

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 795

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

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IN THE SENATE OF THE UNITED STATES

APRIL 14, 2005

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

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## 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 2005” or the  
6 “STANDUP Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1           (1) The National Transportation Safety Board  
2           has reported that—

3                   (A) in 2002, teen drivers, which con-  
4                   stituted only 6.4 percent of all drivers, were in-  
5                   volved in 14.3 percent of all fatal motor vehicle  
6                   crashes;

7                   (B) motor vehicle crashes are the leading  
8                   cause of death for Americans between 15 and  
9                   20 years of age;

10                   (C) between 1994 and 2003, almost  
11                   64,000 Americans between 15 and 20 years of  
12                   age died in motor vehicle crashes, an average of  
13                   122 per week; and

14                   (D) in 2003—

15                           (i) 3,657 American drivers between 15  
16                           and 20 years of age were killed in motor  
17                           vehicle crashes;

18                           (ii) 300,000 Americans between 15  
19                           and 20 years of age were injured in motor  
20                           vehicle crashes; and

21                           (iii) 7,884 American drivers between  
22                           15 and 20 years of age were involved in  
23                           fatal crashes, resulting in 9,088 total fa-  
24                           talities, a 5 percent increase since 1993.

1           (2) Though only 20 percent of driving by young  
2 drivers occurs at night, over 50 percent of the motor  
3 vehicle crash fatalities involving young drivers occur  
4 at night.

5           (3) The National Highway Traffic Safety Ad-  
6 ministration has reported that—

7           (A) 6,300,000 motor vehicle crashes  
8 claimed the lives of nearly 43,000 Americans in  
9 2003 and injured almost 3,000,000 more Amer-  
10 icans;

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

15           (C) drivers who are 16 years of age have  
16 a motor vehicle crash rate that is almost ten  
17 times the crash rate for drivers aged between  
18 30 and 60 years of age.

19           (4) According to the Insurance Institute for  
20 Highway Safety, the chance of a crash by a 16- or  
21 17-year-old driver is doubled if there are 2 peers in  
22 the vehicle and quadrupled with 3 or more peers in  
23 the vehicle.

24           (5) In 1997, the first full year of its graduated  
25 driver licensing system, Florida experienced a 9 per-

1 cent reduction in fatal and injurious crashes among  
2 young drivers between the ages of 15 and 18, com-  
3 pared with 1995, according to the Insurance Insti-  
4 tute for Highway Safety.

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

11 (7) In California, according to the Automobile  
12 Club of Southern California, teenage passenger  
13 deaths and injuries resulting from crashes involving  
14 16-year-old drivers declined by 40 percent from  
15 1998 to 2000, the first 3 years of California's grad-  
16 uated driver licensing program. The number of at-  
17 fault collisions involving 16-year-old drivers de-  
18 creased by 24 percent during the same period.

19 (8) The National Transportation Safety Board  
20 reports that 39 States and the District of Columbia  
21 have implemented 3-stage graduated driver licensing  
22 systems. Many States have not yet implemented  
23 these and other basic safety features of graduated  
24 driver licensing laws to protect the lives of teenage  
25 and novice drivers.

1 (9) A 2001 Harris Poll indicates that—

2 (A) 95 percent of Americans support a re-  
3 quirement of 30 to 50 hours of practice driving  
4 with an adult;

5 (B) 92 percent of Americans support a 6-  
6 month learner’s permit period; and

7 (C) 74 percent of Americans support lim-  
8 iting the number of teen passengers in a car  
9 with a teen driver and supervised driving during  
10 high-risk driving periods, such as night.

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

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

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

19 (2) a prohibition on nighttime driving during  
20 the learner’s permit and intermediate stages;

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

1           (4) any other requirement that the Secretary of  
2           Transportation (referred to in this Act as the “Sec-  
3           retary”) may require, including—

4                   (A) a learner’s permit stage of at least 6  
5           months;

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

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

10                   (i) a requirement of at least 30 hours  
11           of behind-the-wheel training with a li-  
12           censed driver who is over 21 years of age;  
13           and

14                   (ii) a requirement that any such driv-  
15           er be accompanied and supervised by a li-  
16           censed driver 21 years of age or older at  
17           all times when such driver is operating a  
18           motor vehicle; and

19                   (D) a requirement that the grant of full li-  
20           censure be automatically delayed, in addition to  
21           any other penalties imposed by State law for  
22           any individual who, while holding a provisional  
23           license, convicted of an offense, such as driving  
24           while intoxicated, misrepresentation of their  
25           true age, reckless driving, unbelted driving,

1           speeding, or other violations, as determined by  
2           the Secretary.

3           (b) RULEMAKING.—After public notice and comment  
4 rulemaking the Secretary shall issue regulations necessary  
5 to implement this section.

6 **SEC. 4. INCENTIVE GRANTS.**

7           (a) IN GENERAL.—For each of the first 3 fiscal years  
8 following the date of enactment of this Act, the Secretary  
9 shall award a grant to any State in compliance with sec-  
10 tion 3(a) on or before the first day of that fiscal year that  
11 submits an application under subsection (b).

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

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

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

24                   (2) the ratio that the amount of funds appor-  
25 tioned to each such State for such fiscal year under

1 section 402 of title 23, United States Code, bears to  
2 the total amount of funds apportioned to all such  
3 States for such fiscal year under such section 402.

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

6 (1) enforcement and providing training regard-  
7 ing the State graduated driver licensing law to law  
8 enforcement personnel and other relevant State  
9 agency personnel;

10 (2) publishing relevant educational materials  
11 that pertain directly or indirectly to the State grad-  
12 uated driver licensing law; and

13 (3) other administrative activities that the Sec-  
14 retary considers relevant to the State graduated  
15 driver licensing law.

16 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
17 are authorized to be appropriated out of the Highway  
18 Trust Fund (other than the Mass Transit Account) to  
19 carry out this section \$25,000,000 for each of the fiscal  
20 years 2005 through 2009.

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

22 (a) IN GENERAL.—

23 (1) FISCAL YEAR 2010.—The Secretary shall  
24 withhold 1.5 percent of the amount otherwise re-  
25 quired to be apportioned to any State for fiscal year

1       2010 under each of the paragraphs (1), (3), and (4)  
2       of section 104(b) of title 23, United States Code, if  
3       that State is not in compliance with section 3(a) of  
4       this Act on October 1, 2009.

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

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

20              (b) PERIOD OF AVAILABILITY OF WITHHELD  
21 FUNDS.—

22              (1) FUNDS WITHHELD ON OR BEFORE SEP-  
23       TEMBER 30, 2011.—Any amount withheld from any  
24       State under subsection (a) on or before September  
25       30, 2011, shall remain available for distribution to

1 the State under subsection (c) until the end of the  
2 third fiscal year following the fiscal year for which  
3 such amount is appropriated.

4 (2) FUNDS WITHHELD AFTER SEPTEMBER 30,  
5 2011.—Any amount withheld under subsection (a)(2)  
6 from any State after September 30, 2011, may not  
7 be distributed to the State.

8 (c) APPORTIONMENT OF WITHHELD FUNDS AFTER  
9 COMPLIANCE.—

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

19 (2) PERIOD OF AVAILABILITY OF SUBSE-  
20 QUENTLY APPORTIONED FUNDS.—Any amount dis-  
21 tributed under paragraph (1) shall remain available  
22 for expenditure by the State until the end of the  
23 third fiscal year for which the funds are so appor-  
24 tioned. Any amount not expended by the State by

1 the end of such period shall revert back to the  
2 Treasury of the United States.

3 (3) EFFECT OF NON-COMPLIANCE.—If a State  
4 is not in compliance with section 3(a) at the end of  
5 the period for which any amount withheld under  
6 subsection (a) remains available for distribution to  
7 the State under subsection (b), such amount shall  
8 revert back to the Treasury of the United States.

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