

PASSENGER RESTRICTIONS FOR LEVEL TWO LICENSE

Passenger restriction for teen-agers on a Level 2 driver's license is the missing component in Michigan's Graduated Driver License (GDL) legislation. The Insurance Institute for Highway Safety (IIHS), the National Transportation Safety Board (NTSB), the American Automobile Association (AAA) and the National Highway Transportation Safety Administration (NHTSA) have advocated four basic components to facilitate a meaningful Graduated Driver Licensing program for teen-age beginning drivers. The recommendations are: six month holding period provision for learner's permit (Level 1), at least 30 hours of supervised behind-the-wheel training with an adult licensed driver during the learner's permit stage, a nighttime restriction that limits unsupervised driving from the hours of 9 or 10 p.m. to 5 a.m. during the intermediate stage (Level 2) of GDL, and a passenger restriction that limits the number of teenage passengers that may accompany a teen driver without adult supervision to one non-familial teenager.

Michigan has a functional three stage GDL program, though the period between levels is three months rather than the recommended 6 months. The most critical component Michigan does NOT have is passenger restrictions during the Level 2 license.

A major risk factor for teenage drivers is the presence of passengers, especially teenage passengers. For older drivers, passenger presence either has no effect on crash risk or decreases it, but for young drivers, passengers greatly magnify the risk. Teenagers' already high fatal crash-risk when driving alone increases dramatically when passengers are added. Teenage passengers create distractions for drivers who are inexperienced to start with and who need to be paying full attention to the driving task. Plus the presence of peers in the vehicle often induces young drivers to take risks.

A June 2006 study by Johns Hopkins University found that those states with comprehensive GDL programs that included nighttime and PASSENGER RESTRICTIONS showed up to a 20% decrease in fatalities amongst 16 year-old drivers. According to the NHTSA, over half of 16- and 17-year-old drivers involved in fatal crashes were carrying passengers younger than 21. For teenage drivers, the presence of one passenger almost doubles the fatal crash risk compared with driving alone. With two or more passengers, the fatal crash risk is five times as high as driving alone.

The increased risk with passengers present is thought to be largely the result of distractions and risk-taking factors. In police reports of fatal crashes in which two or more teenagers were in the vehicle, there is in some cases evidence of distraction (e.g., turning around to talk to someone in the rear seat), physical interference (e.g., passenger grabbing the steering wheel), or inducements to risk taking, (e.g., trying to get the driver to overtake another vehicle). California was the first state to enact a meaningful passenger restriction, not allowing passengers younger than 20 to be transported without an adult present for the first six months of licensure. Results showed that in 1999 teenage passenger deaths and injuries when traveling with 16-year-old drivers declined by 23 percent compared with the five prior years.

Nationally, the crash risk per mile driven by 16 year-olds is twice that for 18-19 year-olds and about 7 times the risk for drivers ages 30-59. Fatal crashes involving teenage drivers, especially 16 year-olds, more often include multiple passengers.

Data from Johns Hopkins University indicate that the risk for fatal injury to a 16- or 17-year-old driver increases with the number of passengers. This result supports inclusion of restrictions on

carrying passengers in GLD systems for young drivers; restricting teenage passengers traveling with teenage drivers could save lives. Placing a restriction on drivers ages 16 to 17 during Level 2, who lack the experience to drive with the additional distractions of passengers, could lead to a substantial decrease in the number of fatalities of all road users. A passenger restriction may benefit not only teen drivers and their passengers but also people who share the road with them, such as occupants of their vehicle and pedestrians. Also, as the number of passengers increase in a car driven by a teenage driver, so does the likelihood of fatal injury to the driver.

Passenger restrictions can involve some inconvenience for parents. Still, an IIHS survey of parents and teens shows strong support for graduated licensing in states where it has been adopted and for passenger restrictions where they are in effect. In California, where passenger restriction has been in effect since 1998, parents surveyed have shown strong support for graduated licensing and for the passenger restriction. IIHS also found that, although graduated licensing limits some teenagers' activities, four out of five teens were able to adapt and participate in these activities anyway. Even though some parents reported occasional inconveniences from the passenger restriction, the majority of the parents surveyed reported no inconveniences.

State Representative Ed Gaffney of Michigan's 1st District has introduced HB 4151 for the current legislative session. The bill will amend the Michigan Vehicle Code, stating A PERSON ISSUED A LEVEL 2 GRADUATED LICENSING STATUS UNDER SUBSECTION (5) SHALL NOT TRANSPORT MORE THAN 1 PASSENGER WHO IS LESS THAN 18 YEARS OF AGE OTHER THAN IMMEDIATE FAMILY MEMBERS, UNLESS ACCOMPANIED BY A PARENT OR GUARDIAN. MDTSEA, along with other traffic safety organizations and concerned citizens, endorses and strongly supports HB 4151. MDTSEA further urges our members and everyone supporting traffic safety measures to contact their respective legislators to pass HB 4151 into law.