

Nevada Advisory Committee on Traffic Safety (NVACTS) 2023 Legislative/Policy Recommendations: Graduated Drivers License

Nevada Law:

NRS LOOPHOLE THAT ALLOWS YOUNG DRIVERS TO AVOID COMPLETING THE SUPERVISED DRIVING

AN ACT relating to motor vehicles; authorizing completion of a hands-on defensive driving course in lieu of certain supervised driving experience for any applicant for a driver's license who is under 18 years of age; requiring the Department of Motor Vehicles to approve and maintain a list of such courses; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes the issuance of a driver's license to a person who is 16 or 17 years of age under certain circumstances, including, with certain exceptions, completion by the person of a course in automobile driver education or a course provided by a school for training drivers that is licensed in this State. Such a person must also provide proof of at least 50 hours of supervised driving experience. (NRS 483.2521) **Section 3** of this bill allows any person under the age of 18 years to complete an approved hands-on course in defensive driving in lieu of completing 50 hours of supervised driving experience to obtain a driver's license. **Section 2** of this bill requires the Department of Motor Vehicles to approve for the purposes of this provision any hands-on defensive driving course that: (1) includes both theory of defensive driving and practical experience in defensive driving skills and maneuvers; (2) is provided by a school for training drivers that is licensed in this State; and (3) is conducted by a person who is licensed in this State as an instructor for a school for training drivers. **Section 2** also requires the Department to place a list of approved courses on the Internet website of the Department. **Sections 6-10** of this bill make conforming changes. **Section 10.7** of this bill makes an appropriation to the Department for the personnel and operating costs to approve and audit the hands-on courses in defensive driving.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. (Deleted by amendment.)

Sec. 2. Chapter 483 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall approve a hands-on course in defensive driving for the purposes of NRS 483.2521 if the course:

(a) Includes instruction in the theory and practical applications of defensive driving;

.....
↓2019 Statutes of Nevada, Page 2971 ([CHAPTER 494, AB 338](#))↓

(b) Requires a person taking the course to practice defensive driving skills and maneuvers, including, without limitation, emergency avoidance and response techniques;

(c) Is provided by a school for training drivers that meets the requirements of this section and NRS 483.700 to 483.780, inclusive; and

(d) Is conducted by a person who holds a license as an instructor for a school for training drivers and who meets the requirements of this section and NRS 483.700 to 483.780, inclusive.

2. The Department shall maintain on the Internet website of the Department a list of hands-on courses in defensive driving that are approved pursuant to this section. The list must identify those courses which are provided for free. In the event that no such free courses are available, the Internet website must provide notice of that fact.

3. The Department may adopt regulations to carry out the provisions of this section.

Sec. 3. NRS 483.2521 is hereby amended to read as follows:

483.2521 1. Except as otherwise provided in subsection ~~3~~ 4, the Department may issue a driver's license to a person who is 16 or 17 years of age if the person:

- (a) Except as otherwise provided in subsection 2, has completed:
 - (1) A course in automobile driver education pursuant to NRS 389.090; or
 - (2) A course provided by a school for training drivers which is licensed pursuant to NRS 483.700 to 483.780, inclusive, **and section 2 of this act** and which complies with the applicable regulations governing the establishment, conduct and scope of automobile driver education adopted by the State Board
- (c) ~~Submits~~ **Except as otherwise provided in subsection 3, submits** to the Department, on a form provided by the Department, a log which contains the dates and times of the hours of supervised experience required pursuant to this section and which is signed:
 - (1) By his or her parent or legal guardian; or
 - (2) If the person applying for the driver's license is an emancipated minor, by a licensed driver who is at least 21 years of age or by a licensed driving instructor,
↳ who attests that the person applying for the driver's license has completed the training and experience required pursuant to paragraphs (a) and (b);
- (d) Submits to the Department:
 - (1) A written statement signed by the principal of the public school in which the person is enrolled or by a designee of the principal and which is provided to the person pursuant to NRS 392.123;
 - (2) A written statement signed by the parent or legal guardian of the person which states that the person is excused from compulsory attendance pursuant to NRS 392.070;
 - (3) A copy of the person's high school diploma or certificate of attendance; or
- (b) ~~Has~~ **Except as otherwise provided in subsection 3, has** at least 50 hours of supervised experience in driving a motor vehicle with a restricted license, instruction permit or restricted instruction permit issued pursuant to NRS 483.267, 483.270 or 483.280, including, without limitation, at least 10 hours of experience in driving a motor vehicle during darkness;

Background:

Problem

Motor vehicle crashes are a leading killer of U.S. teenagers. Teen drivers are far more likely than other drivers to be involved in fatal crashes because they lack driving experience and tend to take greater risks. The crash rate for teen drivers (16-19 years) is three times that of drivers 20 and older.

Solution

GDL programs allow teen drivers to learn to drive under lower risk conditions, and consist of a learner's stage, then an intermediate stage, before being granted an unrestricted license. The learner's stage requires teen drivers to complete a minimum amount of time of adult-supervised driving to move to the next phase and drive unsupervised. The intermediate stage restricts teens from driving in high-risk situations for a specified period before receiving an unrestricted license.

Learner's Stage: Minimum Age 16 for Learner's Permit

A beginning teen driver is prohibited from obtaining a learner's permit until the age of 16. A survey conducted by IIHS shows that parents even favor GDL laws that are as strict or even stricter than currently exist in any state. More than half think the minimum licensing age should be 17 or older.

Learner's Stage: 6-Month Holding Period Provision

A beginning teen driver must be always supervised by an adult licensed driver during the learner's stage. If the learner remains citation-free for six months and is not involved in any crashes, they may progress to the intermediate stage. Research has found that a minimum holding period of nine months to a year results in a 21% reduction in fatal crash rates.

Intermediate Stage: Nighttime Driving Restriction Provision

Unsupervised driving should be prohibited from at least 10 p.m. to 5 a.m. States with nighttime driving restrictions show crash reductions of up to 60% during restricted hours.

Intermediate Stage: Cell phone restriction to the Nevada GDL system

Studies have shown that using a cell phone, the legit way, reduces brain activity by up to 37%. In 2019, 39% of high school students reported texting or emailing while driving during the past month. Currently, there are 37 states that ban all cell phone use by novice drivers.

Intermediate Stage: Require seatbelt use for drivers and passengers by making it a primary law during their GDL.

In 2019, 45% of teen drivers who died were unbuckled. Even more troubling, when the teen driver in a fatal crash was unbuckled, 9 out of 10 of the passengers who died were also unbuckled.

Intermediate Stage: Passenger Restriction Provision

This provision limits the number of passengers who may legally ride with a teen driver without adult supervision. A study by AAA found that when a teen driver has only teen passengers in their vehicle (as opposed to older passengers), the fatality rate for all people involved in a crash increased 51%.

Age 18 for Unrestricted License

A teen driver is prohibited from obtaining an unrestricted license until the age of 18, and either the nighttime or the passenger restrictions, or both, must last until age 18 and meet the definition for an optimal law.

Conclusion

GDL programs have been effective in reducing teen crash deaths. In states that have adopted GDL programs, studies have found overall crash reductions among teen drivers of about 10 to 30%. The most effective, evidence-based countermeasure for young drivers involves a comprehensive system of GDL restrictions that allow new drivers to gain experience while restricting their exposure to dangerous driving situations.

Research & Data:

Studies show that graduated driver licensing significantly decreases the risk of fatal teen crashes among 16- to 17-year-old drivers. Research funded by the National Institutes of Health found that the most effective legislation had at least five of the following seven key elements:

- A minimum age of 16 for a learner's permit
- A mandatory waiting period of at least six months before a driver can apply for an intermediate license
- A requirement for 50 to 100 hours of supervised driving before testing for an intermediate license
- A minimum age of 17 for an intermediate license
- Restrictions on nighttime driving
- A limit on the number of teenaged passengers allowed in the car
- A minimum age of 18 for a full license

All 50 states and the District of Columbia have some form of GDL program. However, according to the Insurance Institute for Highway Safety, if every state adopted the strictest limitations related to five components, the nation would reduce the number of crashes each year by more than 9,500 and save more than 500 lives.

In 2019, 45% of teen drivers who died were unbuckled. Even more troubling, when the teen driver involved in the fatal crash was unbuckled, nine out of 10 of the passengers who died were also unbuckled. As teens start driving and gradually gain independence, they don't always make the smartest decisions regarding their safety. They may think they are invincible, that they don't need seat belts. They may have a false notion that they have the right to choose whether or not to buckle up.

National Trends:

Motor vehicle crashes are the leading cause of death for teens in the United States (reported in WISQARS). Per mile driven teens, ages 16 to 19 are nearly three times more likely than older drivers to be in a fatal crash. Graduated driver licensing programs (GDL) have consistently proven to be effective at reducing the crash risk for beginning drivers, including teens. GDL addresses the high crash risks that new drivers face by allowing them to get their initial driving experience under low-risk conditions through restrictions that are enforceable by law. GDL has three stages, beginning with a fully supervised learning period, followed by an intermediate stage that allows independent driving with some restrictions on high-risk driving conditions, and concluding with unrestricted, full driving privileges.

Although GDL programs vary from state to state, they generally include seven main components:

- Minimum age to obtain a learner permit
- Mandatory holding period for the learner permit
- Minimum number of hours of supervised driving during the learner permit stage—both daytime and nighttime
- Minimum age to obtain an intermediate license
- Nighttime driving restrictions during the intermediate stage
- Passenger restrictions during the intermediate stage
- Minimum age for full licensing

Some states have applied additional restrictions on young drivers, including

- Cell phone bans
- Texting bans
- Seat belt requirements
- Zero tolerance for driving under the influence of drugs or alcohol
- Stronger penalties for offenses that during the intermediate stage
- Minimum standards for driver education

According to NHTSA's Countermeasures that work:

The most effective, evidence-based countermeasure for young drivers involves a comprehensive system of GDL restrictions that allow new drivers to gain experience while restricting their exposure to dangerous driving situations. At the same time, efforts should continue to evaluate and develop innovative programs for young drivers such as those using peer-to-peer.

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NHTSA-Recommended GDL Provisions and Restrictions

Stage 1: Learner's Permit

- State sets minimum age for a learner's permit at no younger than 16 years old;
- Pass vision and knowledge tests, including rules of the road, signs, and signals;
- Completion of basic driver training;
- Licensed adult (who is at least 21 years old) required in the vehicle at all times;
- All occupants must wear seat belts;
- Zero alcohol in system while driving;
- Learners permit is visually distinctive from other driver licenses;
- Must remain crash- and conviction-free, including violations of the seat belt, zero-tolerance, speed, and other GDL provisions, for at least 6 consecutive months to advance to the next level;
- Parental certification of 30 to 50 practice hours; and
- No use of portable electronic communication or entertainment devices while driving.

Stage 2: Intermediate (Provisional) License

- Completion of Stage 1;
- State sets minimum age of 16.5 years old;
- Completion of intermediate driver education training (e.g., safe driving decision-making, risk education);
- All occupants must wear seat belts;
- Licensed adult required in the vehicle from 10 p.m. until 5 a.m. (e.g., nighttime driving restriction) with limited exceptions (e.g., religious, medical, or school- or employment-related driving);
- Zero alcohol in system while driving;
- Provisional license is visually distinctive from a regular license;
- Teenage passenger restrictions – not more than one teen passenger for the first 12 months of Intermediate License. Afterward, limit the number of teen passengers to two until age 18;
- Must remain crash- and conviction-free, including violations of the seat belt, zero-tolerance, speed, and other GDL provisions, for at least 6 consecutive months to advance to the next level; and
- No use of portable electronic communication or entertainment devices while driving.

Stage 3: Full Licensure

- Completion of Stage 2;
- State sets minimum age of 18 for lifting of passenger and nighttime restrictions;
- Zero alcohol in system while driving; and
- Visually distinctive license for drivers under the age of 21.

States that have this measure in place and what other states are doing.

<https://www.ghsa.org/state-laws/issues/teen%20and%20novice%20drivers>

Pros:

GDL programs have consistently proven effective at reducing crash risk for beginning drivers.

GDL programs are a proven Countermeasure that works

Cons:

Options:

- Adopt all suggestions – All the GDL recommendations be submitted to Legislation
- Select of few of the GDL recommendations and submit to Legislation.
- Do nothing

Resources & Reference:

<https://www.nhtsa.gov/road-safety/teen-driving>

<https://www.ghsa.org/state-laws/issues/teen%20and%20novice%20drivers>

<https://www.teendriversource.org/thinking-of-driving/recommended-minimum-gdl-requirements>

<https://www.cdc.gov/phlp/publications/topic/gdl.html>

[Graduated Driver Licensing Systems | US Department of Transportation](#)

<https://www.transportation.gov/mission/health/Graduated-Driver-Licensing-Systems>

<https://saferoads.org/wp-content/uploads/2022/01/FINAL-2022-Roadmap-of-State-Highway-Safety-Laws.pdf>

<https://www.cdc.gov/phlp/publications/topic/gdl.html>

[Countermeasures That Work: A Highway Safety Countermeasure Guide for State Highway Safety Offices, 10th Edition, 2020 \(nhtsa.gov\)](#)