



GRADUATED LICENSING

Ohio has joined the growing list of states that have enacted some form of graduated licensing for teenage drivers. Graduated licensing allows young drivers to improve their skills and driving habits, and restricts nighttime driving, when most teen driver accidents occur. As of December, 1997, at least 15 states have enacted or are in the process of enacting some form of graduated licensing including California, Colorado, Florida, Kentucky, Maryland, Massachusetts, Michigan, New Hampshire, New York, Pennsylvania, West Virginia, Wisconsin and Ohio.

What is graduated licensing?

The three stages (six components) of graduated licensing, as defined by the National Highway Traffic Safety Administration are:

- Stage 1: Learner's permit.** *Components of this stage include requiring teen drivers to pass vision and knowledge tests; driving with a licensed adult age 21 or older and requiring that all occupants wear seat belts. Other requirements include a blood alcohol concentration (BAC) level set at zero or near-zero tolerance, that the young driver remain traffic-offense and alcohol-offense free in order to move up to next stage and that the permit's appearance is distinctive from other driver licenses.*
- Stage 2: Intermediate or provisional license.** *Drivers complete Stage 1 and pass a road test. It requires that all occupants be required to wear seat belts, that state laws address a BAC level at zero or near-zero tolerance, that a licensed adult be required to accompany the teen driver during late night hours, and that the driver remain traffic-offense and alcohol-offense free for 12 months in order to obtain a full license.*
- Stage 3: Full license.** *A minimum age requirement of 18 years old.*

Graduated licensing systems are not a panacea, but they can reduce the motor vehicle injury problem for young people. In the states that have elements of graduated licensing, the safety benefits are evident. Studies of night driving curfews indicate that crash reductions of 60 percent or more can be achieved during curfew hours. Low BAC thresholds for young drivers also reduce the problem. In Ohio,

an underage person who has a BAC level of .02 or more faces penalties under a charge called Operating a Motor Vehicle After Underage Alcohol Consumption or OMVUAC. The law passed in 1994 is geared toward 16–20 year olds.

Ohio's graduated licensing law

Am. Sub. SB 35, Ohio's graduated licensing law bill, was signed into law on December 1, 1997. There are two effective dates for provisions and for the first year, the requirements depend on a teen's birth date. The graduated licensing law does not pertain to teens who turn 16 before July 1, 1998. The first phase of provisions are effective July 1, 1998 and the second phase becomes effective January 1, 1999.

The first phase deals with curfews, who can drive with a temporary permit driver, and the age in which a temporary permit can be obtained. The second phase deals with the introduction of an intermediate license, called a probationary drivers license, and verification of completing 50 hours of driving experience outside of the experience provided through drivers training courses. See the charts on the next page for specific provisions.

When the law is fully enacted on January 1, 1999, Ohio will basically have a three-stage program consisting of a temporary permit, probationary license and a full license.

In December, 1997 the Ohio Department of Public Safety began operating a hotline to deal with questions regarding the law. The toll-free number is 1-800-462-2269.

AS A MATTER OF FACT:

▶ **According to the AAA, 6,300 drivers and passengers ages 15–20 died in traffic crashes in 1996 and while teens account for 7% of all drivers, they were involved in 14% of the 37,221 fatal crashes in 1995. Teen drivers were involved in 20% of the 6.6 million crashes reported in 1996. AAA also warns that teenage crash fatalities could rise to 7,500 by 2010, when the number of teenage drivers is expected to increase by 19%.**

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Those age 15 1/2:

- A temporary permit can be obtained at age 15 1/2. The permit is valid for one year.
- Temporary permit holders under age 16 must carry their temporary permit and an identification card with them while operating a vehicle.
- The permit holder must be accompanied by an "eligible adult," which is defined as a parent, guardian, legal custodian, licensed driving instructor or a licensed driver age 21 or older acting *in loco parentis*. The eligible adult must hold a valid drivers license and occupy the front passenger seat.
- All vehicle occupants under the age of 16 must wear safety belts when being driven by a temporary permit holder. The number of vehicle occupants is limited to the total number of originally installed safety belts.

Those age 16 and older:

- Temporary permit holders age 16 and older must carry their temporary permit and an identification card with them while operating a vehicle. The permit is valid for one year.

- The temporary permit holder must be accompanied by a licensed driver age 21 or older while driving. The adult passenger must occupy the front passenger seat.
- The number of vehicle occupants is limited to the total number of originally installed safety belts.

Curfew limitations for young drivers with temporary permits under the age of 17:

- Holders of temporary permits issued on or after the effective date of July 1 and under age 17 are prohibited from operating a motor vehicle between 1:00 a.m.–5:00 a.m. unless accompanied by an "eligible adult," as defined under bullet #3 above. This is a secondary enforcement violation meaning that if a person is stopped on another alleged traffic violation, this can also be enforced.

Drivers training certification:

- Those beginning classes before January 1, 1999 will be subject to the current course requirement which is 16 hours of classroom instruction and 8 hours behind the wheel, or a high school driver education class of 36 hours and 6 hours behind the wheel.



GRADUATED LICENSING

ASHTABULA

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COLUMBIANA

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Drivers training certification:

- Holders of temporary permits will be required after the effective date of January 1, 1999 to verify completion of 50 hours of driving with a parent or guardian, including 10 hours of nighttime driving. This is in addition to the driver education requirement that both public and private driver education courses consist of 24 hours of classroom instruction and 8 hours behind the wheel. This must be completed by all temporary permit holders under age 18 prior to obtaining their probationary license. A probationary drivers license is defined as a license issued to anyone under age 18.

Temporary permit drivers:

- In order to be eligible for a probationary license, a temporary permit holder must complete the driver training certification requirement noted above and have held a temporary permit for at least six months. This means that a person must be at least 16 (and under the age of 18) before being eligible for the next licensure step, a probationary drivers license.
- The temporary permit holder must also complete the Ohio Bureau of Motor Vehicles' driving and maneuverability test prior to issuance of a probationary license.

Probationary drivers license eligibility:

- Proof of successful completion of temporary permit requirements noted above.
- At least 16 years of age.
- Probationary license is valid until age 18.

Curfew restrictions:

- Probationary drivers license holders under age 17 are prohibited from operating a motor vehicle between 1:00 a.m.–5:00 a.m. unless accompanied by a parent or guardian, with the following exceptions: If the probationary drivers license holder is driving to or from work, to or from a school activity or in an emergency situation. This is also subject to secondary enforcement.

Penalties for traffic violations and other offenses:

- During either the temporary or probationary licensing stages, there is a 90-day license suspension for accruing two moving violations before age 18, and a one-year suspension for three moving violations.
- Temporary permit and probationary license holders who are convicted of certain traffic-related violations before age 18 can also lose their license for six months.
- A temporary permit can be canceled or revoked for six months if the permit holder is convicted of any alcohol-related offense, including alcohol consumption or purchase. If the offender is not yet 15 1/2, the offender will not be eligible for a temporary permit until the age of 16.

Full licensure eligibility:

- Successful completion of the probationary licensing requirements.
- Licensee meets the minimum age requirement which is 18.