25,000,000, out of the Highway Trust Fund (other than the Mass Transit Account), to carry out this section during each fiscal year described in subsection (a).