



# National Transportation Safety Board

Washington, D.C. 20594

## Safety Recommendation

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**Date:** November 8, 2002

**In reply refer to:** H-02-31 and -32

14 State Governors  
(see distribution list)

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The National Transportation Safety Board is an independent federal agency charged by Congress with investigating transportation accidents, determining their probable causes, and making recommendations to prevent similar accidents from occurring. We are providing the following information to urge you to take action on the safety recommendations in this letter. The Safety Board is interested in these recommendations because they are designed to prevent accidents and save lives.

These recommendations supplement prior Safety Board initiatives to reduce the numbers of teenaged children killed in motor vehicle crashes; specifically, these recommendations address restricting the number of passengers that young novice drivers can carry in their motor vehicles until they receive an unrestricted license and requiring that the supervising adult driver in the learner's permit stage of the graduated licensing law be at least 21 years old. These recommendations are derived from the Board's analysis of the National Highway Traffic Safety Administration's (NHTSA's) Fatality Analysis Reporting System (FARS), the Board's numerous investigations involving young novice drivers, the Board's longstanding state advocacy program related to graduated licensing issues, and the Board's review of relevant research on this issue. As a result of these activities, the Board is issuing 2 new safety recommendations to 14 states. Information supporting these recommendations is discussed below. The Board would appreciate receiving a response from you within 90 days addressing the actions you have taken or intend to take to implement these recommendations.

According to data from NHTSA's FARS, from 1997 through 2001, 16,656 persons died in all crashes involving young novice drivers ages 14 through 17.<sup>1</sup> Of these fatalities, 8,934 were drivers and 6,524 were passengers. In the same crashes, 1,198 non-occupants (pedestrians and cyclists, as examples) also died. Because it is unknown whether the young novice drivers were at fault in the multiple-vehicle crashes but likely were responsible for single-vehicle crashes, the Safety Board examined single-vehicle crashes involving drivers who were 14 through 17 years old to determine the numbers of teenaged children killed in those crashes involving young novice drivers. From 1997 through 2001, 14- through 17-year-old drivers were involved in 6,796 single-vehicle fatal crashes; in these crashes, 7,574 fatalities occurred, of which about 41 percent (3,088) were passengers in the vehicle. Sixty-seven percent of these fatally injured passengers (2,077 of 3,088) were between the ages of 15 and 19 (figure 1)<sup>2</sup>. From 1997 through 2001, the

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<sup>1</sup> The FARS system does not provide information on the causality of fatal highway crashes.

<sup>2</sup> Figures and tables are located in the Appendix.

number of persons killed in crashes involving young drivers in the United States changed little, although the number of fatally injured drivers ages 14 through 17 declined slightly (figure 2).

The Safety Board has investigated several accidents over the years involving young novice drivers. The following accidents illustrate the tragic consequences of allowing inexperienced young drivers who have just recently obtained their licenses to drive with multiple teenage passengers in the vehicle.

At 3:55 p.m. on Tuesday, June 18, 2002, a 1991 Chevrolet Lumina, driven by a 16-year-old female and occupied by two other 16-year-old females, was southbound on a two-way country lane and was attempting to cross Route 20 near Lafayette, New York.<sup>3</sup> At the same time the Lumina entered the intersection, a 1999 International tractor/semi-trailer combination vehicle, hauling about 40,000 pounds of steel, entered the intersection westbound on Route 20. The evidence did not clearly indicate whether the Lumina driver had stopped at the stop sign before attempting to cross Route 20. The sight distance at the stop sign was not limited. The combination vehicle was not required to stop. The truck struck the Chevrolet on the driver's door and both vehicles veered off the highway in a southwesterly direction. The driver and front passenger of the Chevrolet were ejected. All the occupants of the Chevrolet received fatal injuries. The driver of the truck received minor injuries. The teenage driver of the Chevrolet had just received her driver's license on April 10, 2002.<sup>4</sup>

About 9:30 p.m. on August 3, 2001, a 16-year-old male was driving a 1999 Ford Taurus in the eastbound inside lane of U.S. Highway 62, 6 miles east of Fort Gibson, Oklahoma.<sup>5</sup> The posted speed limited was 65 mph, the weather was clear and dark, and the roadway was dry. According to witnesses, the teenage driver was driving about 95 mph when he came upon another vehicle in his travel path. He attempted to make an evasive lane change into the outside lane to avoid hitting this vehicle and, in doing so, collided with the rear of a 1999 Peterbilt semi-trailer dump truck in the eastbound outside lane. The impact raised the rear end of the Ford Taurus, causing its windshield and roof to strike the rear of the semi-trailer; the Taurus ultimately came to rest in a southeasterly direction, about 23 feet east of the point of impact. The driver and all three rear seat passengers sustained fatal injuries. The front seat passenger, the only one wearing a seatbelt, sustained serious injuries. All four passengers were 16 years old. The driver of the combination vehicle sustained no injuries. There was no indication of drug and/or alcohol use by either driver prior to the collision. The 16-year-old driver had a valid driver's license with no restrictions.<sup>6</sup>

About 2:00 p.m. on Wednesday, July 31, 2002, a sport utility vehicle (SUV) driven by a recently licensed 15-year-old and carrying five teenage passengers between the ages of 15 and 18 crashed while traveling west at an estimated speed of between 70 and 76 mph on a highway near

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<sup>3</sup> NTSB Accident Number HWY-02-IH023.

<sup>4</sup> New York has a graduated licensing law, but does not have a passenger restriction provision.

<sup>5</sup> NTSB Accident Number HWY-01-IH034.

<sup>6</sup> Oklahoma did not have a graduated licensing law at the time of the accident and currently has no graduated licensing law.

Columbus, Montana.<sup>7</sup> The posted highway speed was 70 mph, and the vehicle was negotiating “S” curves and a 5-percent upgrade hill. Weather and road conditions at the time of the accident were clear and dry. According to passenger statements, the driver of the vehicle was engaged in conversations with the passengers and was turning around and talking to passengers in the rear seat when the vehicle went off the road; the driver then overcorrected in an effort to return to the roadway, causing the SUV to go into a broadside skid and to flip three times. The driver and one passenger were ejected through the front of the vehicle, two other passengers were ejected from the side of the vehicle, and two remained inside. The driver suffered fatal injuries. The passengers were transported to area hospitals, where one was treated and released, two were listed in serious condition, and two were listed in critical condition. None of the vehicle’s occupants had been wearing seatbelts. No alcohol or drugs were involved in this accident. The driver had received her license on April 20, 2002, providing her with just over 100 days of (potential) licensed driving experience at the time of the accident.<sup>8</sup>

According to NHTSA, in 2000, 6.76 percent of the driving population was age 20 or younger (12.884 million drivers age 20 or younger, 190.625 million total drivers). Of all drivers involved in fatal accidents, 14.28 percent were 15 to 20 years old (8,155 15- to 20-year-old drivers; 57,090 total drivers).

On March 11, 1993, the Safety Board issued recommendations asking the states to take action to reduce the number of youth-related highway crashes and fatalities.<sup>9</sup> Because of the overrepresentation of young novice drivers in traffic fatalities, the Board identified several actions the states could take to reduce these crashes and fatalities, including making improvements in minimum drinking age laws and enforcement, instituting a zero blood alcohol content requirement for drivers under age 21, and making changes in driver licensing and restrictions.

In its 1993 letter, the Safety Board specifically asked the 50 states to do the following relative to graduated licensing:

Enact laws to provide for a provisional license system for young novice drivers.  
(Safety Recommendation H-93-8)

Enact laws that prohibit driving by young novice drivers between certain hours, especially midnight to 5 a.m. (Safety Recommendation H-93-9)

The Safety Board called for a provisional license system as a strategy to reduce crashes involving young novice drivers. Implicit in the Board’s recommendation for a provisional license system is a three-stage graduated licensing system with a learner’s permit, a provisional

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<sup>7</sup> NTSB Accident Number HWY-02-IH031.

<sup>8</sup> Fifteen-year-old driver license applicants in Montana must have completed driver education. Montana currently has no graduated licensing law.

<sup>9</sup> Letter to the Governors and legislative leaders of the 50 states, the Commonwealth of Puerto Rico, the Territories, and the Mayor and Council of the District of Columbia, dated March 11, 1993, transmitting Safety Recommendations H-93-1 through -9.

or intermediate licensed period, and eventually full unrestricted driving. The terms “provisional,” “probationary,” and “intermediate” are used interchangeably to describe the second stage of a three-stage graduated license system. With a provisional license system, if certain conditions are violated, the provisional license can be suspended or revoked, or the issuance of an unrestricted license can be deferred. In a three-stage licensing system, restrictions are imposed so that teenage driving takes place in less dangerous circumstances until the driver has had an opportunity to gain driving experience. Examples of elements of a provisional or graduated licensing system include limiting driving to daytime, driving with adult supervision, mandatory seatbelt usage, and remaining accident/violation-free during the learner and intermediate stages (that is, the young novice driver is not cited for any accidents or violations occurring during these periods).

By September 2002, 36 states and the District of Columbia had adopted three-stage graduated license systems consistent with Safety Recommendation H-93-8<sup>10</sup> (figure 3). The length of time for the intermediate stage varies from state to state but is less than 2 years in all states.

In 1993, only eight states placed nighttime driving restrictions on young novice drivers. By September 2002, 35 states and the District of Columbia had enacted some form of restriction on nighttime driving by young novice drivers without a licensed adult driver present.<sup>11</sup>

When the Safety Board considered its 1993 recommendations to reduce youth highway crashes, it did not consider a passenger restriction for the provisional (intermediate or restricted) license period. However, because the Board has continued to investigate accidents such as those described above that involve inexperienced teen drivers with multiple teen passengers, the Board has re-examined the issue of passenger restrictions for young novice drivers.

A 1998 study by Doherty *et al.* of the situational risks of young drivers in Ontario, Canada, analyzed the crash involvement rates of 16- to 19-year-old drivers compared to older drivers by time of day, day of week, and passenger influence. The researchers determined that “the negative effect of passengers on overall accident rates was evident only for 16-19 year old drivers...with accident rates being approximately twice as high with passengers as without. For 16-19 year olds, accident rates were also significantly higher for two or more passengers versus one passenger.”<sup>12</sup>

A 1999 paper by Aldridge *et al.* analyzed the impact of passengers on crashes involving young drivers in Kentucky and determined that peer passengers had an adverse effect on crashes.

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<sup>10</sup> AL, AR, CA, CO, DC, DE, FL, GA, ID, IL, IN, IA, LA, ME, MA, MD, MI, MS, MO, NH, NJ, NM, NC, NY, OH, OR, PA, RI, SC, SD, TN, TX, VT, VA, WA, WV, and WI.

<sup>11</sup> Of the 35 states (AL, CA, CO, DE, FL, GA, IA, ID, IL, IN, LA, MA, MD, MI, MO, MS, NC, NE, NH, NJ, NM, NY, OH, OR, PA, RI, SC, SD, TN, TX, UT, VA, WA, WI, and WV), nine state laws (GA, IN, IA, MO, NH, OH, RI, VA, and WA) do not encompass the entire time period of 12:00 midnight to 5:00 a.m. (as recommended in H-93-9).

<sup>12</sup> Sean T. Doherty, Jean C. Andrey and Carolyn MacGregor, “The Situational Risks of Young Drivers: The Influence of Passengers, Time of Day and Day of Week on Accident Rates,” *Accident Analysis and Prevention*, vol. 30, no. 1 (1998): 45.

The researchers determined that teenage drivers were less likely to cause crashes when traveling with an adult and/or a child. The researchers also found that young drivers have an increased propensity for causing single-vehicle crashes when traveling with peers and that the propensity for single-vehicle crashes involving young drivers also increases with the number of people in the vehicle.<sup>13</sup>

Preusser, Ferguson, and Williams' 1998 analysis of young driver fatalities and the effect of passengers compared rates of fatal crashes and induced exposure. The researchers determined that 16-year-old drivers driving alone were 2.28 times more likely to be involved in a fatal crash than older drivers (ages 30-59) and that this risk increased to 4.72 times that of older drivers when the teen driver was traveling with peer passengers.<sup>14</sup> Williams' 2001 analysis of teenage passengers in motor vehicle crashes indicates that the crash rates of young, novice drivers with passengers present declines once the driver reaches age 18.<sup>15</sup> Williams also found that for drivers aged 30-59, crash rates with passengers were lower than crash rates for 30-59 year-old-drivers driving alone.

A Chen *et al.* 2000 study of passengers as a risk factor for young drivers compared fatality risks by driver age and vehicle occupants. The researchers observed that the highest death rate in the study was for 16-year-old drivers carrying three or more passengers (a rate of 5.61 per 10 million trips or nearly three times that of a 16-year-old driver driving alone). The study noted that the incidence of motor vehicle crashes fatal to 16- and 17-year-old drivers increased with the number of passengers for both male and female drivers during daytime and at night. They concluded that "Nighttime driver restrictions are especially appropriate, but cannot substitute for passenger restrictions, since more than half of the fatal crashes of teenaged drivers with passengers occur during daylight hours."<sup>16</sup>

In a September 1999 study, Chen *et al.* estimated the number of lives saved by passenger limits at different voluntary compliance levels. The researchers assumed that the passenger restriction would last for 1 year and thus would affect almost all 16-year-old and a substantial proportion of 17-year-old drivers. Analyzing FARS and National Personal Transportation Survey data, researchers estimated that nationwide adoption of passenger restrictions for all 16- and one-third of 17-year-old drivers would result in 60 to 350 fewer deaths per year.<sup>17</sup>

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<sup>13</sup> Brian Aldridge, Meredith Himmler, Lisa Aultman-Hall, and Nikiforos Stamatidis, "Impact of Passengers on Young Driver Safety," *Transportation Research Record 1693*, Committee on Operator Education and Regulation, no. 99-0710, 29.

<sup>14</sup> David F. Preusser, Susan A. Ferguson, and Allan F. Williams, "The Effect of Teenage Passengers on the Fatal Crash Risk of Teenage Drivers," *Accident Analysis and Prevention*, vol. 30, no. 2 (1998): 219.

<sup>15</sup> Allan F. Williams, "Teenage Passengers in Motor Vehicle Crashes: A Summary of Current Research," Insurance Institute for Highway Safety, (December, 2001): 3.

<sup>16</sup> Li-Hui Chen, Susan P. Baker, Elisa R. Braver, Guohua Li, "Carrying Passengers as a Risk Factor for Crashes Fatal to 16- and 17-Year Old Drivers," *Journal of the American Medical Association*, vol 283, no. 12 (2000): 1580, 1583.

<sup>17</sup> Chen, et al. *Potential Benefits of Restrictions on the Transport of Teenage Passengers by Teenage Drivers*, Insurance Institute for Highway Safety (Arlington, 1999) 1-9.

The pattern of findings in these studies shows that the presence of teenage passengers increases the crash risk of teenage drivers, especially at night, and the risk increases as the number of passengers increases. The studies indicated that the presence of passengers does not increase the crash risk for older drivers.

The first passenger restriction laws for provisional (intermediate stage) drivers took effect in 1998 in Georgia and California. According to the Auto Club of Southern California, teenage passenger deaths and injuries resulting from crashes involving 16-year-old drivers declined by 40 percent statewide from 1998 through 2000. In addition, the number of at-fault collisions involving 16-year-old drivers was down by 27 percent.<sup>18</sup>

Currently, 20 states and the District of Columbia<sup>19</sup> have enacted passenger restrictions as part of their graduated driver licensing systems (figure 4).<sup>20</sup> Eight states allow either only one or no passengers up through the time the driver receives an unrestricted license<sup>21</sup> (tables 1 and 2). Nine additional states and the District of Columbia have a passenger restriction of one or zero passengers that lasts for only part of the intermediate stage.<sup>22</sup>

With regard to passenger age, in 16 of the 21 jurisdictions with restrictions, the restriction includes all teenage passengers.<sup>23</sup> In four states,<sup>24</sup> the passenger age restriction varies according to the age of the driver. In North Carolina, if a family member younger than 21 is already a passenger, then no other passengers younger than 21 who are not family members are allowed in the vehicle. An exemption for family or household members is permitted by all but 3 (California, Delaware, Indiana) of the 21 jurisdictions.

Ten states with a passenger restriction provision specify the age of the adult supervising driver (table 2). North Carolina law requires the supervising driver to have held an unrestricted license for 5 years. Nine other states and the District of Columbia also with a passenger restriction provision do not specify the age of the supervising driver. Therefore, the supervising driver in those jurisdictions could conceivably be an 18- or 19-year-old who has recently received an unrestricted license. Safety Board review of FARS data indicates that in fatal crashes involving 14- through 17-year-old drivers, only 16 percent of right front seat passengers (617 of 3,895), the seat where a supervising adult driver would be seated, were age 20 or older.

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<sup>18</sup> August 10, 2001 press release from the Auto Club of Southern California “Graduated Driver License Law Reduces California Teen Passenger Deaths and Injuries 40 Percent.”

<sup>19</sup> CA, DE, DC, GA, IN, MA, ME, NC, NJ, NM, NV, OR, SC, TN, TX, UT, VT, VA, WA, WI, and WV.

<sup>20</sup> In CA, GA, TX, UT, VT, VA, and WA, the passenger restriction includes a secondary enforcement provision. That is, a law enforcement officer may not stop a vehicle for violation of the restriction, but may issue a citation only if the vehicle is stopped for another reason.

<sup>21</sup> ME, NJ, NC, NM, TN, TX, VT, AND WI.

<sup>22</sup> CA, DC, GA, IN, MA, NV, OR, UT, VA, and WA.

<sup>23</sup> Seven states’ (DE, IN, ME, NJ, TN, VT, WI) restrictions are defined as applying to passengers of any age, while nine jurisdictions’ restrictions are defined as applying to passengers below age 20 or 21 (age 20: CA, OR, and WA; age 21: DC, GA, NM, SC, TX, and UT.).

<sup>24</sup> MA, NV, VA, and WV.

The length of time the passenger restriction is in effect varies from state to state, as does the length of the provisional (intermediate) license. In 2 states (Maine and Nevada), both the passenger restriction and the provisional (intermediate) stage are 3 months; 18 of the remaining 19 jurisdictions extend the passenger restriction to 6 months (12 jurisdictions) or longer (6 jurisdictions). The Insurance Institute for Highway Safety recommends that beginning drivers be held in the provisional (intermediate) stage until at least 18 years of age to develop both experience and maturity.<sup>25</sup>

The National Committee on Uniform Traffic Laws and Ordinances (NCUTLO)<sup>26</sup> first adopted a Model Graduated Licensing Law in 1996; however, this model law did not contain a passenger restriction. A restriction was added in a later revision and incorporated into the UVC in 2000. Novice drivers, as defined in the UVC model law, include drivers in both the learner and provisional (intermediate) stages.

Currently, § 6-105 (b)(2) of the UVC provides that—

an intermediate licensee may not transport passengers younger than 20 years of age unless supervised....While being supervised, the intermediate licensee must be accompanied by a parent, guardian, or other person 21 years or older. The supervisor shall possess a valid driver's license under the laws of this state. The supervisor shall be the only other occupant of the front passenger section of the vehicle.

Thus, according to the UVC, no passengers are allowed in the vehicle unless an adult supervising driver is seated in the front seat. In a footnote, the UVC provides that “States can provide family-related exemptions from the prohibition against unsupervised transporting of teenage passengers, as deemed necessary.”

The jurisdictions adopting passenger restrictions have generally followed the UVC model law, particularly in regard to the elements of the passenger restriction:

- No more than one passenger is allowed.
- The passenger restriction is in effect throughout the provisional license period.
- Passengers under age 20 may not ride with provisional license holders without a supervising adult driver present.
- Passenger exemptions are granted for family members to ride with an unsupervised provisional licensed driver.

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<sup>25</sup> Allan Williams and David Mayhew, *Graduated Licensing: A Blueprint for North America*, Insurance Institute for Highway Safety (Arlington, 2000) 6.

<sup>26</sup> The National Committee on Uniform Traffic Laws and Ordinances (NCUTLO) is a private, non-profit membership organization dedicated to providing uniformity of traffic laws and regulations through the timely dissemination of information and model legislation on traffic safety issues. The Committee is custodian of the Uniform Vehicle Code (UVC), and adopts model laws addressing specific areas of traffic law. The UVC was first published in 1926, and has played a major role in achieving traffic law uniformity among the states. NCUTLO model laws are developed by a committee composed of state and federal officials and interested private sector experts.

Safety Board analysis of FARS data for which passenger age is known shows that almost 90 percent of passengers (7,960 of 8,848) involved in the 6,796 single-vehicle fatal crashes involving a young novice driver from 1997 through 2001 were under age 20. Therefore, the Board agrees that NCUTLO's restriction on young passengers riding with unsupervised young novice drivers is appropriate.

As previously discussed, research also shows that teenage passengers traveling with teenage drivers results in an increased crash risk. The research is not definitive, however, on the level of risk created by a teenage driver transporting one passenger compared to no passengers. Permitting one passenger (in addition to the young novice driver) may increase distractions and risk-taking behavior. However, the Safety Board recognizes that for other reasons, it may be desirable to travel with another person in the car. Based on the available research, the UVC model law, and FARS data, the Board concludes that by restricting to zero or one the number of passengers carried by young novice drivers during the provisional (intermediate) license stage, states can reduce crashes involving young novice drivers and reduce fatalities among teenage occupants. The Board also concludes that if the passenger restriction and provisional (intermediate) license stage last only a few months, they are unlikely to have a substantial safety benefit. The Board further concludes that permitting young novice drivers (whether in the learner's or provisional stage) to be supervised by other teenage drivers who have obtained unrestricted licenses is inconsistent with the research data that shows the presence of teenage passengers increases the crash risk of teenage drivers. Only seven states (California, Massachusetts, New Jersey, North Carolina, Tennessee, Vermont, and Wisconsin) have provisions that (1) include a three-stage graduated license system, (2) limit passengers to zero or one, (3) extend the passenger restriction to at least 6 months, and (4) mandate that the supervising driver be age 21 or older in both the learner's and provisional stages. The Board, therefore, believes that 14 states (Alaska, Arizona, Connecticut, Hawaii, Kansas, Kentucky, Minnesota, Montana, Nebraska, Nevada, North Dakota, Oklahoma, Utah, and Wyoming) should implement a 3-stage graduated licensing system for young novice drivers, and restrict young novice drivers with provisional or intermediate licenses (second stage), unless accompanied by a supervising adult driver who is at least 21 years old, from carrying more than one passenger under the age of 20 until they receive an unrestricted license or for at least 6 months (whichever is longer). The Board also believes that supervising adult drivers should be at least 21 years old.

Therefore, the Safety Board recommends that the Governors of Alaska, Arizona, Connecticut, Hawaii, Kansas, Kentucky, Minnesota, Montana, Nebraska, Nevada, North Dakota, Oklahoma, Utah, and Wyoming:

Require that the supervising adult driver in the learner's permit stage of your graduated licensing law is age 21 or older. (H-02-31)



Enact laws to provide for a three-stage graduated licensing system for young novice drivers, and restrict young novice drivers with provisional or intermediate licenses (second stage), unless accompanied by a supervising adult driver who is at least 21 years old, from carrying more than one passenger under the age of 20 until they receive an unrestricted license or for at least 6 months (whichever is longer). (H-02-32)

For Alaska, Arizona, Connecticut, Hawaii, Kansas, Kentucky, Minnesota, Montana, Nebraska, Nevada, North Dakota, Oklahoma, Utah, and Wyoming, Safety Recommendation H-93-8 is classified “Closed—Superseded” by these new recommendations. The Safety Board also issued Safety Recommendations H-02-30 and H-02-31 to those 29 states (Alabama, Arkansas, Colorado, Delaware, Florida, Georgia, Idaho, Indiana, Illinois, Iowa, Louisiana, Maine, Maryland, Michigan, Mississippi, Missouri, New Hampshire, New Mexico, New York, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Virginia, Washington, West Virginia), and the District of Columbia, that have implemented the recommended 3-stage graduated licensing system but have not restricted to zero or one the number of passengers that young novice drivers can carry during the entire time before they receive an unrestricted license.

Please refer to Safety Recommendations H-02-31 and -32 in your reply. If you need additional information, you may call (202) 314-6170.

Acting Chairman CARMODY and Members HAMMERSCHMIDT, GOGLIA, and BLACK concurred in these recommendations.

By: Carol J. Carmody  
Acting Chairman

cc: Governors’ Highway Safety Representatives

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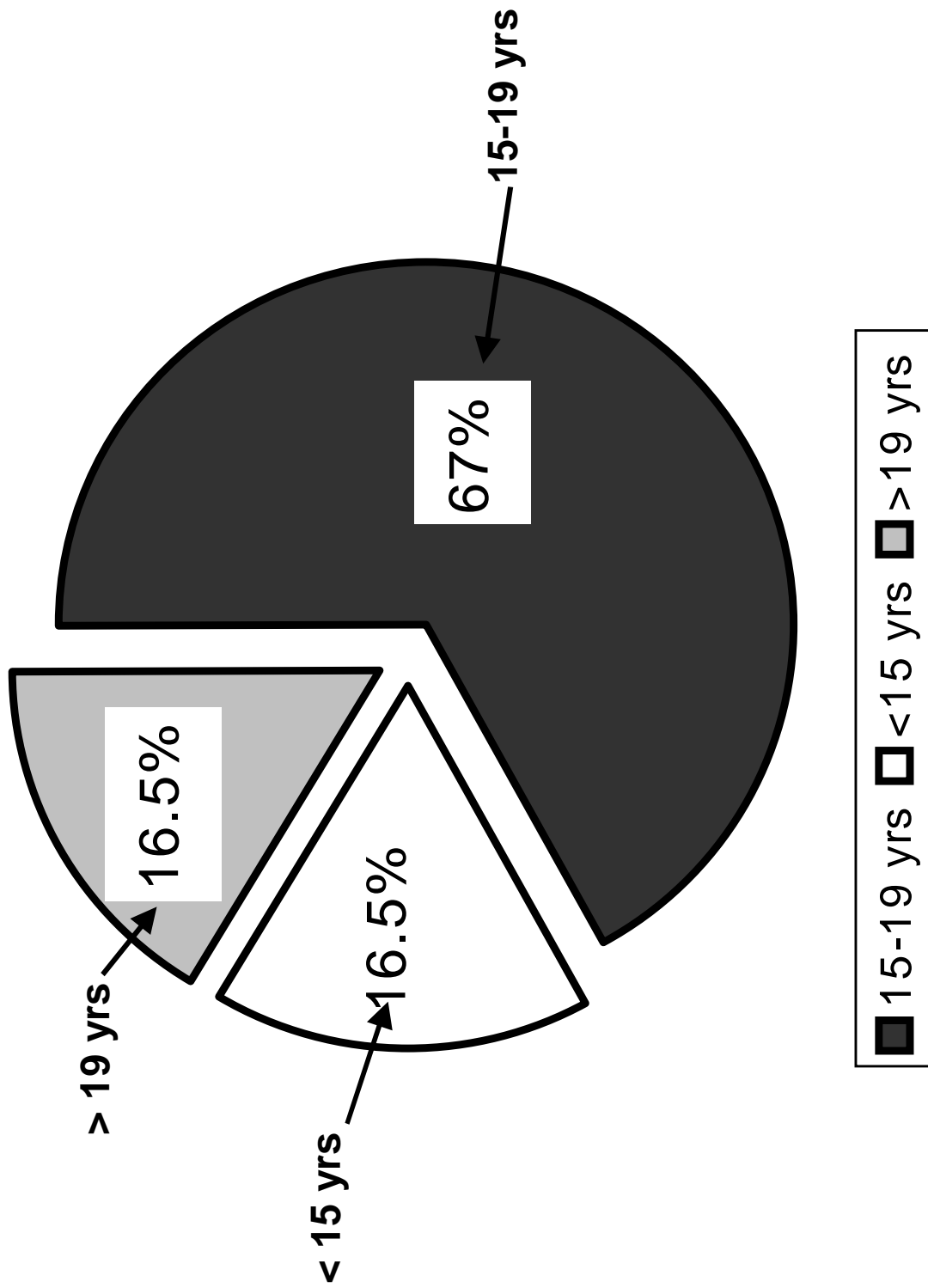
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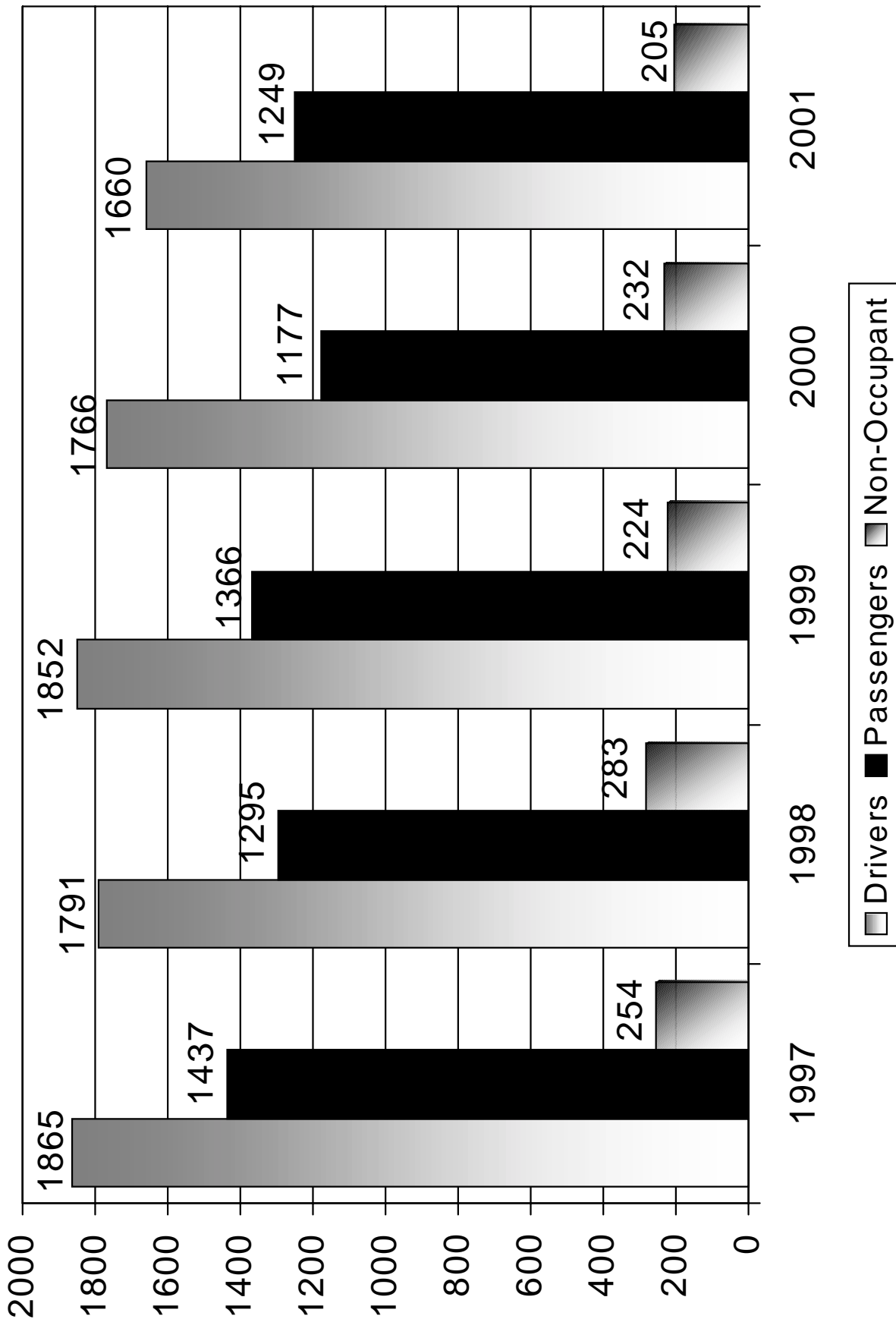
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# Appendix

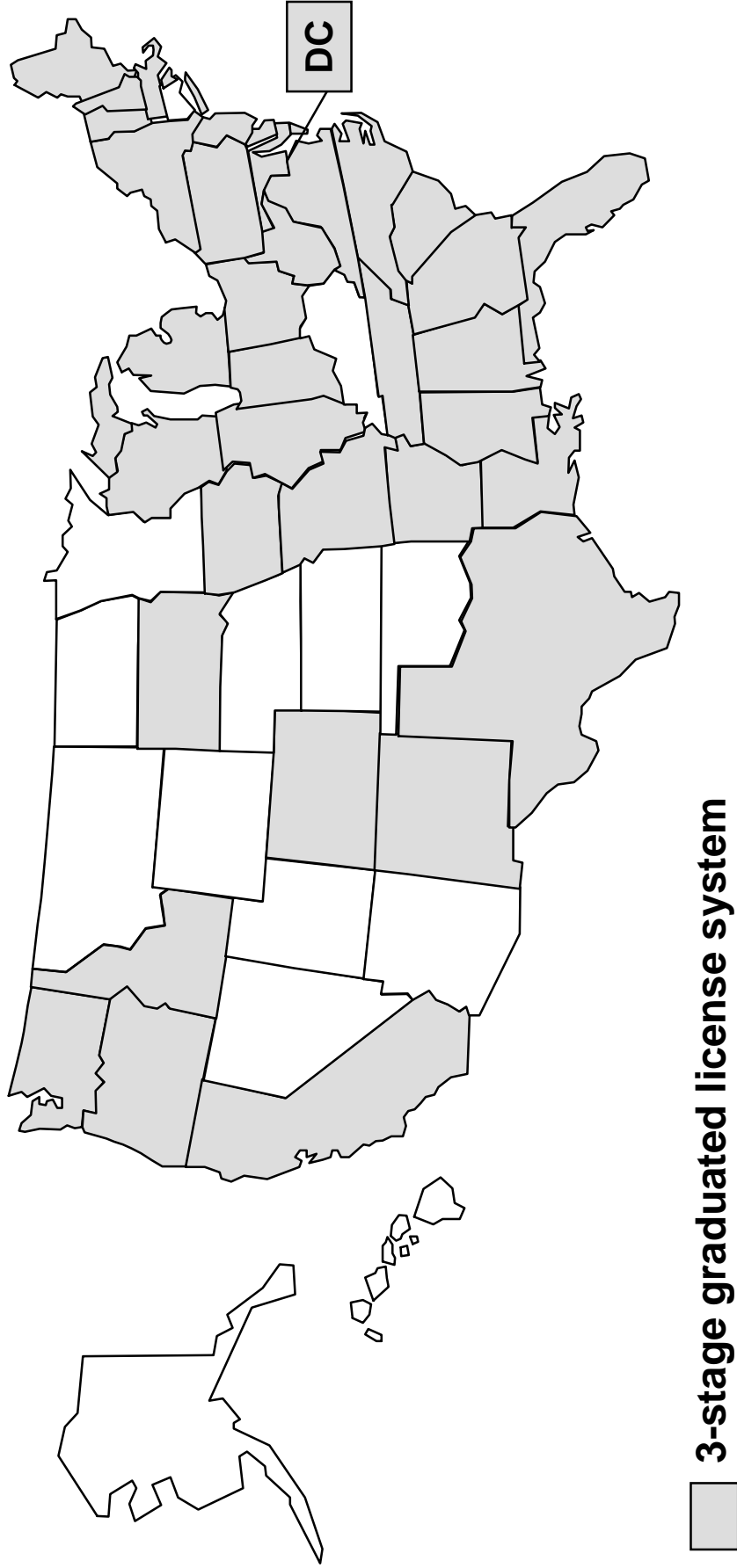
**Figure 1 -- Age of passengers in fatal crashes involving 14-through 17-year-old drivers (percent)**



**Figure 2 -- Fatalities involving drivers ages 14 through 17 from 1997 - 2001**

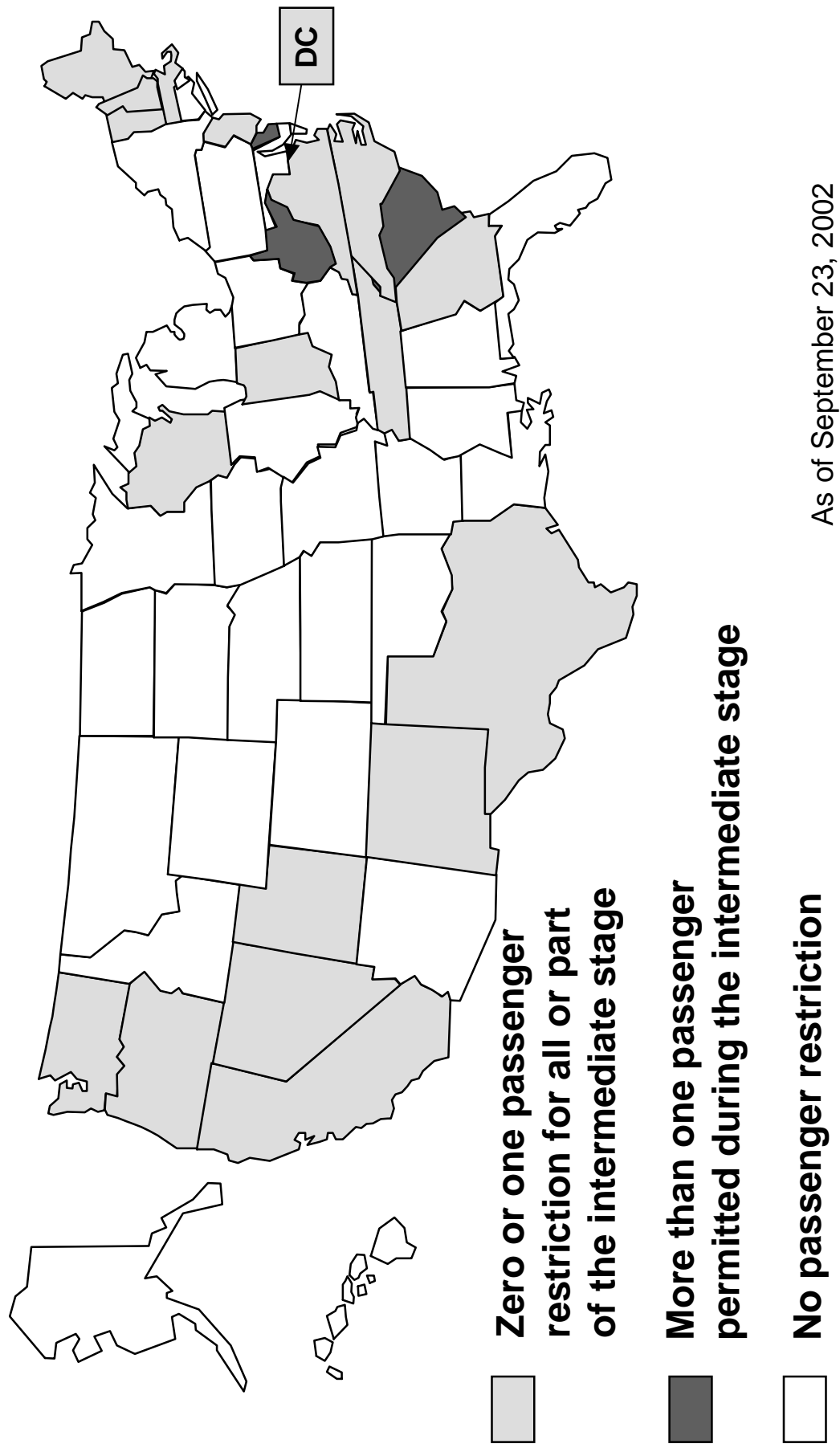


**Figure 3 -- Jurisdictions with 3-stage graduated licensing system**



As of September 23, 2002

**Figure 4 -- Jurisdictions that restrict young drivers from carrying more than one passenger unless a licensed driver is present**





**Table 1**  
**State Graduated Licensing Laws**

(Current as of September 30, 2002)

State	GDL 3-stage system (H-93-8)	Nighttime Restriction (H-93-9)	Passenger Restrictions		
			(No. of Passengers)	(Duration, in Months) <sup>1</sup>	Supervising driver must be 21 yrs or older
Alabama	Yes	Yes			
Alaska	Partial				
Arizona	Partial				
Arkansas	Yes				
California	Yes	Yes	-0-	6	Yes
Colorado	Yes	Yes			
Connecticut	Partial				
Delaware	Yes	Yes	2 <sup>2</sup>	6	
D.C.	Yes	Yes	1 <sup>3</sup>	6	
Florida	Yes	Yes			
Georgia	Yes	Yes	-0- <sup>4</sup>	6	
Hawaii	Partial				
Idaho	Yes	Yes			
Illinois	Yes	Yes			
Indiana	Yes	Yes	-0-	3	Yes
Iowa	Yes	Yes			
Kansas	No				
Kentucky	Partial				
Louisiana	Yes	Yes			
Maine	Yes		-0-	3	
Maryland	Yes	Yes			
Massachusetts	Yes	Yes	-0-	6	Yes
Michigan	Yes	Yes			
Minnesota	Partial				
Mississippi	Yes	Yes			
Missouri	Yes	Yes			
Montana	No				
Nebraska	Partial	Yes			
Nevada	Partial	curfew	-0- <sup>5</sup>	3	
New Hampshire	Yes	Yes			
New Jersey	Yes	Yes	1	6 <sup>6</sup>	Yes
New Mexico	Yes	Yes	1	12 <sup>6</sup>	
New York	Yes	Yes			
North Carolina	Yes	Yes	1	6 <sup>6</sup>	Yes
North Dakota	Partial				
Ohio	Yes	Yes			
Oklahoma	No				
Oregon	Yes	Yes	-0- <sup>4</sup>	6	
Pennsylvania	Yes	Yes			
Rhode Island	Yes	Yes			
South Carolina	Yes	Yes	2 <sup>2</sup>	12 <sup>6</sup>	Yes
South Dakota	Yes	Yes			
Tennessee	Yes	Yes	1	12 <sup>6</sup>	Yes
Texas	Yes	Yes	1	6 <sup>6</sup>	
Utah	Partial	Yes	-0- <sup>5</sup>	6	Yes
Vermont	Yes		-0-	6	Yes
Virginia	Yes	Yes	1 <sup>3</sup>	9	
Washington	Yes	Yes	-0- <sup>4</sup>	6	
West Virginia	Yes	Yes	3 <sup>2</sup>	12 <sup>6</sup>	
Wisconsin	Yes	Yes	1	9	Yes
Wyoming	No				

<sup>1</sup> The passenger restriction duration may be shorter than the maximum duration of the intermediate license stage. The intermediate stage in the states varies from 3 months to 2 years. One year is the maximum duration of the intermediate stage in 18 states.

<sup>2</sup> DE and SC allow up to two passengers during the initial portion of the intermediate license stage, but allow a greater number thereafter; WV allows up to three passengers during the intermediate stage.

<sup>3</sup> VA and DC allow one passenger during the initial portion of the intermediate license stage, but allow a greater number thereafter.

<sup>4</sup> GA, OR and WA allow no passengers during the initial portion of the intermediate license stage, but allow a greater number thereafter.

<sup>5</sup> NV and UT have a passenger restriction but do not have a 3-stage system.

<sup>6</sup> This is the minimum duration; the passenger restriction is in effect until qualified for an unrestricted license.

**Table 2**  
**Intermediate License Passenger Restrictions in States with a Graduated Licensing Program**

State	Number of Passengers	Age of prohibited passengers	Exemptions	Duration of passenger restriction	Supervising Driver requirement as an exception to passenger restriction	Effective Date
<b>NCUTLO</b>	None	Under 20 years	None	Until unrestricted license	Parent, guardian, or other person 21 years or older	
<b>California*</b>	None	Under 20 yrs.	None	First 6 months of intermediate license	No passenger under 20 unless supervised by a 25-year old driver <sup>7</sup>	7/1/98
<b>Delaware</b>	2	Any age	None	6 months	None specified	7/1/99
<b>D. C.</b>						
• First 6 months	1	Under 21 <sup>8</sup>	Family	6 months	None specified <sup>7</sup>	9/1/00
• Thereafter	2	Under 21	Family	Until unrestricted license	None specified <sup>7</sup>	
<b>Georgia*</b>	None	Any age		First 6 months of intermediate license	None specified	1/1/02
	3	Under 21	Family	Until unrestricted license	None specified	1/1/98
<b>Indiana</b>	None	Any age	None	First 90 days of intermediate license	No passengers unless supervised by a 21-year-old driver	1/1/99
<b>Maine</b>	None	Any age	Family	Until unrestricted license <sup>9</sup>	No passengers unless supervised by a 20-year-old driver	8/1/00
<b>Massachusetts</b>	None	Under 18	Family	First 6 months of intermediate license	No passengers unless supervised by a 21-year-old driver	11/4/98
<b>Nevada</b>	None	Under 18	Family	90 days if license issued under age 16 60 days if license issued while age 16 30 days if license issued while age 17	None specified	7/1/01
<b>New Jersey</b>	1	Any age	Household	Until unrestricted license	No more than 1 passenger unless supervised by a 21-year-old driver	1/1/01
<b>New Mexico</b>	1	Under 21	Family	Until unrestricted license	None specified <sup>7</sup>	1/1/00
<b>North Carolina</b>	1		Family	Until unrestricted license	One passenger unless accompanied by a driver who has held unrestricted license for 5 years <sup>1</sup>	12/1/97 12/1/02
<b>Oregon</b>						
• First 6 months	None	Under 20	Family	6 months	None specified <sup>7</sup>	3/1/00
• Second 6 months	3			Until unrestricted license	None specified <sup>7</sup>	
<b>South Carolina</b>	2	Under 21	Family members or students to or from school	Until unrestricted license	No more than 2 passengers unless supervised by a 21-year-old driver <sup>1</sup>	3/5/02

<sup>7</sup> State has a supervising driver requirement as an exception to the nighttime driving restriction.

<sup>8</sup> Passenger must be a licensed driver age 21 or older.

<sup>9</sup> Maine's intermediate license phase is 90 days.

<sup>10</sup> If a family member younger than 21 is already a passenger, then no other passengers younger than 21 who are not family members are allowed.

## Intermediate License Passenger Restrictions in States with a Graduated Licensing Program

State	Number of Passengers	Age of prohibited passengers	Exemptions	Duration of passenger restriction	Supervising Driver requirement as an exception to passenger restriction	Effective Date
Tennessee	1	Any age	Family	Until unrestricted license	No more than 1 passenger unless supervised by a 21-year-old driver <sup>1</sup>	7/1/01
Texas*	1	Under 21	Family	Until unrestricted license	None specified	1/1/02
Utah*	None	Under 21	Family Agriculture	First 6 months of intermediate license	No passengers unless accompanied by a licensed driver age 21 or older <sup>1</sup>	7/1/01
<b>Vermont*</b> • First 3 months  • Second 3 months	None	Any age	None  Family	3 months  Until unrestricted license	No passengers unless supervised by a licensed parent/guardian, driving instructor, or driver age 25 or older.  Same as first 3 months, except that family members may be transported without a supervising driver	7/1/00
<b>Virginia*</b> • Until age 17  • Age 17	1  3	Under 18	None  Family	Until age 17  Until age 18 (unrestricted license)	None specified <sup>7</sup>  None specified <sup>7</sup>	7/1/01  7/1/98
<b>Washington*</b> • First 6 months  • Second 6 months	None  3	Under 20	Family Agriculture	6 months  Until unrestricted license	None specified <sup>7</sup>  None specified <sup>7</sup>	7/1/01
<b>West Virginia</b>	3	Under 19	Family	Until unrestricted license	None specified <sup>7</sup>	1/1/01
<b>Wisconsin</b>	1	Any age	Family	9 months or until unrestricted license (age 18)	One passenger unless supervised by a licensed parent, guardian, driving instructor, or driver age 21 or older with written parental permission <sup>1</sup>	7/1/00
<b>20 States and D.C.</b>	7 – None 6 – One 2 – Two 1 – Three 5 – Split	7 – Any age 6 – Age 21 3 – Age 20 1 – Age 19 3 – Age 18 1 – Split	3 – None 15-Family 1-Household 2- Split 2- Agriculture	2 – 3 months 4 – 6 months 1 – 9 months 13 – Until unrestricted license 1 – Various	1 – 20 years old 7 – 21 years old 2 – 25 years old 1 – 5 yrs experience	

\* Secondary enforcement (7 states)

As of September 17, 2002