

109TH CONGRESS
2^D SESSION

S. 2318

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2006

Mr. DODD (for himself and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Teen and Novice
5 Driver Uniform Protection Act of 2006” or the
6 “STANDUP Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) The National Highway Traffic Safety Ad-
2 ministration has reported that—

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

6 (B) between 1995 and 2004, 63,851 Amer-
7 icans between 15 and 20 years of age died in
8 motor vehicle crashes, an average of 122 teen-
9 age deaths per week;

10 (C) teenage drivers between 16 and 20
11 years of age have a fatality rate that is 4 times
12 the rate for drivers between 25 and 70 years of
13 age; and

14 (D) teenage drivers who are 16 years of
15 age have a motor vehicle crash rate that is al-
16 most ten times the crash rate for drivers aged
17 between 30 and 60 years of age.

18 (2) According to the American Automobile As-
19 sociation, teenage drivers comprise slightly more
20 than $\frac{1}{3}$ of all fatalities in motor vehicle crashes in
21 which they are involved and nearly $\frac{2}{3}$ of all fatalities
22 in those crashes are other drivers, passengers, and
23 pedestrians.

24 (3) According to the Insurance Institute for
25 Highway Safety, the chance of a crash by a 16- or

1 17-year-old driver is doubled if there are 2 peers in
2 the vehicle and quadrupled with 3 or more peers in
3 the vehicle.

4 (4) According to the National Highway Traffic
5 Safety Administration, the cognitive distraction
6 caused by hands-free and hand-held cell phones is
7 significant enough to degrade a driver's perform-
8 ance, particularly teenage drivers between 15 and 20
9 years of age.

10 (5) Although only 20 percent of driving by teen-
11 age drivers occurs at night, more than 50 percent of
12 the motor vehicle crash fatalities involving teenage
13 drivers occur at night.

14 (6) In 1997, the first full year of its graduated
15 driver licensing system, Florida experienced a 9 per-
16 cent reduction in fatal and injurious crashes among
17 teenage drivers between the ages of 15 and 18, com-
18 pared with 1995, according to the Insurance Insti-
19 tute for Highway Safety.

20 (7) The Journal of the American Medical Asso-
21 ciation reports that crashes involving 16-year-old
22 drivers decreased between 1995 and 1999 by 25 per-
23 cent in Michigan and 27 percent in North Carolina.
24 Comprehensive graduated driver licensing systems
25 were implemented in 1997 in these States.

1 (8) In California, according to the Automobile
2 Club of Southern California, teenage passenger
3 deaths and injuries resulting from crashes involving
4 16-year-old drivers declined by 40 percent from
5 1998 to 2000, the first 3 years of California's grad-
6 uated driver licensing program. The number of at-
7 fault collisions involving 16-year-old drivers de-
8 creased by 24 percent during the same period.

9 (9) The National Transportation Safety Board
10 reports that 39 States and the District of Columbia
11 have implemented 3-stage graduated driver licensing
12 systems. Many States have not yet implemented
13 these and other basic safety features of graduated
14 driver licensing laws to protect the lives of teenage
15 and novice drivers.

16 (10) A 2001 Harris Poll indicates that—

17 (A) 95 percent of Americans support a re-
18 quirement of 30 to 50 hours of practice driving
19 with an adult;

20 (B) 92 percent of Americans support a 6-
21 month learner's permit period; and

22 (C) 74 percent of Americans support lim-
23 iting the number of teenage passengers in a car
24 with a teenage driver and supervised driving
25 during high-risk driving periods, such as night.

1 **SEC. 3. STATE GRADUATED DRIVER LICENSING LAWS.**

2 (a) **MINIMUM REQUIREMENTS.**—A State is in compli-
3 ance with this section if the State has a graduated driver
4 licensing law that includes, for novice drivers under the
5 age of 21—

6 (1) a 3-stage licensing process, including a
7 learner’s permit stage and an intermediate stage be-
8 fore granting an unrestricted driver’s license;

9 (2) a prohibition on nighttime driving during
10 the intermediate stage;

11 (3) a prohibition, during the learner’s permit
12 intermediate stages, from operating a motor vehicle
13 with more than 1 non-familial passenger under the
14 age of 21 if there is no licensed driver 21 years of
15 age or older present in the motor vehicle;

16 (4) a prohibition during the learner’s permit
17 and intermediate stages, from using a cellular tele-
18 phone or any communications device in non-emer-
19 gency situations; and

20 (5) any other requirement that the Secretary of
21 Transportation (referred to in this Act as the “Sec-
22 retary”) may require, including—

23 (A) a learner’s permit stage of at least 6
24 months;

25 (B) an intermediate stage of at least 6
26 months;

1 (C) for novice drivers in the learner’s per-
2 mit stage—

3 (i) a requirement of at least 30 hours
4 of behind-the-wheel training with a li-
5 censed driver who is over 21 years of age;
6 and

7 (ii) a requirement that any such driv-
8 er be accompanied and supervised by a li-
9 censed driver 21 years of age or older at
10 all times when such driver is operating a
11 motor vehicle; and

12 (D) a requirement that the grant of full li-
13 censure be automatically delayed, in addition to
14 any other penalties imposed by State law for
15 any individual who, while holding a provisional
16 license, convicted of an offense, such as driving
17 while intoxicated, misrepresentation of their
18 true age, reckless driving, unbelted driving,
19 speeding, or other violations, as determined by
20 the Secretary.

21 (b) RULEMAKING.—After public notice and comment
22 rulemaking the Secretary shall issue regulations necessary
23 to implement this section.

1 **SEC. 4. INCENTIVE GRANTS.**

2 (a) IN GENERAL.—For each of the first 3 fiscal years
3 beginning after the date of enactment of this Act, the Sec-
4 retary shall award a grant to any State in compliance with
5 section 3(a) on or before the first day of that fiscal year
6 that submits an application under subsection (b).

7 (b) APPLICATION.—Any State desiring a grant under
8 this section shall submit an application to the Secretary
9 at such time, in such manner, and containing such infor-
10 mation as the Secretary may require, including a certifi-
11 cation by the governor of the State that the State is in
12 compliance with section 3(a).

13 (c) GRANTS.—For each fiscal year described in sub-
14 section (a), amounts appropriated to carry out this section
15 shall be apportioned to each State in compliance with sec-
16 tion 3(a) in an amount determined by multiplying—

17 (1) the amount appropriated to carry out this
18 section for such fiscal year; by

19 (2) the ratio that the amount of funds appor-
20 tioned to each such State for such fiscal year under
21 section 402 of title 23, United States Code, bears to
22 the total amount of funds apportioned to all such
23 States for such fiscal year under such section 402.

24 (d) USE OF FUNDS.—Amounts received under a
25 grant under this section shall be used for—

1 (1) enforcement and providing training regard-
2 ing the State graduated driver licensing law to law
3 enforcement personnel and other relevant State
4 agency personnel;

5 (2) publishing relevant educational materials
6 that pertain directly or indirectly to the State grad-
7 uated driver licensing law; and

8 (3) other administrative activities that the Sec-
9 retary considers relevant to the State graduated
10 driver licensing law.

11 (e) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated out of the Highway
13 Trust Fund (other than the Mass Transit Account)
14 \$25,000,000 for each of the fiscal years 2007 through
15 2009 to carry out this section.

16 **SEC. 5. WITHHOLDING OF FUNDS FOR NON-COMPLIANCE.**

17 (a) IN GENERAL.—

18 (1) FISCAL YEAR 2010.—The Secretary shall
19 withhold 1.5 percent of the amount otherwise re-
20 quired to be apportioned to any State for fiscal year
21 2010 under each of the paragraphs (1), (3), and (4)
22 of section 104(b) of title 23, United States Code, if
23 that State is not in compliance with section 3(a) of
24 this Act on October 1, 2009.

1 (2) FISCAL YEAR 2011.—The Secretary shall
2 withhold 3 percent of the amount otherwise required
3 to be apportioned to any State for fiscal year 2011
4 under each of the paragraphs (1), (3), and (4) of
5 section 104(b) of title 23, United States Code, if
6 that State is not in compliance with section 3(a) of
7 this Act on October 1, 2010.

8 (3) FISCAL YEAR 2012 AND THEREAFTER.—The
9 Secretary shall withhold 6 percent of the amount
10 otherwise required to be apportioned to any State
11 for each fiscal year beginning with fiscal year 2012
12 under each of the paragraphs (1), (3), and (4) of
13 section 104(b) of title 23, United States Code, if
14 that State is not in compliance with section 3(a) of
15 this Act on the first day of such fiscal year.

16 (b) PERIOD OF AVAILABILITY OF WITHHELD
17 FUNDS.—

18 (1) FUNDS WITHHELD ON OR BEFORE SEP-
19 TEMBER 30, 2011.—Any amount withheld from any
20 State under subsection (a) on or before September
21 30, 2011, shall remain available for distribution to
22 the State under subsection (c) until the end of the
23 third fiscal year following the fiscal year for which
24 such amount is appropriated.

1 (2) FUNDS WITHHELD AFTER SEPTEMBER 30,
2 2011.—Any amount withheld under subsection (a)(2)
3 from any State after September 30, 2011, may not
4 be distributed to the State.

5 (c) APPORTIONMENT OF WITHHELD FUNDS AFTER
6 COMPLIANCE.—

7 (1) IN GENERAL.—If, before the last day of the
8 period for which funds withheld under subsection (a)
9 are to remain available to a State under subsection
10 (b), the State comes into compliance with section
11 3(a), the Secretary shall, on the first day on which
12 the State comes into compliance, distribute to the
13 State any amounts withheld under subsection (a)
14 that remains available for apportionment to the
15 State.

16 (2) PERIOD OF AVAILABILITY OF SUBSE-
17 QUENTLY APPORTIONED FUNDS.—Any amount dis-
18 tributed under paragraph (1) shall remain available
19 for expenditure by the State until the end of the
20 third fiscal year for which the funds are so appor-
21 tioned. Any amount not expended by the State by
22 the end of such period shall revert back to the
23 Treasury of the United States.

24 (3) EFFECT OF NON-COMPLIANCE.—If a State
25 is not in compliance with section 3(a) at the end of

1 the period for which any amount withheld under
2 subsection (a) remains available for distribution to
3 the State under subsection (b), such amount shall
4 revert back to the Treasury of the United States.

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