

**BONUS!**  
*Safety Law Enacted*  
**Save Lives!**

Annual cost from impaired driving: 9,878 lives and \$132 billion



Pass strong impaired-driving laws



Pass primary enforcement laws — seat belts, booster seats, and motorcycle helmets



2013

TRIPLE BONUS!  
**HIGHWAY & AUTO SAFETY!**



Annual cost from teen-driving crashes: 4,767 lives and \$42.3 billion

Annual cost from lack of occupant-protection laws: almost 12,000 lives and over \$76 billion



**PASS SAFETY LAWS - EVERY STATE WINS!**



Pass comprehensive teen-driving laws

**BONUS!**  
*Safety Law Enacted*  
**Receive Federal Grants!**

Pass distracted-driving laws



Annual casualties from distracted-driving-related crashes: 3,331



**BONUS!**  
*Safety Law Enacted*  
**Reduce State Costs!**



# 10<sup>TH</sup> ANNUAL ROADMAP OF STATE HIGHWAY SAFETY LAWS

## Federal Incentive Grants Available to States for Lifesaving Safety Initiatives

### A Win for Motorists, for State Budgets and for Taxpayers

#### It's Time for State Leaders to Get into the Game

A major surface transportation authorization bill passed by Congress last summer and signed into law by President Obama on July 6, 2012 includes several important provisions to improve the safety of vehicles, drivers and roads. In particular, new incentive grant programs were established to encourage state enactment of comprehensive teen driver licensing laws, ignition interlock laws for all impaired driving offenders, distracted driving laws and occupant protection programs.

As evidenced by *The 2013 Roadmap of State Highway Safety Laws*, the 10<sup>th</sup> annual edition of the report, the majority of states have been slow to pass these critical lifesaving laws. In this year's report we call on elected leaders in all states to make adoption of these 15 basic laws a top public health and safety priority during the 2013 legislative session.



States that take action will benefit threefold: First, preventable deaths and injuries will be reduced; Second, medical and work loss costs associated with crashes often borne by states such as Medicaid, hospitalization, emergency responders and law enforcement will be saved; and, Third, states will reap financial benefits by qualifying for federal grants. This is a win for motorists, for state budgets, and for taxpayers.

While it is welcoming news that 2011 highway deaths have fallen to 32,367, a 1.9% decrease from 2010, it is concerning that preliminary figures for the first nine months of 2012 indicate a 7.1% increase in fatalities compared to 2011. Moreover, annual costs to society from motor vehicle crashes remain at more than \$230 billion. There is no better time for states to act than now.

The *2013 Roadmap of State Highway Safety Laws* provides state legislatures with a clear, commonsense and cost-effective plan of action for saving lives, conserving taxpayer dollars and reaping financial rewards. While there has been some progress since our first report was released ten years ago, even today there is still no state that has all 15 traffic safety laws. Unfortunately, the public is paying with their lives and their wallets for this delay.

Traffic safety laws to protect children and teens, keep drunk drivers off of our roads and stop distracted driving have the potential to save thousands of lives and billions of dollars annually. Congress has passed legislation that should spur state action and financially reward states. It is time for Governors, state legislators, public opinion leaders and others to take advantage of these unique lifesaving and cost-saving opportunities. It is time to stop the delay and get into the game.

A handwritten signature in black ink that reads "Jacqueline S. Gillan". The signature is fluid and cursive.

Jacqueline S. Gillan, President

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## **GLOSSARY OF ACRONYMS**

**AAA** - American Automobile Association

**Advocates** - Advocates for Highway and Auto Safety

**BAC** - Blood Alcohol Concentration

**CDC** - Centers for Disease Control and Prevention

**CDL** - Commercial Drivers License

**CMV** - Commercial Motor Vehicle

**DC** - District of Columbia

**DUI** - Driving Under the Influence

**DWI** - Driving While Intoxicated

**EOBR** - Electronic On Board Recorder

**FARS** - Fatality Analysis Reporting System

**GAO** - Government Accountability Office

**GDL** - Graduated Driver License

**HOS** - Hours of Service

**IID** - Ignition Interlock Device

**IIHS** - Insurance Institute for Highway Safety

**LATCH** - Lower Anchors and Tethers for Children

**MADD** - Mothers Against Drunk Driving

**MAP-21** - Moving Ahead for Progress in the 21st Century Act, Pub. L. 112-141 (2012)

**NHTSA** - National Highway Traffic Safety Administration

**NTSB** - National Transportation Safety Board

**U.S. DOT** - United States Department of Transportation

# UNITED STATES CONGRESS PASSES IMPORTANT SAFETY ADVANCES IN SURFACE TRANSPORTATION REAUTHORIZATION

On July 6, 2012, President Barack Obama signed into law the Moving Ahead for Progress in the 21st Century Act (MAP-21), Pub. L. 112-141 (2012). This two-year, multi-billion dollar surface transportation authorization law includes numerous safety provisions that will undoubtedly reduce deaths and injuries and save taxpayer dollars.

Some of the safety advances include:

- Incentive grant programs to encourage state enactment of laws to address teen driving, distracted and impaired driving, and occupant protection (seat belt and child booster seat use).
- For the first time in 40 years, the United States Department of Transportation (U.S. DOT) is required to issue vehicle safety standards to improve occupant protection on motorcoaches including seat belts, roof crush strength, anti-ejection window glazing, tire pressure monitoring and rollover prevention. These are all National Transportation Safety Board (NTSB) recommendations that have never been implemented. U.S. DOT is also directed to conduct motorcoach research and testing, and, if appropriate, issue rules on fire prevention standards, interior impact protection, compartmentalization and crash avoidance systems.
- Tougher oversight of motor carrier safety rules such as for reincarnated carriers, and increases in the maximum penalties for violations such as out-of-service orders.
- A mandate that interstate trucks and buses be equipped with electronic on board recorders (EOBRs) to enforce hours of service (HOS) rules and prevent cheating in paper logbooks, in order to improve safety by reducing driver fatigue.
- A requirement that U.S. DOT conduct a comprehensive study on truck size and weights to provide data on crash frequency as well as the impact on infrastructure.
- Child safety measures including regulatory actions on rear seat belt reminders, the performance of child safety seats in frontal and side impact crashes, improvements to the lower anchors and tethers for children (LATCH) or child seat anchor system, reminder systems for unattended children left in rear seating positions, and consumer information on the performance of child safety seats in side impact crashes.

Congress included strong incentive grant programs that will provide states with a much-needed boost to their budgets, while at the same time reducing traffic deaths and injuries and saving related crash costs. These incentive grants call for basic and lifesaving laws that, as detailed by this report, are still lacking in many states across the nation.

On the following three pages, you will find graphics outlining the major safety provisions included in MAP-21 for passenger vehicles, motorcoaches, and motor carriers. Long overdue improvements across all of these modes of transportation will make our roads safer and protect the motoring public.

Advocates urges state legislatures to not only take advantage of the incentive grant programs outlined in MAP-21, but also to utilize these new federal safety standards in assessing their own safety laws for improvement.

# Highway and Auto Safety Accomplishments in MAP-21

## Improves safety laws and requires new initiatives that will save lives

### Safety Research and Incentive Grants to States to Improve Occupant Protection, Teen Driving, Distracted Driving, and Impaired Driving Laws:

- Provides financial incentive grants to states that enact comprehensive graduated drivers license (GDL) laws to protect teen drivers as they learn to drive and gain experience.
- Awards occupant protection grants to states for seat belt and child booster seat enforcement.
- Offers incentive grants to states that prohibit text messaging by all drivers and cell phone use by teen drivers.
- Provides incentive grants to states that enact laws requiring alcohol ignition interlock devices (IIDs) for all convicted drunk drivers.
- Allows for high visibility law enforcement programs to deter drunk driving.
- Authorizes research to develop an in-vehicle alcohol detection device to prevent drivers with illegally high blood alcohol levels from driving.

### Consumer Protection:

- Directs that safety information and recall databases be user-friendly and searchable online.
- Provides greater public access to vehicle defect information.
- Requires consumer information on how to report vehicle safety defects to be in the glove compartment of new vehicles.
- Protects consumers with motor vehicle defects or non-compliance claims in the event a product manufacturer declares bankruptcy.



### Safety Accountability:

- Protects whistleblowers who report safety defects.
- Doubles maximum civil fine for defects and safety violations.
- Educates motor vehicle industry employees on how to report safety defects and violations.
- Authorizes study of policies governing lobbying by former U.S. DOT employees.

### Vehicle and Child Safety Standards:

- Allows the use of advanced safety belt reminder systems to increase belt use rates.
- Requires rear seat belt reminders to ensure rear passengers, especially teens and children, buckle up.
- Establishes child safety seat testing in frontal and side impact crashes.
- Improves child seat anchor system so every child is properly secured in a crash.
- Directs a study and report to Congress on the need for motor vehicle electronics standards.
- Encourages research on benefits of technological systems or public awareness campaigns to prevent children from being left behind in motor vehicles.

# Motorcoach Safety Accomplishments in MAP-21

## First-ever comprehensive safety regulations of motorcoaches

### Occupant Protection:

- Ensures that safety standards to require seatbelts in new motorcoaches will be issued within 1 year.
- Requires safety standards for roof strength, anti-ejection safety protection, and rollover crash avoidance for new motorcoaches within 2 years.
- Calls for U.S. DOT to conduct report on feasibility of retrofitting seatbelts and anti-ejection safety protection on existing motorcoaches.
- Directs research and testing on interior impact protection, compartmentalization safety countermeasures and collision avoidance systems within 3 years.

### Safe Operators:

- Provides that safety fitness ratings for new motorcoach companies be assigned within 2 years, and ratings for existing motorcoach companies within 3 years; the ratings will be reassessed every 3 years.
- Improves public access to safety fitness ratings within 1 year.
- Requires report on feasibility of establishing a system of certification of motorcoach driver training schools and programs within 2 years.
- Assigns report to be done on current commercial drivers license (CDL) passenger endorsement skills and knowledge test requirements within 2 years.
- Directs U.S. DOT rulemaking on feasibility of establishing annual inspection programs of commercial motor vehicles (CMVs) designed to transport passengers.



### Fire Safety:

- Directs research and testing of motorcoach fire causation, prevention and mitigation including exterior flammability, smoke suppression, wheel well fires, automatic fire suppression, passenger evacuation, and improved fire extinguishers, and, if appropriate, issuance of final rules within 3 years.

### Tire Safety:

- Directs U.S. DOT to issue regulation for direct tire pressure monitoring systems within 3 years.
- Calls on U.S. DOT to consider need to upgrade tire performance standards for motorcoach tires within 3 years.

### Driver Safety Technology:

- Requires U.S. DOT to issue final rule requiring EOBRs on all motorcoaches to improve HOS rule compliance and to reduce driver fatigue; rule to be issued within 1 year.



# Truck Safety Accomplishments in MAP-21

Key provisions to ensure the safety of commercial vehicles, drivers, and the public

## Enhanced Driver Safety:

- Requires EOBRs on all CMVs to improve HOS rule compliance and reduce driver fatigue; rule to be issued within 1 year.
- Establishes minimum entry-level driver and behind-the-wheel training for CMV operators.
- Requires annual checks of CDL records and authorizes plan for national automatic notice of CDL change in status.
- Creates a national clearinghouse for controlled substance and alcohol test results for commercial drivers.
- Directs U.S. DOT to establish national registry for medical examiners.
- Requires states to report convictions of foreign commercial drivers in the U.S., and authorizes U.S. DOT to revoke operating authority for failure to pay civil penalties.

## Stronger Oversight:

- Expands U.S. DOT authority to limit entry and revoke registration of reincarnated carriers.
- Requires U.S. DOT to revoke registration of unsafe carriers.
- Allows for fleet-wide out-of-service orders for operating without registration.
- Increases penalties for evasion of regulation and operating without registration.
- Authorizes U.S. DOT to disqualify foreign commercial drivers for safety violations and revoke foreign motor carrier operating authority.



## Road Safety:

- Retains existing federal 80,000 pound weight limit for large trucks and freeze on double- and triple-trailer trucks.
- Requires comprehensive 2-year truck size and weight study to provide crash data and information on the impact of large trucks on safety and infrastructure.
- Directs comprehensive analysis and report on the need for crashworthiness standards for CMVs.
- Requires study of the safety of rental trucks used by the public.

## Stronger Registration Requirements:

- Requires safety reviews of new entrants be conducted within 1 year for property carriers and within 120 days for motorcoach (passenger carrying) companies.
- Requires written proficiency examination on knowledge of safety standards for motor carrier applicants.
- Allows the U.S. DOT to deny registration and issuance of U.S. DOT number to new entrant if company officials have common ownership or familial relationship to persons who have been found unfit or unable to comply with the registration requirements.
- Includes report on current minimum financial responsibility requirements within 6 months.

# URGENT ACTION NEEDED TO IMPROVE HIGHWAY SAFETY

## The Problem

Driving an automobile is an American way of life. With over 4 million miles of roadway, Americans are afforded a significant degree of mobility. Yet this increased access offered by our nation's highway system comes with an enormous social cost – more than 5 million crashes annually resulting in more than 32,000 fatalities on average and 2.2 million injuries, at an economic cost to society of more than \$230 billion. Every day almost 90 people are killed on America's streets and highways, and about 6,000 are injured. Unfortunately, too many state legislatures are not taking proactive steps to reduce these numbers by enacting effective and proven highway safety laws.

## Key Facts About this Leading Public Health Epidemic:

- 32,367 people were killed in motor vehicle crashes in 2011. Automobile crashes remain the leading cause of death for Americans between the ages of five and 24.
- An estimated 2.2 million people were injured in motor vehicle crashes in 2011.
- In 2011, more than half (52%) of passenger vehicle occupants killed were unrestrained.
- Crashes involving teen drivers resulted in 4,767 total fatalities in 2011.
- A total of 4,612 motorcyclists died in 2011, slightly more than in 2010. This death toll accounts for 14 percent of all fatalities. Only 19 states and the District of Columbia (DC) have all-rider helmet laws and, in 2012, Michigan repealed its three-decades-old law.
- 1,140 children ages 14 and younger were killed in motor vehicle crashes in 2011.
- 194 children ages four through seven were killed in motor vehicle crashes in 2011.
- More than 3.5 million people have been killed in motor vehicle crashes in the U.S. since 1899.
- The more than 5 million police-reported motor vehicle crashes in 2011 cost our nation in excess of \$230 billion in property and productivity losses, medical and emergency bills and other related costs. This adds up to a “crash tax” of **over \$750** for every American, every year.
- **An additional 316 new laws need to be adopted in all states and DC to fully meet Advocates' recommendations for basic safety laws.**

## SAFETY LAWS REDUCE CRASH COSTS

Motor vehicle crashes impose a significant financial burden on society. According to the National Highway Traffic Safety Administration (NHTSA), the total economic cost of motor vehicle crashes in 2000 was more than \$230 billion. Based on this, every American pays an annual “crash tax” of over \$750.

Motor vehicle crashes in the year 2000:

- Resulted in \$81.2 billion in lost workplace and household productivity;
- Created \$32.6 billion in present and future medical costs;
- Totaled \$59 billion in property damage costs; and,
- Cost each critically injured survivor an average of \$1.1 million.

A 2011 American Automobile Association (AAA) study reported that the annual cost of motor vehicle crashes in urbanized areas alone was nearly \$300 billion. According to a study by the Centers for Disease Control and Prevention (CDC), in a one-year period (2005), the cost of medical care and productivity losses associated with injuries from motor vehicle crashes exceeded \$99 billion.

**Annual Economic Cost of Motor  
Vehicle Crashes to States\***

| STATE | (Billions \$) | STATE        | (Billions \$)    |
|-------|---------------|--------------|------------------|
| AL    | \$2.788       | MT           | \$ .621          |
| AK    | \$ .475       | NE           | \$1.629          |
| AZ    | \$4.272       | NV           | \$1.873          |
| AR    | \$1.965       | NH           | \$1.014          |
| CA    | \$20.655      | NJ           | \$9.336          |
| CO    | \$3.278       | NM           | \$1.413          |
| CT    | \$3.596       | NY           | \$19.490         |
| DE    | \$ .706       | NC           | \$8.270          |
| DC    | \$ .732       | ND           | \$ .290          |
| FL    | \$14.403      | OH           | \$11.090         |
| GA    | \$7.850       | OK           | \$2.593          |
| HI    | \$ .655       | OR           | \$1.948          |
| ID    | \$ .856       | PA           | \$8.170          |
| IL    | \$8.984       | RI           | \$ .767          |
| IN    | \$4.346       | SC           | \$3.335          |
| IA    | \$2.105       | SD           | \$ .498          |
| KS    | \$1.884       | TN           | \$4.628          |
| KY    | \$3.114       | TX           | \$19.761         |
| LA    | \$4.000       | UT           | \$1.594          |
| ME    | \$ .912       | VT           | \$ .221          |
| MD    | \$4.237       | VA           | \$5.203          |
| MA    | \$6.276       | WA           | \$5.310          |
| MI    | \$8.069       | WV           | \$1.268          |
| MN    | \$3.065       | WI           | \$3.756          |
| MS    | \$2.106       | WY           | \$ .424          |
| MO    | \$4.737       | <b>Total</b> | <b>\$230.568</b> |

Source: The Economic Impact of Motor Vehicle Crashes, 2000, NHTSA (2002).  
\*The report has not been updated.

## LEGISLATIVE ACTIVITY IN 2012

States are failing to close important safety gaps because they have not adopted the lifesaving safety laws listed below. While some new and innovative highway safety laws have been enacted during the last few years, several considered to be fundamental to highway safety are still missing in many states.

### Highway Safety Laws Enacted or Repealed in 2012, In All State Legislatures

**Primary Enforcement of Seat Belts:** No states

**Booster Seats** (children ages 4 through 7): Arizona

**Graduated Driver Licensing (GDL):** Idaho (texting ban), Ohio, Michigan and Wisconsin (optimal cell phone restriction)

**Impaired Driving:** Missouri and Virginia (ignition interlock devices for all offenders), and Mississippi (child endangerment)

**All-Driver Text Messaging Restriction:** Alabama, Alaska (passed clarifying law to define texting), Idaho, Ohio (secondary), Utah (passed clarifying law to close loophole) and West Virginia

**All-Rider Motorcycle Helmet Laws:** Michigan *repealed* its all-rider motorcycle helmet law

New York enacted the nation's first primary enforcement seat belt law in 1984. Twenty-seven years later, only 32 states, including New York, and DC have such laws. **There were no states that adopted a primary enforcement seat belt law in 2012.**

New York was also the first state to enact a motorcycle helmet law that covers all riders, in 1967. Today, only 19 states and DC have such laws in place. **In 2012 Michigan repealed its all-rider motorcycle helmet law. Additionally, no state passed an all-rider helmet law in 2012.**

The selection of the 15 particular laws used in this report is derived from government and private research, crash data, and state experience with traffic safety laws.

### Based on Advocates' safety recommendations, states need to adopt 316 new laws:

- 18 states still need an optimal primary enforcement seat belt law;
- 31 states still need an optimal all-rider motorcycle helmet law;
- 19 states still need an optimal booster seat law;
- No state meets all the criteria of Advocates' recommended GDL program (178 laws still needed);
- 40 states and DC are missing one or more critical impaired driving laws (55 laws still needed); and,
- 15 states still need an all-driver text messaging restriction.

## KEY THINGS TO KNOW ABOUT THIS REPORT

### The Report is Divided into Five Issue Sections:

- Adult Occupant Protection: Primary Enforcement Seat Belts and All-Rider Motorcycle Helmets
- Child Passenger Safety: Booster Seats
- Teen Driving (GDL): Minimum Age 16 for Learner's Permit; 6-Month Holding Period; 30-50 Hours Supervised Driving; Nighttime Driving Restriction; Passenger Restriction; Cell Phone Use Restriction; and Age 18 for Unrestricted License
- Impaired Driving: Ignition Interlock Devices (IIDs) for All Offenders; Child Endangerment; Mandatory Blood Alcohol Concentration (BAC) Testing; and Open Container
- Distracted Driving: All-Driver Text Messaging Restriction

In Advocates' judgment and experience, the 15 state laws that are listed in the five sections are essential to save lives, prevent injuries, and reduce health care and other costs. They do not comprise the entire list of effective public policy interventions states should take to reduce motor vehicle deaths and injuries. Background information about each law is provided in the respective sections throughout the report. The statistical data on crashes, fatalities and injuries are based on 2011 Fatal Analysis Reporting System (FARS) published data, except as otherwise indicated.

States are rated only on whether they have adopted a specific law, not on other aspects or measures of an effective highway safety program. **A definition of each law as used by Advocates for purposes of this report can be found on pages 14-15.**

**No state can receive the highest rating (Green) without a primary enforcement seat belt law. Additionally, no state that has repealed its all-rider motorcycle helmet law within the previous ten years may receive a green rating in this report.**

Each issue section has a state law chart, in alphabetical order, with each state's rating. The section ratings result in an overall rating, and **overall state ratings on pages 40-41** fall into three groupings:

**Green**

Good—State is significantly advanced toward adopting all of Advocates' recommended optimal laws;

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**Yellow**

Caution—State needs improvement because of gaps in Advocates' recommended laws; and,

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**Red**

Danger—State falls dangerously behind in adoption of Advocates' recommended laws.

## WHAT'S NEW IN THIS YEAR'S REPORT

- Laws that do not meet the report criteria no longer receive half credit, but are still indicated by an open (unfilled) circle for informational purposes only.
- There is a ten-year fatality total in the “States at a Glance” section. This number represents the cumulative number of fatalities that have occurred during the decade of Advocates issuing the Roadmap Report.
- For Mandatory BAC Testing under Impaired Driving, Advocates is now awarding credit for state laws requiring BAC testing based on probable cause, reasonable grounds, or subsequent to an arrest for an impaired driving offense.
- No state that has repealed its existing all-rider motorcycle helmet law in the previous ten years can achieve a green overall rating (see below).



On this 10th anniversary of Advocates' Roadmap Report, several steps have been taken to refine the definitions of the 15 basic laws used in the report to grade the states. Regarding the category of Adult Occupant Protection, from the very beginning, no state has been allowed to receive a green rating if they do not have a primary enforcement seat belt law. This is due to the fact that strong seat belt use is the most important enforcement strategy for increasing seat belt use among drivers and passengers and reducing motor vehicle deaths and injuries. Because the second law in this category, all-rider motorcycle helmet use, is crucial to saving lives and preventing costly injuries to motorcycle riders, Advocates has changed its rating of state action for this essential law. **As of this report, no state that has repealed its all-rider helmet law within the previous 10 years may receive a green rating in this report (unless the law has been reinstated), regardless of the number of other laws adopted.** This overdue, reasonable change comes after over a decade of unnecessary and unacceptable annual increases in deaths and injuries due to motorcycle crashes and constant efforts to repeal this lifesaving law in state legislatures.

## DEFINITIONS OF 15 LIFESAVING LAWS

Based on government and private research, crash data and state experience, Advocates has determined the traffic safety laws listed below are critical to reducing motor vehicle deaths and injuries. For the purposes of this report, states are only given credit if the state law meets the optimal safety provisions as defined below. **No credit is given for laws that fail to fully meet the criteria in this report** (although the existence of a partial law is indicated by an open circle for informational purposes only). **Also, no credit is given for laws that are subject to secondary enforcement or for GDL laws that permit an exemption based on driver education programs.**

### Adult Occupant Protection

**Primary Enforcement Seat Belt Law** - Allows law enforcement officers to stop and ticket the driver when they see a violation of the seat belt law for front seat occupants. No other violation need occur first to take action. Ratings are based on front seat occupants only. No state without this law may receive a “green” overall rating.

**All-Rider Motorcycle Helmet Law** - Requires all motorcycle riders, regardless of age, to use a helmet that meets U.S. DOT standards or face a fine. No state that has repealed its existing all-rider motorcycle helmet law in the previous ten years can achieve a “green” overall rating.

### Child Passenger Safety

**Booster Seat Law** - Requires, at a minimum, that children ages four through seven be placed in a child restraint system (booster seat) that is certified to meet U.S. DOT safety standards.

### Teen Driving

GDL programs allow novice 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 number of months of adult-supervised driving in order to move to the next phase and drive unsupervised. The intermediate stage restricts teens from driving in high-risk situations for a specified period of time before receiving an unrestricted license. Advocates rates state GDL laws on seven key safety components identified in research and data analysis:

**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. States have not been given credit if the law allows for a beginning driver to obtain a learner's permit before the age of 16.

**Learner's Stage: Six-Month Holding Period Provision** - A beginning teen driver must be supervised by an adult licensed driver at all times during the learner's stage. If the learner remains citation-free for six months, he or she may progress to the intermediate stage. States have not been given credit if the length of the holding period is less than six months, or if there is a reduction in the length of the holding period for drivers who take a driver education course.

**Learner's Stage: 30-50 Hours of Supervised Driving Provision** - A beginning teen driver must receive at least 30-50 hours of behind-the-wheel training with an adult licensed driver during the learner's stage. States have not been given credit if the number of required supervised driving hours is less than 30, or if there is a reduction in the required number of hours of supervised driving (to less than 30 hours) for drivers who take a driver education course.

**Intermediate Stage: Nighttime Driving Restriction Provision** - Unsupervised driving should be prohibited from at least 10 p.m. to 5 a.m.

## DEFINITIONS OF 15 LIFESAVING LAWS (CONT.)

### Teen Driving (cont.)

**Intermediate Stage: Passenger Restriction Provision** - This provision limits the number of teenage passengers who may legally ride with a teen driver without adult supervision. The optimal limit is no more than one non-familial teenage passenger.

**Cell Phone Restriction** - This restriction prohibits all use of cellular devices (hand-held, hands-free and text messaging) by beginning teen drivers, except in the case of an emergency. States are only given credit if the provision lasts for the entire duration of the GDL program (both learner's and intermediate stages).

**Age 18 for Unrestricted License** - A teen driver is prohibited from obtaining an unrestricted license until the age of 18, and one or both of the nighttime and passenger restrictions must last until age 18. States have not been given credit if teen drivers can obtain an unrestricted license before the age of 18.

### Impaired Driving

**Ignition Interlock Devices (IIDs)** - This law mandates the installation of IIDs on the vehicles of any convicted drunk driving offenders. Advocates has given credit for laws that require the use of ignition interlock devices for all offenders. Some states (CO, IL and OR) have also been given credit for having laws that provide strong incentives for all offenders to use ignition interlock devices.

**Child Endangerment** - This law enhances an existing penalty for an impaired driving offender who endangers a minor. No credit is given if this law applies only to drivers who are under 21 years of age.

**Mandatory BAC Testing for Killed and Surviving Drivers** - These statutes require the BAC testing of the driver of a vehicle involved in a fatal crash regardless of whether the driver survived the crash or was killed in the crash. State laws that are mandatory or that require probable cause, reasonable grounds or an arrest for a drunk driving related offense meet the requirement. Full credit is given for laws that require testing of both killed and surviving drivers.

**Open Container** - This law prohibits open containers of alcohol in the passenger area of a motor vehicle. To comply with federal requirements, the law must: prohibit both possession of any open alcoholic beverage container and the consumption of alcohol from an open container; apply to the entire passenger area of any motor vehicle; apply to all vehicle occupants except for passengers of buses, taxi cabs, limousines or persons in the living quarters of motor homes; apply to vehicles on the shoulder of public highways; and, require primary enforcement of the law. State laws are counted in this report only if they are in compliance with the federal law and regulation.

### Distracted Driving

**All-Driver Text Messaging Restriction** - This law prohibits all drivers from sending, receiving, or reading a text message from any handheld or electronic data communication device, except in the case of an emergency.





## PRIMARY ENFORCEMENT SEAT BELT LAWS

Seat belt use is the single most effective driver and passenger behavior that reduces deaths in motor vehicle crashes. Wearing a seat belt can reduce serious crash-related injuries and death by approximately 50%. In 2011, 21,253 occupants of passenger vehicles were killed in motor vehicle crashes. Of the passenger vehicle occupant fatalities for which restraint use was known, 52% were not wearing seat belts. The national seat belt use rate was 84% in 2011, a number that has risen only slightly in recent years.

**All states except New Hampshire have a seat belt use law, but only 32 states and DC allow primary enforcement of their belt laws.** Among the states that have primary enforcement seat belt laws, only 16 and DC cover occupants in all seating positions.

States with primary enforcement laws have higher seat belt use rates. A study conducted by the Insurance Institute for Highway Safety (IIHS) found that when states strengthen their laws from secondary to primary enforcement, driver death rates decline by an estimated 7%. Belt use levels are 10 to 15 percentage points higher in primary compared to secondary enforcement states. The chart on the following page indicates the number of lives saved by seat belt use, along with the additional number of lives that could have been saved if the seat belt use rate in the state had been 100%.

Needless deaths and injuries that result from non-use of seat belts cost society an estimated \$60 billion annually in medical care, lost productivity and other injury-related costs. Unfortunately, as the chart on the following page indicates (in red), 18 states have failed to upgrade their belt laws to primary enforcement.



### **MAP-21 authorizes funding to be used for incentive grant programs for occupant protection.**

Occupant protection incentive grants are intended to encourage states to adopt and implement effective programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles. State eligibility for grant funds is based on the percentage of persons using seat belts and compliance with several additional program criteria.

The grant funds may be used to train occupant safety professionals, distribute child restraints to lower-income families, provide public education about occupant restraint use, support community child passenger safety services, implement high-visibility enforcement mobilizations and collect state occupant protection data.

## Why Every State Should Pass a Primary Enforcement Seat Belt Law that Covers All Occupants

### Lives Saved -

Seat belts saved an estimated 11,949 lives age five and older in 2011. An additional 3,384 lives could have been saved if all passenger vehicle occupants had worn seat belts. Seat belts reduce the risk of fatal injury among drivers and front-seat occupants by 45% and among backseat occupants in passenger cars by 44%.

### Money Saved -

Deaths and injuries that result from non-use of seat belts cost society an estimated \$60 billion annually in medical care, lost productivity and other injury related costs. Unbelted crash victims have medical bills that are 50% higher than belted victims - society bears 74% of the cost through increased insurance premiums, taxes, and health care costs.

### Seat Belt Use Will Increase -

States that have passed a primary enforcement law have seen dramatic increases in belt use rates. In 2011, states with primary enforcement seat belt laws had a use rate of 87%, while states with secondary enforcement laws had a seat belt use rate of 76%. Immediately following its upgrade to primary enforcement in 2010, Kansas witnessed a nearly 5 percentage point increase in its seat belt use rate.

### Protecting Children is Paramount -

In 2011, there were 216 passenger vehicle occupant fatalities among children under age 4, and 29% of these children were unrestrained. There were 194 passenger vehicle occupant fatalities among children ages 4 to 7, and 34% were unrestrained. Children in cars with unbelted adults are much less likely to be properly restrained.

### Personal Choice and Individual Rights -

The U.S. Supreme Court noted in 1972, "...from the moment of injury, society picks the person up off the highway; delivers him to a municipal hospital and municipal doctors; provides him with unemployment compensation if, after recovery, he cannot replace his lost job; and, if the injury causes disability, may assume the responsibility for his and his family's continued subsistence."

### Concerns About Racial Profiling -

According to a NHTSA study of the relationship between primary belt laws and minority ticketing, the share of citations for Hispanics and African Americans changed very little after states adopted primary belt laws. In fact, there were significant gains in seat belt use among all racial groups, none of which were proportionately greater in any minority group.

| Lives Saved in 2011 vs. Lives that Could Have Been Saved by 100% Seat Belt Use — By State, Age 5 and older (NHTSA, 2012) |             |                       |    |             |                       |    |             |                       |    |             |                       |
|--|-------------|-----------------------|----|-------------|-----------------------|----|-------------|-----------------------|----|-------------|-----------------------|
| <i>States in red have laws that are subject only to secondary enforcement; NH has no law.</i>                            |             |                       |    |             |                       |    |             |                       |    |             |                       |
|  | Lives Saved | Could have been saved |    | Lives Saved | Could have been saved |    | Lives Saved | Could have been saved |    | Lives Saved | Could have been saved |
| AL   | 315         | 107                   | IL | 335         | 60                    | MT | 63          | 43                    | RI | 15          | 8                     |
| AK   | 19          | 8                     | IN | 345         | 57                    | NE | 56          | 28                    | SC | 313         | 106                   |
| AZ   | 233         | 97                    | IA | 150         | 24                    | NV | 74          | 13                    | SD | 27          | 24                    |
| AR   | 201         | 110                   | KS | 155         | 68                    | NH | 12          | 15                    | TN | 345         | 122                   |
| CA   | 1,119       | 91                    | KY | 280         | 126                   | NJ | 224         | 28                    | TX | 1,325       | 200                   |
| CO   | 144         | 70                    | LA | 222         | 124                   | NM | 158         | 36                    | UT | 92          | 24                    |
| CT   | 83          | 23                    | ME | 52          | 23                    | NY | 444         | 83                    | VT | 28          | 9                     |
| DE   | 29          | 8                     | MD | 156         | 26                    | NC | 509         | 122                   | VA | 288         | 130                   |
| DC   | 5           | 1                     | MA | 102         | 66                    | ND | 45          | 32                    | WA | 209         | 13                    |
| FL   | 682         | 208                   | MI | 413         | 50                    | OH | 340         | 138                   | WV | 127         | 52                    |
| GA   | 493         | 96                    | MN | 168         | 29                    | OK | 244         | 94                    | WI | 220         | 102                   |
| HI   | 25          | 3                     | MS | 233         | 119                   | OR | 168         | 14                    | WY | 45          | 23                    |
| ID   | 51          | 31                    | MO | 227         | 139                   | PA | 340         | 163                   |    |             |                       |

## ALL-RIDER MOTORCYCLE HELMET LAWS

In 2011, 4,612 motorcycle riders were killed and 81,000 were injured. The number of motorcycle crash fatalities has more than doubled since a low of 2,116 motorcycle crash deaths in 1997. For over a decade, 1998 to 2008, motorcycle crash fatalities increased each year until a slight drop in 2009. But motorcycle fatalities began to climb again in 2010 and 2011. In 2010, motorcyclists represented 14% of total traffic fatalities, yet motorcycles comprised only about 3% of all registered vehicles and accounted for just 0.4% of all vehicle miles traveled. Motorcyclists are about 30 times more likely to die and five times more likely to be injured in a traffic crash than occupants of passenger cars.

|   |           |     |           |    |           |    |           |    |
|---|-----------|-----|-----------|----|-----------|----|-----------|----|
| <b>States Without All-Rider Motorcycle Helmet Laws &amp; Lives that Could Have Been Saved in 2011 by 100 Percent Helmet Use (NHTSA, 2012)</b> | <b>AK</b> | 0   | <b>ID</b> | 3  | <b>MN</b> | 10 | <b>RI</b> | 3  |
|   | <b>AZ</b> | 29  | <b>IL</b> | 42 | <b>MT</b> | 4  | <b>SC</b> | 38 |
|   | <b>AR</b> | 15  | <b>IN</b> | 37 | <b>NH</b> | 5  | <b>SD</b> | 4  |
|   | <b>CO</b> | 18  | <b>IA</b> | 13 | <b>NM</b> | 15 | <b>TX</b> | 96 |
|   | <b>CT</b> | 10  | <b>KS</b> | 12 | <b>ND</b> | 4  | <b>UT</b> | 7  |
|   | <b>DE</b> | 6   | <b>KY</b> | 16 | <b>OH</b> | 45 | <b>WI</b> | 30 |
|   | <b>FL</b> | 100 | <b>ME</b> | 4  | <b>OK</b> | 30 | <b>WY</b> | 5  |
|   | <b>HI</b> | 9   | <b>MI</b> | 4  | <b>PA</b> | 37 |           |    |

**Among fatalities in motorcycle crashes, head injury is the leading cause of death.** While helmets will not prevent crashes from occurring, they have a significant, positive impact on preventing head and brain injuries in the event of a crash. A 2012 report by the Government Accountability Office (GAO) stated that “laws requiring all motorcyclists to wear helmets are the only strategy proven to be effective in reducing motorcyclist fatalities.”

Helmet laws are the most effective countermeasure to prevent motorcycle rider fatalities, and they save states

money. In 2012, the GAO reported that direct measurable costs of motorcycle crashes were approximately \$16 billion. Additionally, according to NHTSA, an estimated \$3 billion was saved nationally in 2010 as a result of motorcycle helmet use. An additional \$1.4 billion could have been saved if all motorcyclists had worn helmets. In states with an all-rider helmet law, economic costs saved to society were \$725 per registered motorcycle, compared with \$198 per registered motorcycle in states without such a law.

**Today, only 19 states and DC require all motorcycle riders to use a helmet. Twenty-eight states have laws that cover only some riders (i.e., up to age 18 or 21). These age-specific laws are nearly impossible for police officers to enforce and result in much lower helmet use. Three states (IL, IA and NH) have no motorcycle helmet use law. In 2012, Michigan repealed its motorcycle helmet law that had been in place for over 30 years. In 2011, more than half (59%) of the fatally injured motorcycle riders were not wearing a helmet in states without all-rider helmet laws, compared to only 9% of fatally injured riders in states with an all-rider helmet law.**



## **Why Every State Should Pass an All-Rider Motorcycle Helmet Law**

### **Helmet Laws Save Lives -**

According to the Brain Injury Association of America, head injury is a leading cause of death in motorcycle crashes. Motorcycle helmets are 67% effective in preventing brain injuries and 37% effective in preventing motorcyclist deaths. NHTSA estimates that helmets saved the lives of 1,617 motorcyclists in 2011 and that 703 more in all states could have been saved if all motorcyclists had worn helmets.

### **Helmet Laws Increase Use -**

According to IIHS, in 2011 NHTSA reported that states with all-rider helmet laws had 96% observed use of motorcycle helmets, while states without all-rider laws had a use rate of only 55%.

### **Age-Specific Laws Are Not Effective -**

According to the American Academy of Pediatrics, in states with weak youth-specific helmet laws, use has decreased and youth mortality has increased. Serious traumatic brain injury among youth was 38% higher in states with only age-specific laws compared to states with all-rider helmet laws.

### **Fiscal Responsibility -**

According to the GAO, direct measurable costs from motorcycle crashes were approximately \$16 billion in 2012. Helmet use reduces the cost of medical treatment, length of hospital stay and probability of long-term disability for those riders injured in crashes. The financial burden for treatment and care of uninsured motorcycle crash victims is borne by the government and taxpayers.

### **The Public Overwhelmingly Supports Helmet Laws -**

According to a 2000 motor vehicle occupant survey conducted by NHTSA, 81% reported that they favored mandatory helmet use laws for all motorcyclists. A 2004 Lou Harris poll commissioned by Advocates yielded the same results.

### **Alternatives are Costly and Ineffective -**

There is no scientific evidence that motorcycle rider training reduces crash risk and is an adequate substitute for an all-rider helmet law. A review conducted in 1996 by the Traffic Injury Research Foundation concluded that there is "no compelling evidence that rider training is associated with reductions in collisions." In fact, motorcycle fatalities continued to increase even after a motorcycle education and training grant program included in federal legislation took effect in 2006.

### **Helmets Do Not Increase the Likelihood of Spinal Injury or Crash -**

Long-standing, credible studies have determined that helmets reduce head injuries without increased occurrence of spinal injuries in motorcycle trauma.

# ADULT OCCUPANT PROTECTION LAWS RATING CHART

## Primary Enforcement Seat Belt Laws and All-Rider Motorcycle Helmet Laws

|     | Primary Enforcement Seat Belt Law | All-Rider Motorcycle | Rating |     | Primary Enforcement Seat Belt Law | All-Rider Motorcycle Helmet Law | Rating |
|-----|-----------------------------------|----------------------|--------|-----|-----------------------------------|---------------------------------|--------|
| AL  | ●                                 | ●                    | ●      | MT  |                                   |                                 | ●      |
| AK* | ●                                 |                      | ●      | NE  |                                   | ●                               | ●      |
| AZ  |                                   |                      | ●      | NV  |                                   | ●                               | ●      |
| AR  | ●                                 |                      | ●      | NH  |                                   |                                 | ●      |
| CA* | ●                                 | ●                    | ●      | NJ  | ●                                 | ●                               | ●      |
| CO  |                                   |                      | ●      | NM* | ●                                 |                                 | ●      |
| CT  | ●                                 |                      | ●      | NY  | ●                                 | ●                               | ●      |
| DE* | ●                                 |                      | ●      | NC  | ●                                 | ●                               | ●      |
| DC* | ●                                 | ●                    | ●      | ND  |                                   |                                 | ●      |
| FL  | ●                                 |                      | ●      | OH  |                                   |                                 | ●      |
| GA  | ●                                 | ●                    | ●      | OK  | ●                                 |                                 | ●      |
| HI  | ●                                 |                      | ●      | OR* | ●                                 | ●                               | ●      |
| ID  |                                   |                      | ●      | PA  |                                   |                                 | ●      |
| IL* | ●                                 |                      | ●      | RI* | ●                                 |                                 | ●      |
| IN* | ●                                 |                      | ●      | SC* | ●                                 |                                 | ●      |
| IA  | ●                                 |                      | ●      | SD  |                                   |                                 | ●      |
| KS  | ●                                 |                      | ●      | TN  | ●                                 | ●                               | ●      |
| KY* | ●                                 |                      | ●      | TX* | ●                                 |                                 | ●      |
| LA* | ●                                 | ●                    | ●      | UT  |                                   |                                 | ●      |
| ME* | ●                                 |                      | ●      | VT  |                                   | ●                               | ●      |
| MD  | ●                                 | ●                    | ●      | VA  |                                   | ●                               | ●      |
| MA  |                                   | ●                    | ●      | WA* | ●                                 | ●                               | ●      |
| MI  | ●                                 |                      | ●      | WV  |                                   | ●                               | ●      |
| MN* | ●                                 |                      | ●      | WI* | ●                                 |                                 | ●      |
| MS  | ●                                 | ●                    | ●      | WY  |                                   |                                 | ●      |
| MO  |                                   | ●                    | ●      |     |                                   |                                 |        |

\*Indicates states with seat belt laws that are primary enforcement for occupants in all seating positions.

### STATUS OF STATE LAWS

No state adopted a primary enforcement seat belt law in 2012.

18 states do not have primary enforcement seat belt laws.

No state adopted an all-rider motorcycle helmet law in 2012.

Michigan repealed its all-rider motorcycle helmet law.

11 states have neither law. (AZ, CO, ID, MT, NH, ND, OH, PA, SD, UT and WY).

12 states and DC have both laws (AL, CA, GA, LA, MD, MS, NJ, NY, NC, OR, TN and WA).

32 States and D.C. Have Primary Enforcement Seat Belt Laws, But Half are Front Seat Only

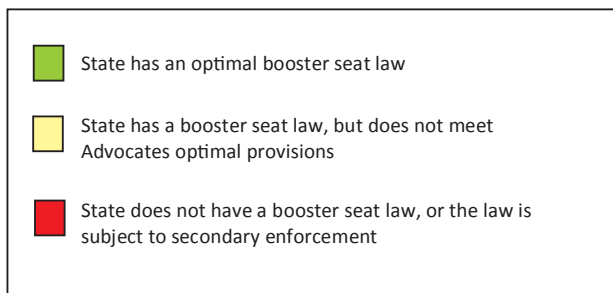
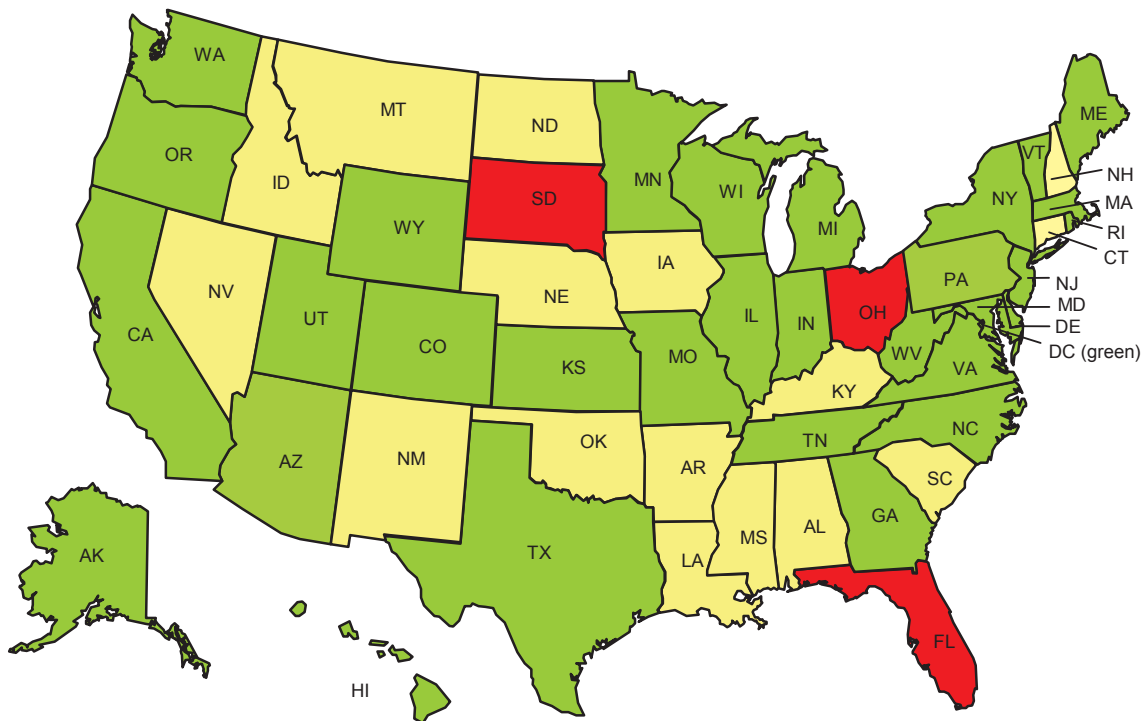
Only 16 States and D.C. Have Primary Enforcement for Occupants in All Seating Positions

|                        |                       | Type of Rear Seat Law   |  |  |
|------------------------|-----------------------|---|--|--|
|                        |                       | Primary Enforcement   | Secondary Enforcement                      | No Law   |
| Type of Front Seat Law | Primary Enforcement   | 16 states and D.C.<br>AK, CA, DE, DC, IL, IN, KY, LA, ME, MN, NM, OR, RI, SC, TX, WA and WI | 3 states<br>KS, NC and NJ                  | 13 states<br>AL, AR, CT, FL, GA, HI, IA, MD, MI, MS, NY, OK and TN |
|                        | Secondary Enforcement | None  | 7 states<br>ID, MA, MT, NV, UT, VT, and WY | 10 states<br>AZ, CO, MO, NE, ND, OH, PA, SD, VA and WV             |
|                        | No Law                | None  | None                                       | 1 state<br>NH  |

● = Optimal law ● = Caution ● = Good ● = Danger  
(No credit is given for laws that are secondary enforcement)

# CHILD PASSENGER SAFETY

## Booster Seat Laws



*Note:* No credit is given for laws that are subject to secondary enforcement. Please refer to page 14 for law definition. See "States at a Glance", beginning on page 42, to determine which states have secondary enforcement or no law at all.

## BOOSTER SEAT LAWS

Motor vehicle crashes are the leading cause of death for children age five and older. In 2011, 194 children ages four through seven died in motor vehicle crashes. According to Partners for Child Passenger Safety, a project of Children's Hospital of Philadelphia and State Farm Insurance, booster seats reduce the risk of injury by 59% in children ages four through seven, as compared to using seat belts alone. Most of the children in that age group are at increased risk of injury or death due to inappropriate restraint in adult seat belts or lack of any restraint use at all. Children in side-impact crashes benefitted the most from booster seats, showing a reduction in injury risk of 68% for near-side crashes and 82% for far-side crashes. A 2004 Harris poll found that 84% of Americans support all states having booster seat laws protecting children ages four through seven.

Booster seats are intended to provide a platform that lifts the child up off the vehicle seat in order to improve the fit of the adult seat belt. An improper fit of an adult belt can cause the lap belt to ride up over the stomach and the shoulder belt to cut across the neck, potentially exposing the child to serious abdominal and/or neck injury. Also, if the shoulder strap portion of the lap/shoulder belt is uncomfortable, children will likely place it behind their backs, thereby defeating safety benefits of the system. When children are properly restrained in a child safety seat, booster, or seat belt, as appropriate for their age and size, their chance of being killed or seriously injured in a crash is greatly reduced.

To date, 47 states and DC have enacted booster seat laws. **Only 31 of those states and DC have laws that provide protection for children ages four through seven, as recommended by Advocates, NTSB, NHTSA, and other child safety advocacy organizations.** Sixteen states with booster seat laws cover children only up to, but not including, age five, six or seven. Three states have no booster seat law at all, or their laws are not subject to primary enforcement.



**MAP-21 authorizes funding to be used for incentive grant programs for booster seats.**

Occupant protection incentive grants are intended to encourage states to adopt and implement effective programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles. State eligibility for grant funds is based on the percentage of persons using seat belts and compliance with several additional program criteria including enforcing age-appropriate restraint use for children who weigh up to 65 pounds.

The grant funds may be used to train occupant safety professionals, distribute child restraints to lower-income families, provide public education about occupant restraint use, manage community child passenger safety services, support high-visibility enforcement mobilizations and collect state occupant protection data.



# BOOSTER SEAT LAWS RATING CHART

|    | Booster Seat Law | Rating |    | Booster Seat Law | Rating |
|----|------------------|--------|----|------------------|--------|
| AL | ○                | ●      | MT | ○                | ●      |
| AK | ●                | ●      | NE | ○                | ●      |
| AZ | ●                | ●      | NV | ○                | ●      |
| AR | ○                | ●      | NH | ○                | ●      |
| CA | ●                | ●      | NJ | ●                | ●      |
| CO | ●                | ●      | NM | ○                | ●      |
| CT | ○                | ●      | NY | ●                | ●      |
| DE | ●                | ●      | NC | ●                | ●      |
| DC | ●                | ●      | ND | ○                | ●      |
| FL |                  | ●      | OH |                  | ●      |
| GA | ●                | ●      | OK | ○                | ●      |
| HI | ●                | ●      | OR | ●                | ●      |
| ID | ○                | ●      | PA | ●                | ●      |
| IL | ●                | ●      | RI | ●                | ●      |
| IN | ●                | ●      | SC | ○                | ●      |
| IA | ○                | ●      | SD |                  | ●      |
| KS | ●                | ●      | TN | ●                | ●      |
| KY | ○                | ●      | TX | ●                | ●      |
| LA | ○                | ●      | UT | ●                | ●      |
| ME | ●                | ●      | VT | ●                | ●      |
| MD | ●                | ●      | VA | ●                | ●      |
| MA | ●                | ●      | WA | ●                | ●      |
| MI | ●                | ●      | WV | ●                | ●      |
| MN | ●                | ●      | WI | ●                | ●      |
| MS | ○                | ●      | WY | ●                | ●      |
| MO | ●                | ●      |    |                  |        |

## STATUS OF STATE LAWS

One state (AZ) adopted an optimal booster seat law in 2012.

31 states and DC have an optimal booster seat law.

16 states (AL, AR, CT, ID, IA, KY, LA, MS, MT, NE, NV, NH, NM, ND, OK, and SC) have a booster seat law that does not cover children through age 7.

3 states (FL, OH, and SD) have yet to adopt any booster seat law, or the states' law only permits secondary enforcement.

- = Optimal law
- = Law does not fully satisfy Advocates' recommendation (no credit given)
- = Good
- = Caution
- = Danger

(No credit is given for laws that are secondary enforcement)

# TEEN DRIVING: GRADUATED DRIVER LICENSE (GDL) PROGRAM

**Minimum Age 16 for Learner’s Permit**

**6-Month Holding Period**

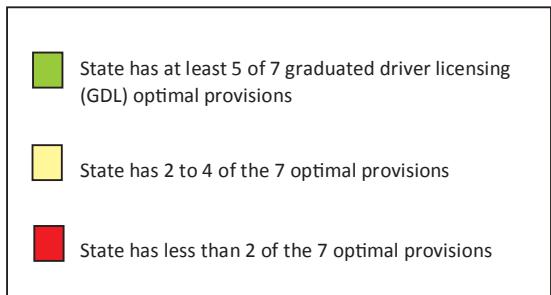
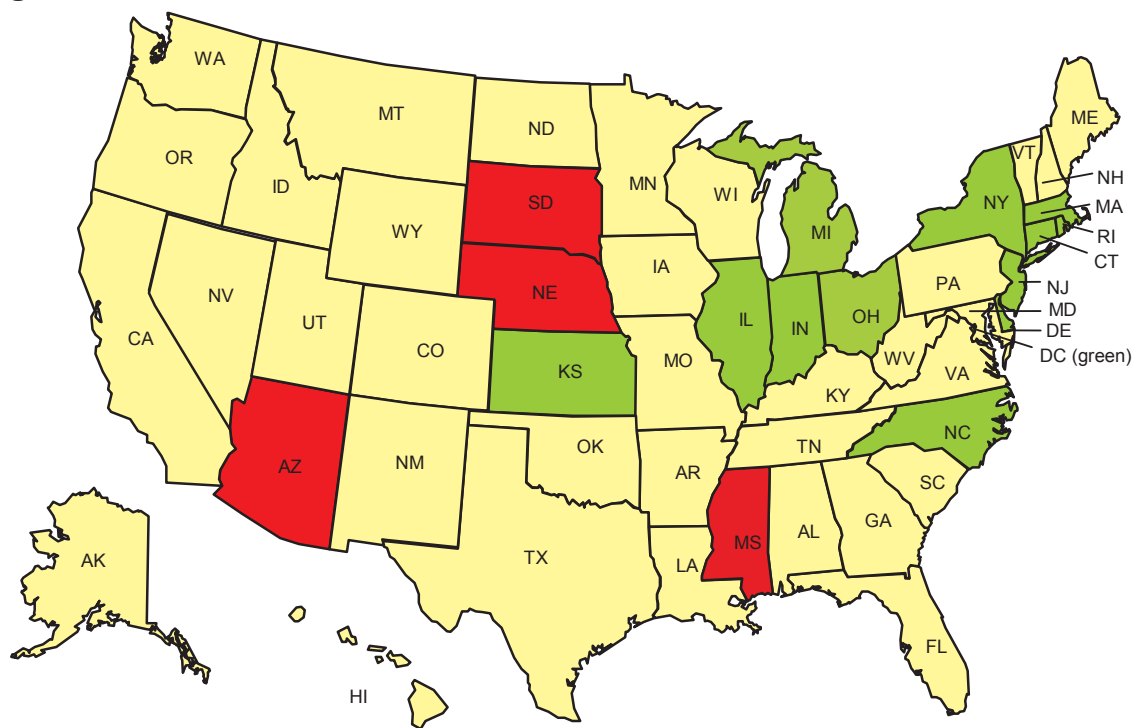
**30-50 Hours Supervised Driving**

**Nighttime Driving Restriction**

**Passenger Restriction**

**Cell Phone Restriction**

**Age 18 for Unrestricted License**



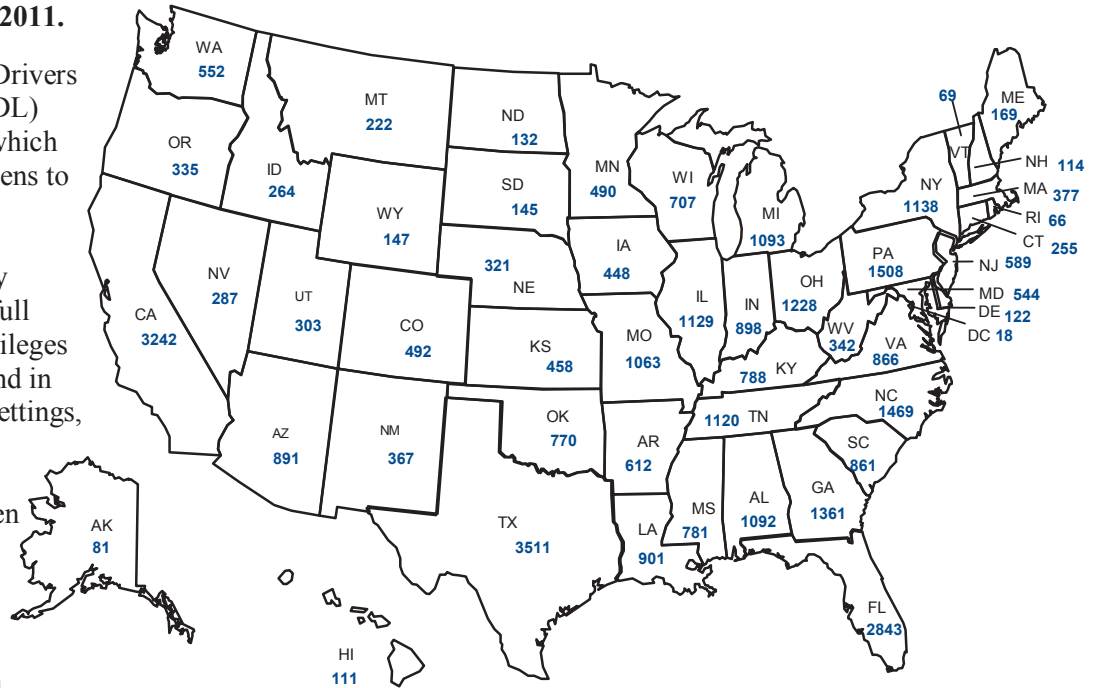
*Note:* No credit is given for laws that are subject to secondary enforcement. Please refer to pages 14-15 for law definitions.

# TEEN DRIVING LAWS

## Motor Vehicle Crashes are the Number One Killer of American 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. According to NHTSA, 4,767 people were killed in crashes involving young drivers in 2011. Of that number, 1,987 were young drivers and 1,191 were passengers of young drivers. The remaining 1,589 victims were pedestrians, pedalcyclists, other drivers and passengers in the other vehicles involved in crashes with young drivers. **The map below shows the number of fatalities by state in motor vehicle crashes involving drivers aged 15 to 20 from 2006-2011.**

Graduated Drivers License (GDL) programs, which introduce teens to the driving experience gradually by phasing in full driving privileges over time and in lower risk settings, have been effective in reducing teen crash deaths. In this report, each of the seven optimal GDL provisions is counted separately in rating the state effort. **No state has all of the optimal GDL provisions recommended in this report.**



## MAP-21 authorizes funding for a GDL law incentive grant program.

GDL incentive grants are intended to encourage states to adopt and implement effective GDL laws to allow young drivers to gain behind-the-wheel experience under optimal conditions.

To be eligible for grants, state GDL laws must include a two-stage licensing process for novice drivers that requires 1) a learner's permit stage lasting at least six months during which the driver is prohibited from using a cell phone while operating the motor vehicle and, 2) an intermediate stage that starts immediately after the learner's stage, is also at least six-months in duration and remains in effect until age 18, during which driving at night is restricted and only one non-familial passenger under the age of 21 can be in the vehicle unless accompanied by a licensed driver 21 or older. The U.S. DOT is considering additional criteria, such as a minimum of 30 hours of supervised driving, that may be required.

## Key Facts Regarding Teen Drivers

- In 2011, 4,767 people were killed in crashes involving young drivers ages 15-20; 1,987 of them were young drivers and 1,191 were passengers of teen drivers. (NHTSA, 2011)
- Fatal crash rates per mile driven are twice as high for 16-year-olds as they are for 18-19-year-olds. The greatest incidence (20%) of teenage motor vehicle crash deaths occur from 9pm to midnight. (IIHS, 2008)
- In states that have adopted GDL systems, studies have found overall crash reductions among teen drivers of about 10-30%. (IIHS, 2010)
- Programs that included a mandatory waiting period, 30 hours of supervised driving, and passenger and nighttime restrictions were associated with reductions of 16-21% in fatal-crash involvement rates of 16-year-old drivers. (NHTSA, 2006)
- States with nighttime driving restrictions show crash reductions of up to 60 percent during restricted hours. (NHTSA, 2006)
- Fatal crash rates are 21% lower for 15-to-17-year-old drivers when prohibited from having any teenage passengers in their vehicles, compared to when two or more passengers were allowed. (IIHS, 2010)
- An analysis of fatal crash rates for drivers age 15 to 17 in states with different minimum learner's permit and intermediate license ages found that as the age of obtaining a learner's permit decreases, fatal crash rates increase. The earlier young people are allowed to learn to drive, and the younger the age at which they become licensed, are both factors associated with higher fatal crash rates. (IIHS, 2010)
- In 2010, more than half (54%) of the young drivers killed were unrestrained, where restraint use was known. (NHTSA, 2011)
- Twenty-five percent of young drivers aged 15-20 who were killed in crashes in 2010 had a BAC of .08% or higher. (NHTSA, 2011)
- The estimated economic cost of police-reported crashes involving drivers between 15 and 20 years old was \$42.3 billion. (NHTSA, 2002)
- Text messaging has become a more prominent issue when it comes to distracted teen drivers. In a 2007 study by Liberty Mutual Insurance Group and Students Against Destructive Decisions, 46% of teens admitted to text messaging while driving, even though 37% rated text messaging as "extremely" or "very" distracting.
- A 2010 survey conducted by IIHS shows that parents 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.
- Almost three-quarters (74%) of teens approve of a single, comprehensive law that incorporates the key elements of graduated driver licensing, according to a 2010 survey by the Allstate Foundation.

# TEEN DRIVING LAWS RATING CHART

Number of new Teen Driving laws since January 2012: No Minimum Age for Learner's Permit; No 6-Month Holding Period; No supervised driving provision; No nighttime restriction; No passenger restriction; Three optimal cell phone restrictions (MI, OH, WI); One text messaging restriction (ID); and No age 18 for unrestricted license.

|    | Minimum Age 16 for Learner's Permit | 6-Month Holding Period | 30-50 Hrs. Supervised Driving | Nighttime Restriction | Passenger Restriction | Cell Phone Restriction | Age 18 Unrestricted License | Teen Driving Laws Rating |    | Minimum Age 16 for Learner's Permit | 6-Month Holding Period | 30-50 Hrs. Supervised Driving | Nighttime Restriction | Passenger Restriction | Cell Phone Restriction | Age 18 Unrestricted License | Teen Driving Laws Rating |
|----|-------------------------------------|------------------------|-------------------------------|-----------------------|-----------------------|------------------------|-----------------------------|--------------------------|----|-------------------------------------|------------------------|-------------------------------|-----------------------|-----------------------|------------------------|-----------------------------|--------------------------|
| AL |                                     | ●                      |                               | ○                     | ●                     | ○                      |                             | ●                        | MT |                                     | ●                      | ●                             | ○                     | ●                     |                        |                             | ●                        |
| AK |                                     | ●                      | ●                             | ○                     | ●                     | ○                      |                             | ●                        | NE |                                     | ●                      |                               |                       |                       |                        |                             | ●                        |
| AZ |                                     | ●                      |                               |                       |                       |                        |                             | ●                        | NV |                                     | ●                      | ●                             |                       |                       | ○                      | ●                           | ●                        |
| AR |                                     | ●                      |                               | ○                     | ●                     | ○                      | ●                           | ●                        | NH |                                     |                        | ●                             | ○                     | ●                     | ○                      | ●                           | ●                        |
| CA |                                     | ●                      | ●                             |                       |                       | ○                      |                             | ●                        | NJ | ●                                   | ●                      |                               | ○                     | ●                     | ●                      | ●                           | ●                        |
| CO |                                     | ●                      | ●                             |                       |                       | ●                      |                             | ●                        | NM |                                     | ●                      | ●                             | ○                     | ●                     | ●                      |                             | ●                        |
| CT | ●                                   |                        | ●                             | ○                     | ●                     | ●                      | ●                           | ●                        | NY | ●                                   | ●                      | ●                             | ●                     | ●                     | ○                      |                             | ●                        |
| DE | ●                                   | ●                      | ●                             | ●                     | ●                     | ●                      |                             | ●                        | NC |                                     | ●                      | ●                             | ●                     | ●                     | ●                      |                             | ●                        |
| DC | ●                                   | ●                      | ●                             | ○                     | ●                     | ○                      | ●                           | ●                        | ND |                                     | ●                      |                               | ●                     |                       | ●                      |                             | ●                        |
| FL |                                     | ●                      | ●                             | ○                     |                       |                        | ●                           | ●                        | OH |                                     | ●                      | ●                             |                       | ●                     | ●                      | ●                           | ●                        |
| GA |                                     | ●                      | ●                             |                       |                       | ●                      | ●                           | ●                        | OK |                                     | ●                      | ●                             | ●                     | ●                     | ○                      |                             | ●                        |
| HI |                                     | ●                      | ●                             | ○                     | ●                     |                        |                             | ●                        | OR |                                     | ●                      | ●                             | ○                     | ●                     | ●                      |                             | ●                        |
| ID |                                     | ●                      | ●                             | ●                     | ●                     | ○                      |                             | ●                        | PA | ●                                   | ●                      | ●                             | ○                     | ●                     | ○                      |                             | ●                        |
| IL |                                     | ●                      | ●                             | ○                     | ●                     | ●                      | ●                           | ●                        | RI | ●                                   | ●                      | ●                             | ○                     | ●                     | ●                      |                             | ●                        |
| IN |                                     | ●                      | ●                             | ○                     | ●                     | ●                      | ●                           | ●                        | SC |                                     | ●                      | ●                             | ●                     | ○                     |                        |                             | ●                        |
| IA |                                     | ●                      |                               | ○                     |                       | ●                      |                             | ●                        | SD |                                     |                        |                               | ●                     |                       |                        |                             | ●                        |
| KS |                                     | ●                      | ●                             | ●                     | ●                     | ●                      |                             | ●                        | TN |                                     | ●                      | ●                             | ○                     | ●                     | ●                      |                             | ●                        |
| KY | ●                                   | ●                      | ●                             | ○                     |                       | ●                      |                             | ●                        | TX |                                     | ●                      |                               |                       | ●                     |                        |                             | ●                        |
| LA |                                     | ●                      | ●                             | ○                     |                       | ●                      |                             | ●                        | UT |                                     | ●                      | ●                             | ○                     |                       | ○                      |                             | ●                        |
| ME |                                     | ●                      | ●                             | ○                     | ●                     | ●                      |                             | ●                        | VT |                                     | ●                      | ●                             |                       | ●                     | ●                      |                             | ●                        |
| MD |                                     | ●                      | ●                             | ○                     |                       | ○                      | ●                           | ●                        | VA |                                     | ●                      | ●                             |                       |                       |                        | ●                           | ●                        |
| MA | ●                                   | ●                      | ●                             |                       |                       | ●                      | ●                           | ●                        | WA |                                     | ●                      | ●                             |                       |                       | ●                      |                             | ●                        |
| MI |                                     | ●                      | ●                             | ●                     | ●                     | ●                      |                             | ●                        | WV |                                     | ●                      |                               | ●                     | ●                     | ●                      |                             | ●                        |
| MN |                                     | ●                      | ●                             | ○                     | ●                     | ●                      |                             | ●                        | WI |                                     | ●                      | ●                             | ○                     | ●                     | ●                      |                             | ●                        |
| MS |                                     | ●                      |                               | ○                     |                       | ○                      |                             | ●                        | WY |                                     |                        | ●                             | ○                     | ●                     | ○                      |                             | ●                        |
| MO |                                     | ●                      | ●                             | ○                     | ●                     | ○                      |                             | ●                        |    |                                     |                        |                               |                       |                       |                        |                             | ●                        |

● = Optimal law ○ = Law does not satisfy Advocates' recommendation (no credit given)

● = Good (At least 5 optimal provisions)

● = Caution (at least 2 to 4 of 7 optimal provisions)

● = Danger (Less than 2 optimal provisions)

(No credit is given for laws that are secondary enforcement)



## IMPAIRED DRIVING LAWS

In 2011, 31% of all fatal crashes were alcohol-related, and 9,878 people were killed in alcohol-impaired driving crashes. According to Mothers Against Drunk Driving (MADD), drunk driving costs more than \$132 billion annually. Clearly, more needs to be done to reduce the number of impaired drivers on our roadways.

Impaired driving laws target a range of behavioral issues associated with alcohol consumption and operation of a motor vehicle on public roads.

Federal leadership in critical areas such as impaired driving has resulted in the rapid adoption of life-saving laws in states across the country. As a result of federal laws enacted with strong sanctions, all 50 states have adopted .08 percent blood alcohol concentration (BAC), a national 21 minimum drinking age, and zero tolerance BAC laws for youth.

Additionally, documented successes in reducing drunk driving have resulted from the enactment of laws requiring ignition interlock devices for convicted drunk drivers, child endangerment laws, open container laws, and laws requiring mandatory BAC testing for drivers who either are killed or survive a crash in which a death occurs.

Four laws that Advocates considers crucial to reducing impaired driving are:

- **Ignition Interlock Devices for All Offenders**
- **Child Endangerment**
- **Mandatory BAC Test – Killed and  
Mandatory BAC Test – Surviving  
(considered as one law, for evaluation purposes)**
- **Open Container (that meets federal requirements)**



### **MAP-21 allocates funding to be used for incentive grant programs for impaired driving.**

Impaired driving incentive grants are intended to encourage states to adopt and implement effective programs to reduce traffic safety problems resulting from individuals driving while under the influence of alcohol. The grants may also be used to adopt ignition interlock laws and other countermeasures.

States with low incidence of impaired driving are eligible for grants, while other states must meet additional criteria to qualify. Grant funds may be used to fund, among other programs, high visibility enforcement campaigns, alcohol-ignition interlock programs, improved testing and reporting of blood alcohol concentration, drunk driving courts and judicial training programs.

## Ignition Interlock Device (IID) Laws

A breath alcohol ignition interlock device (IID) is a mechanism similar to a breathalyzer which is linked to a vehicle's ignition system. Its purpose is to deter an individual who has a prior drunk driving conviction from driving the vehicle with a BAC that exceeds a specified level set by state law. Before the vehicle can be started, the driver must breathe into the device, and if the analyzed result is over the specified legal BAC limit, commonly .02% or .04%, the vehicle will not start. In addition, at random times after the engine has been started, the IID will require another breath sample. This prevents cheating where a friend or relative breathes into the device to bypass the system in order to enable an intoxicated person to get behind the wheel and drive. If the breath sample is not provided, or the sample exceeds the ignition interlock's preset BAC, the device will log the event, warn the driver and then set off an alarm (e.g., lights flashing, horn honking, etc.) until the ignition is turned off.

A common misconception is that most people who are convicted of their first drunk driving offense are social drinkers who made a one-time mistake. However, studies show that the average first offender will have driven drunk 87 times before getting caught. Most states now permit judges to order the installation of an IID as a condition of probation, especially for repeat offenders.

In November 2011, MADD released a Report to the Nation to mark the fifth anniversary of its national Campaign to Eliminate Drunk Driving. In an effort to combat the nearly 10,000 deaths each year related to drunk driving, the campaign's goal is to apply new technology and tougher laws to deter drunk driving. The 2011 report reemphasized the need for mandatory IID installation for first time and subsequent offenders. In 2009, in a survey conducted by IIHS, 84% of respondents said IIDs are a good idea for convicted drunk drivers.

Advocates also has chosen to evaluate whether states' ignition interlock laws apply to all offenders. **Currently, IIDs are mandatory for first and all offenders in only seventeen (17) states (AK, AZ, AR, CO, CT, HI, IL, KS, LA, MO, NE, NM, NY, OR, UT, VA, WA).** These state laws offer the most effective means for denying drunk drivers the opportunity to get behind the wheel after having been convicted of a drunk driving offense. Credit is given to states that require ignition interlock devices for all offenders.





## Child Endangerment Laws

In 2011, 1,140 children ages 14 and younger were killed in motor vehicle crashes. Approximately 16% of these fatalities occurred in crashes involving an alcohol-impaired driver. A national telephone survey sponsored by NHTSA in 1999 estimated that between 46 and 102 million drunk-driving trips are made each year with children under the age of 15 in the vehicle.

Child endangerment laws either create a separate offense or enhance existing Driving While Intoxicated (DWI) and Driving Under the Influence (DUI) penalties for people who drive under the influence of alcohol or drugs with a minor child in the vehicle. Drivers who engage in this conduct create a hazardous situation for themselves and for others on the road, and also put a child – who rarely has a choice as to who is driving – at risk of serious danger.

While numerous states have existing child endangerment laws to address child abuse, many of these state laws are not clearly defined when it comes to impaired driving. Prosecution of child endangerment cases also requires the state to prove intent and overcome the defense that the act was unintentional. This additional burden in child endangerment cases frequently causes these cases to be dismissed during pre-trial proceedings. For this reason, driving while impaired with a child in the vehicle is rarely charged as child abuse. By creating a separate offense for driving while impaired with a child in the vehicle, enforcement of the law is improved and public awareness is heightened.

In a 2000 study of crashes involving impaired drivers, the CDC found that among over 5,000 child passenger deaths, more than 60% of the children who were killed were riding in the car driven by an impaired driver. Impaired drivers who transported a child who was killed in a crash were more likely than other drivers to have had a prior license suspension or previous conviction for DWI or DUI. These problem drivers continue to take risks with their own lives, but also endanger the lives of children.

Additionally, the CDC study found that only 18% of children who were killed in a crash while riding in the impaired driver's vehicle were properly restrained. In comparison, nearly 31% of children killed in a crash while riding with a non-impaired driver were properly restrained.

Child endangerment laws are enacted to encourage people to consider the consequences for younger passengers before they drive while impaired with a child in their vehicle. When adequately defined and properly enforced, child endangerment laws act as a strong deterrent that protects children.

**Currently, 42 states and DC have enacted child endangerment laws that increase penalties for people who drive while impaired with children in their vehicle. Eight (8) states (AK, CT, IN, MO, NM, PA, SD, and VT) need to enact such laws.**

## **Mandatory Blood Alcohol Concentration (BAC) Test Laws For Drivers Killed in Fatal Crashes and For Drivers Who Survive Fatal Crashes**

To have a clear picture of alcohol-involved crashes, it is essential to conduct blood testing of drivers involved in fatal crashes. There are generally two legal provisions that are needed for accurate and full reporting to FARS on impaired driving and crash fatalities: mandatory BAC testing for drivers who are killed in a fatal crash, as well as mandatory BAC testing for drivers who survive a crash in which a fatality has occurred. BAC testing laws require the collection of important data that can serve to increase awareness of drunk driving issues by improving the integrity of the data that are collected. They ensure a high level of testing, increase the likelihood of prosecution of impaired driving offenders, decrease the use of hospitals as “safe havens” for offenders to avoid prosecution, and increase the deterrent to drink and drive by making detection more likely. All of these benefits allow officials to determine the best policies and strategies to reduce impaired driving.

Unfortunately, data on deaths in crashes involving impaired drivers are incomplete because state laws have different requirements for testing drivers involved in crashes in which a fatality occurs. Only 15,025 (72%) of the drivers who were involved in a fatal crash in 2011 had BAC test results reported in FARS. These statistics are far too low and state laws are far too inconsistent on this subject to ensure accurate reporting.

In this report, Advocates considers both of these laws as a single criterion (full credit if a state has both laws). State laws meet the requirement if it is mandatory, or if the law requires BAC testing based on probable cause, reasonable grounds or an arrest for a drunk driving related offense. Full credit is given for laws that require testing of both killed and surviving drivers. **In total, 48 states and DC require that both killed and surviving drivers be tested, and the remaining states (KY and TN) have one but not both laws requiring driver BAC testing.**

## Open Container Laws That Meet Federal Requirements

Studies have shown that open container laws are effective at deterring heavy drinkers from getting behind the wheel. States have also shown a significant decrease in hit-and-run crashes after adopting open container laws.

Congress passed legislation in 1998 establishing a program designed to encourage states to adopt laws that ban the presence of open containers of any kind of alcoholic beverage in the entire passenger area of a motor vehicle. To comply with the provisions set forth in federal law, the state's open container law must:

- Prohibit both possession of any open alcoholic beverage container and consumption of any alcoholic beverage in a motor vehicle;
- Cover the entire passenger area of any motor vehicle, including unlocked glove compartments and accessible storage areas;
- Apply to all alcoholic beverages including beer, wine, and spirits;
- Apply to all vehicle occupants except for passengers of buses, taxi cabs, limousines or persons in the living quarters of motor homes;
- Apply to vehicles on the shoulder of public highways; and,
- Require primary enforcement of the law.



Today, eleven (11) states (AK, AR, CT, DE, LA, MS, MO, TN, VA, WV, and WY) do not comply with the federal statute. In an effort to encourage states to comply with the federal law, those states that are non-compliant have three percent of their annual federal transportation funds diverted to highway safety programs that fund alcohol-impaired driving countermeasures and law enforcement activities. This federal requirement is known as “redirection,” and provides that states do not lose any funding, but can redirect the diverted funds to other designated programs. Redirection has been largely ineffective as an incentive for encouraging lagging states to enact strong open container laws.

On the impaired driving chart in this report, Advocates gives credit only if a state has enacted an open container law that is in compliance with the federal law. **Currently, 39 states and DC are in compliance. No state adopted a federally-compliant open container law in 2012.**

# IMPAIRED DRIVING LAWS RATING CHART

Number of new Impaired Driving laws since January 2012: Two ignition interlock laws for all offenders (MO, VA); One child endangerment (MS); No BAC testing; and No open container.

|    | Ignition Interlocks | Child Endangerment | Mandatory BAC Test | Open Container | Impaired Driving Rating |    | Ignition Interlocks | Child Endangerment | Mandatory BAC Test | Open Container | Impaired Driving Rating |
|----|---------------------|--------------------|--------------------|----------------|-------------------------|----|---------------------|--------------------|--------------------|----------------|-------------------------|
| AL |                     | ●                  | ●                  | ●              | ●                       | MT |                     | ●                  | ●                  | ●              | ●                       |
| AK | ●                   |                    | ●                  |                | ●                       | NE | ●                   | ●                  | ●                  | ●              | ●                       |
| AZ | ●                   | ●                  | ●                  | ●              | ●                       | NV |                     | ●                  | ●                  | ●              | ●                       |
| AR | ●                   | ●                  | ●                  |                | ●                       | NH |                     | ●                  | ●                  | ●              | ●                       |
| CA |                     | ●                  | ●                  | ●              | ●                       | NJ |                     | ●                  | ●                  | ●              | ●                       |
| CO | ●                   | ●                  | ●                  | ●              | ●                       | NM | ●                   |                    | ●                  | ●              | ●                       |
| CT | ●                   |                    | ●                  |                | ●                       | NY | ●                   | ●                  | ●                  | ●              | ●                       |
| DE |                     | ●                  | ●                  |                | ●                       | NC |                     | ●                  | ●                  | ●              | ●                       |
| DC |                     | ●                  | ●                  | ●              | ●                       | ND |                     | ●                  | ●                  | ●              | ●                       |
| FL |                     | ●                  | ●                  | ●              | ●                       | OH |                     | ●                  | ●                  | ●              | ●                       |
| GA |                     | ●                  | ●                  | ●              | ●                       | OK |                     | ●                  | ●                  | ●              | ●                       |
| HI | ●                   | ●                  | ●                  | ●              | ●                       | OR | ●                   | ●                  | ●                  | ●              | ●                       |
| ID |                     | ●                  | ●                  | ●              | ●                       | PA |                     |                    | ●                  | ●              | ●                       |
| IL | ●                   | ●                  | ●                  | ●              | ●                       | RI |                     | ●                  | ●                  | ●              | ●                       |
| IN |                     |                    | ●                  | ●              | ●                       | SC |                     | ●                  | ●                  | ●              | ●                       |
| IA |                     | ●                  | ●                  | ●              | ●                       | SD |                     |                    | ●                  | ●              | ●                       |
| KS | ●                   | ●                  | ●                  | ●              | ●                       | TN |                     | ●                  | ○                  |                | ●                       |
| KY |                     | ●                  | ○                  | ●              | ●                       | TX |                     | ●                  | ●                  | ●              | ●                       |
| LA | ●                   | ●                  | ●                  |                | ●                       | UT | ●                   | ●                  | ●                  | ●              | ●                       |
| ME |                     | ●                  | ●                  | ●              | ●                       | VT |                     |                    | ●                  | ●              | ●                       |
| MD |                     | ●                  | ●                  | ●              | ●                       | VA | ●                   | ●                  | ●                  |                | ●                       |
| MA |                     | ●                  | ●                  | ●              | ●                       | WA | ●                   | ●                  | ●                  | ●              | ●                       |
| MI |                     | ●                  | ●                  | ●              | ●                       | WV |                     | ●                  | ●                  |                | ●                       |
| MN |                     | ●                  | ●                  | ●              | ●                       | WI |                     | ●                  | ●                  | ●              | ●                       |
| MS |                     | ●                  | ●                  |                | ●                       | WY |                     | ●                  | ●                  |                | ●                       |
| MO | ●                   |                    | ●                  |                | ●                       |    |                     |                    |                    |                |                         |

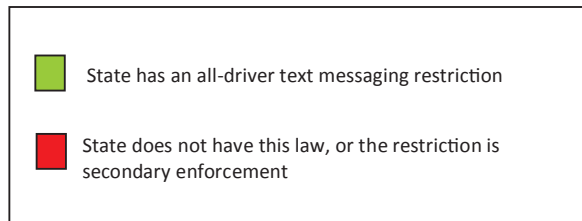
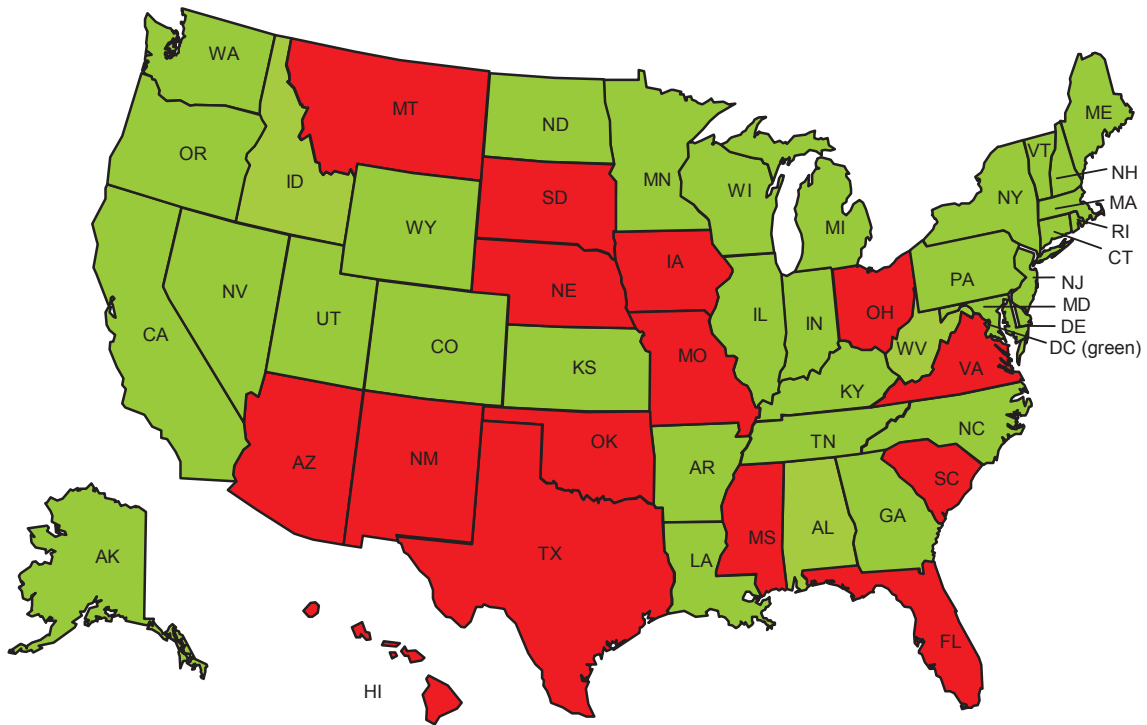
## STATUS OF STATE LAWS

40 states and D.C. are missing one or more critical impaired driving law.

- = Optimal law
- = Law does not fully satisfy Advocates' recommendation (no credit given)
- = Good (4 laws, or 3 with an optimal ignition interlock law)
- = Caution (At least 2 optimal laws)
- = Danger (Fewer than 2 optimal laws)

(No credit is given for laws that are secondary enforcement)

# DISTRACTED DRIVING: ALL-DRIVER TEXT MESSAGING RESTRICTION



*Note:* No credit is given for laws that are subject to secondary enforcement. Please refer to page 15 for law definition. See “States at a Glance”, beginning on page 42, to determine which states are bound by secondary enforcement.

## ALL-DRIVER TEXT MESSAGING RESTRICTIONS



In 2011, NHTSA reported that there were 3,331 fatalities in distraction-affected crashes. There were 387,000 injuries in crashes where driver distraction was reported to the police. It is clear from an increasing body of safety research, studies and data that the use of electronic devices for telecommunications (such as mobile phones and text messaging), telematics and entertainment can readily distract drivers from the driving task.

Research has also shown that because of the degree of cognitive distraction these devices cause, the behavior of drivers using mobile phones, whether hand-held or hands-free, is equivalent to the behavior of drivers at the threshold of the legal limit for alcohol (0.08 BAC). Crash risk is dramatic – as much as four times higher – when a driver is using a mobile phone, with no significant safety difference between hand-held and hands-free phones observed in many studies. Text messaging while driving poses even greater dangers. A 2009 study by the Virginia Tech Transportation Institute found that text messaging increased the risk of a safety-critical driving event by 23.2 times. Reports of deadly crashes involving text messaging have become increasingly common.

Research and education are not enough. We have learned from experience on many traffic safety issues, such as drunk driving and seat belt use, that public education based on research findings alone is not sufficient to change people's behavior. In order to get people to pay attention and to adopt safer behaviors, education must be combined with strong laws and appropriate enforcement. This is the tried and true method to change behavior in order to improve safety.

Advocates has given full credit to states that have an all-driver text messaging restriction. **To date, thirty-five (35) states and DC ban text messaging for all drivers, including three (3) states that adopted this law in 2012. Alaska and Utah also passed clarifying laws in 2012 to strengthen their all-driver text messaging restrictions.**

### **MAP-21 allocates funding to be used for incentive grant programs for distracted driving.**

Distracted driving incentive grants have been made available to encourage states to adopt and enforce state laws that limit driver distraction caused by the use of personal electronic devices. At least half of the state grant funds must be used to educate the public about the dangers of distracted driving, for highway signs to notify drivers about the state law prohibiting distracted driving, and for costs related to enforcing the distracted driving law.

To be eligible for grant funds, the state law must:

- Make both sending and receiving a text message while operating a motor vehicle a violation for all drivers subject to primary enforcement, and require imposition of a fine for a first offense; and,
- Make non-emergency cell phone use while operating a motor vehicle by a person under the age of 18 a violation that is subject to primary enforcement, require imposition of a fine for a first offense, and require distracted driving issues to be tested as part of the state licensing examination.

# ALL-DRIVER TEXT MESSAGING RESTRICTIONS

## RATING CHART

**Number of new Texting laws since January 2012:** Three states passed optimal laws (Alabama, Idaho, and West Virginia); Two states passed clarifying laws (Alaska and Utah); and Ohio passed a secondary law.

|    | All-Driver Text Messaging Restriction | Rating |    | All-Driver Text Messaging Restriction | Rating |
|----|---------------------------------------|--------|----|---------------------------------------|--------|
| AL | ●                                     | ●      | MT |                                       | ●      |
| AK | ●                                     | ●      | NE |                                       | ●      |
| AZ |                                       | ●      | NV | ●                                     | ●      |
| AR | ●                                     | ●      | NH | ●                                     | ●      |
| CA | ●                                     | ●      | NJ | ●                                     | ●      |
| CO | ●                                     | ●      | NM |                                       | ●      |
| CT | ●                                     | ●      | NY | ●                                     | ●      |
| DE | ●                                     | ●      | NC | ●                                     | ●      |
| DC | ●                                     | ●      | ND | ●                                     | ●      |
| FL |                                       | ●      | OH |                                       | ●      |
| GA | ●                                     | ●      | OK |                                       | ●      |
| HI |                                       | ●      | OR | ●                                     | ●      |
| ID | ●                                     | ●      | PA | ●                                     | ●      |
| IL | ●                                     | ●      | RI | ●                                     | ●      |
| IN | ●                                     | ●      | SC |                                       | ●      |
| IA |                                       | ●      | SD |                                       | ●      |
| KS | ●                                     | ●      | TN | ●                                     | ●      |
| KY | ●                                     | ●      | TX |                                       | ●      |
| LA | ●                                     | ●      | UT | ●                                     | ●      |
| ME | ●                                     | ●      | VT | ●                                     | ●      |
| MD | ●                                     | ●      | VA |                                       | ●      |
| MA | ●                                     | ●      | WA | ●                                     | ●      |
| MI | ●                                     | ●      | WV | ●                                     | ●      |
| MN | ●                                     | ●      | WI | ●                                     | ●      |
| MS |                                       | ●      | WY | ●                                     | ●      |
| MO |                                       | ●      |    |                                       |        |

### STATUS OF STATE LAWS

35 states and DC have an optimal all-driver text messaging restriction.

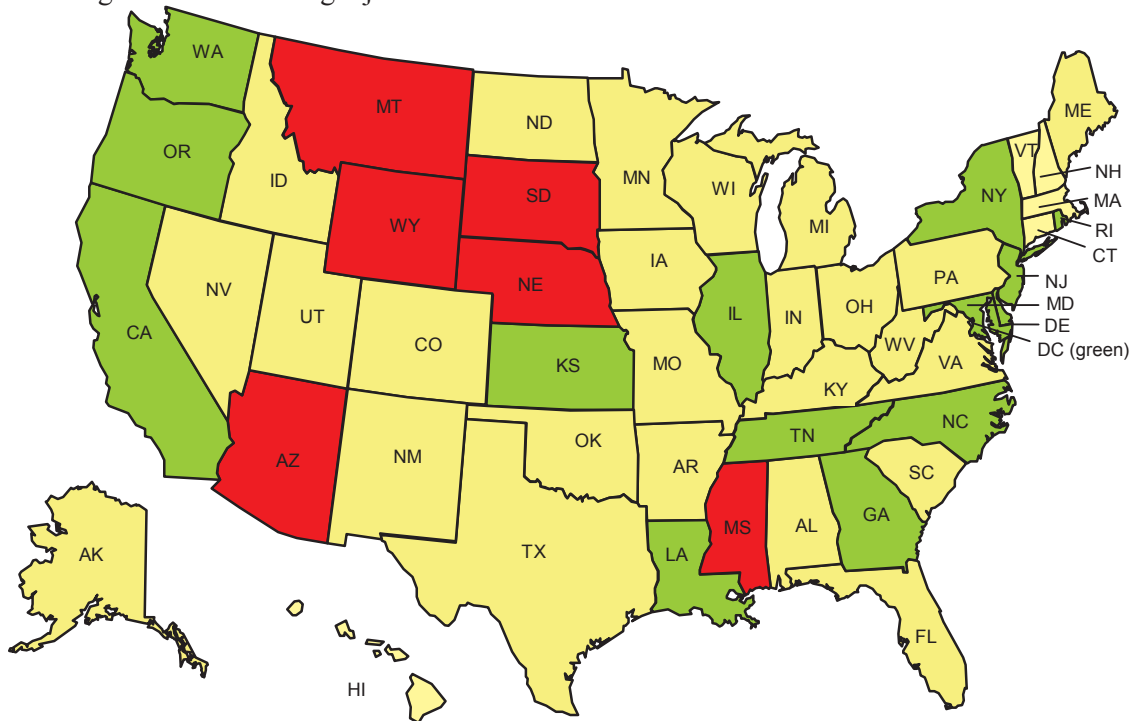
11 states have yet to adopt an all-driver text messaging restriction (AZ, FL, HI, MS, MO, MT, NM, OK, SC, SD, and TX), and four states have laws that are only subject to secondary enforcement (IA, NE, OH and VA).

- = Optimal law
- = Good
- = Danger

(No credit is given for laws that are secondary enforcement)

## OVERALL STATE RATINGS BASED ON TOTAL NUMBER OF LAWS

On the following pages, Advocates has given an overall rating to the states based on the number of laws in each state that are recommended in this report. Credit is given *only* when the law meets Advocates' optimal law recommendations (see pages 14-15 for law definitions). No credit is given for laws that are subject to secondary enforcement. The overall rating takes into consideration whether a state has adult occupant protection laws. No state without a primary enforcement seat belt law or that has repealed an existing all-rider motorcycle helmet law within the previous ten years is eligible for a green overall rating, no matter how many other laws it may have. This weighting is to emphasize the significance of primary enforcement seat belt laws and all-rider motorcycle helmet laws in saving lives and reducing injuries.



| RATINGS CHART |  |   |
|---------------|--|---|
| Color         | Number of Points   | Definition  |
| <b>Green</b>  | 11 to 15, with primary enforcement seat belt law, <b>or</b> 9 or more, with both primary enforcement and all-rider helmet laws | State is significantly advanced toward adoption of all Advocates' recommended highway safety laws |
| <b>Yellow</b> | 6 to 10, with primary enforcement seat belt law, <b>or</b> 7 and above, without primary enforcement law                        | State is advancing but has numerous gaps in its highway safety laws.                              |
| <b>Red</b>    | Fewer than 6, with a primary enforcement seat belt law, <b>or</b> fewer than 7, with no primary enforcement seat belt law      | State falls dangerously behind in adoption of key laws.   |



# OVERALL RATING BASED ON NUMBER OF SAFETY LAWS

|                      | Teen Driving Laws                 |                                 |                  |                                     |                      |                               |                       |                       |                        |                                 | Impaired Driving                      |                        |                    | Total Credit for Number of Laws 2012 | Overall Safety Rating 2012 |                    |                                       |
|----------------------|-----------------------------------|---------------------------------|------------------|-------------------------------------|----------------------|-------------------------------|-----------------------|-----------------------|------------------------|---------------------------------|---------------------------------------|------------------------|--------------------|--------------------------------------|----------------------------|--------------------|---------------------------------------|
|                      | Primary Enforcement Seat Belt Law | All-Rider Motorcycle Helmet Law | Booster Seat Law | Minimum Age 16 for Learner's Permit | 6 Mo. Holding Period | 30-50 hrs. Supervised Driving | Nighttime Restriction | Passenger Restriction | Cell Phone Restriction | Age 18 for Unrestricted License | Ignition Interlocks for All Offenders | Child Endangerment Law | Mandatory BAC Test |                                      |                            | Open Container Law | All-Driver Text Messaging Restriction |
| Alabama              | ●                                 | ●                               | ○                |                                     | ●                    |                               | ○                     | ●                     | ○                      |                                 |                                       | ●                      | ●                  | ●                                    | ●                          | 8                  | ●                                     |
| Alaska               | ●                                 |                                 | ●                |                                     | ●                    | ●                             | ○                     | ●                     | ○                      |                                 | ●                                     |                        | ●                  |                                      | ●                          | 8                  | ●                                     |
| Arizona              |                                   |                                 | ●                |                                     | ●                    |                               |                       |                       |                        | ●                               | ●                                     | ●                      | ●                  |                                      |                            | 6                  | ●                                     |
| Arkansas             | ●                                 |                                 | ○                |                                     | ●                    |                               | ○                     | ●                     | ○                      | ●                               | ●                                     | ●                      |                    | ●                                    | ●                          | 8                  | ●                                     |
| California           | ●                                 | ●                               | ●                |                                     | ●                    | ●                             |                       |                       | ○                      |                                 |                                       | ●                      | ●                  | ●                                    | ●                          | 9                  | ●                                     |
| Colorado             |                                   |                                 | ●                |                                     | ●                    | ●                             |                       |                       | ●                      |                                 | ●                                     | ●                      | ●                  | ●                                    | ●                          | 9                  | ●                                     |
| Connecticut          | ●                                 |                                 | ○                | ●                                   |                      | ●                             | ○                     | ●                     | ●                      | ●                               | ●                                     |                        | ●                  |                                      | ●                          | 9                  | ●                                     |
| Delaware             | ●                                 |                                 | ●                | ●                                   | ●                    | ●                             | ●                     | ●                     | ●                      |                                 | ●                                     | ●                      |                    | ●                                    | ●                          | 11                 | ●                                     |
| District of Columbia | ●                                 | ●                               | ●                | ●                                   | ●                    | ●                             | ○                     | ●                     | ○                      | ●                               |                                       | ●                      | ●                  | ●                                    | ●                          | 12                 | ●                                     |
| Florida              | ●                                 |                                 |                  |                                     | ●                    | ●                             | ○                     |                       |                        | ●                               |                                       | ●                      | ●                  | ●                                    |                            | 7                  | ●                                     |
| Georgia              | ●                                 | ●                               | ●                |                                     | ●                    | ●                             |                       |                       | ●                      | ●                               | ●                                     | ●                      | ●                  | ●                                    | ●                          | 11                 | ●                                     |
| Hawaii               | ●                                 |                                 | ●                |                                     | ●                    | ●                             | ○                     | ●                     |                        | ●                               | ●                                     | ●                      | ●                  |                                      |                            | 9                  | ●                                     |
| Idaho                |                                   |                                 | ○                |                                     | ●                    | ●                             | ●                     | ●                     | ○                      |                                 |                                       | ●                      | ●                  | ●                                    | ●                          | 8                  | ●                                     |
| Illinois             | ●                                 |                                 | ●                |                                     | ●                    | ●                             | ○                     | ●                     | ●                      | ●                               | ●                                     | ●                      | ●                  | ●                                    | ●                          | 12                 | ●                                     |
| Indiana              | ●                                 |                                 | ●                |                                     | ●                    | ●                             | ○                     | ●                     | ●                      | ●                               |                                       |                        | ●                  | ●                                    | ●                          | 10                 | ●                                     |
| Iowa                 | ●                                 |                                 | ○                |                                     | ●                    |                               | ○                     |                       | ●                      |                                 |                                       | ●                      | ●                  | ●                                    |                            | 6                  | ●                                     |
| Kansas               | ●                                 |                                 | ●                |                                     | ●                    | ●                             | ●                     | ●                     | ●                      |                                 | ●                                     | ●                      | ●                  | ●                                    | ●                          | 12                 | ●                                     |
| Kentucky             | ●                                 |                                 | ○                | ●                                   | ●                    | ●                             | ○                     |                       | ●                      |                                 |                                       | ●                      | ○                  | ●                                    | ●                          | 8                  | ●                                     |
| Louisiana            | ●                                 | ●                               | ○                |                                     | ●                    | ●                             | ○                     |                       | ●                      |                                 | ●                                     | ●                      |                    | ●                                    | ●                          | 9                  | ●                                     |
| Maine                | ●                                 |                                 | ●                |                                     | ●                    | ●                             | ○                     | ●                     | ●                      |                                 |                                       | ●                      | ●                  | ●                                    | ●                          | 10                 | ●                                     |
| Maryland             | ●                                 | ●                               | ●                |                                     | ●                    | ●                             | ○                     |                       | ○                      | ●                               |                                       | ●                      | ●                  | ●                                    | ●                          | 10                 | ●                                     |
| Massachusetts        |                                   | ●                               | ●                | ●                                   | ●                    | ●                             |                       |                       | ●                      | ●                               |                                       | ●                      | ●                  | ●                                    | ●                          | 11                 | ●                                     |
| Michigan             | ●                                 |                                 | ●                |                                     | ●                    | ●                             | ●                     | ●                     | ●                      |                                 |                                       | ●                      | ●                  | ●                                    | ●                          | 11                 | ●                                     |
| Minnesota            | ●                                 |                                 | ●                |                                     | ●                    | ●                             | ○                     | ●                     | ●                      |                                 |                                       | ●                      | ●                  | ●                                    | ●                          | 10                 | ●                                     |
| Mississippi          | ●                                 | ●                               | ○                |                                     | ●                    |                               | ○                     |                       | ○                      |                                 |                                       | ●                      | ●                  |                                      |                            | 5                  | ●                                     |
| Missouri             |                                   | ●                               | ●                |                                     | ●                    | ●                             | ○                     | ●                     | ○                      |                                 | ●                                     |                        | ●                  |                                      |                            | 7                  | ●                                     |
| Montana              |                                   |                                 | ○                |                                     | ●                    | ●                             | ○                     | ●                     |                        |                                 |                                       | ●                      | ●                  | ●                                    |                            | 6                  | ●                                     |

● = Optimal law (1 point) ○ = No credit given, indication of partial law for informational purposes only

# OVERALL RATING BASED ON NUMBER OF SAFETY LAWS

|   | Teen Driving Laws                 |                                 |                  |                                     |                      |                               |                       |                       |                        |                                 | Impaired Driving Laws                 |                        |                    |                    |                                       | Total Credit for Number of Laws 2012 | Overall Safety Rating 2012 |
|---|-----------------------------------|---------------------------------|------------------|-------------------------------------|----------------------|-------------------------------|-----------------------|-----------------------|------------------------|---------------------------------|---------------------------------------|------------------------|--------------------|--------------------|---------------------------------------|--------------------------------------|----------------------------|
|   | Primary Enforcement Seat Belt Law | All-Rider Motorcycle Helmet Law | Booster Seat Law | Minimum Age 16 for Learner's Permit | 6 Mo. Holding Period | 30-50 hrs. Supervised Driving | Nighttime Restriction | Passenger Restriction | Cell Phone Restriction | Age 18 for Unrestricted License | Ignition Interlocks for All Offenders | Child Endangerment Law | Mandatory BAC Test | Open Container Law | All-Driver Text Messaging Restriction |                                      |                            |
| Nebraska                                |                                   | ●                               | ○                |                                     | ●                    |                               |                       |                       |                        |                                 | ●                                     | ●                      | ●                  | ●                  |                                       | 6                                    | ●                          |
| Nevada                                  |                                   | ●                               | ○                |                                     | ●                    | ●                             |                       |                       | ○                      | ●                               |                                       | ●                      | ●                  | ●                  | ●                                     | 8                                    | ●                          |
| New Hampshire                           |                                   |                                 | ○                |                                     |                      | ●                             | ○                     | ●                     | ○                      | ●                               |                                       | ●                      | ●                  | ●                  | ●                                     | 7                                    | ●                          |
| New Jersey                              | ●                                 | ●                               | ●                | ●                                   | ●                    |                               | ○                     | ●                     | ●                      | ●                               |                                       | ●                      | ●                  | ●                  | ●                                     | 12                                   | ●                          |
| New Mexico                              | ●                                 |                                 | ○                |                                     | ●                    | ●                             | ○                     | ●                     | ●                      |                                 | ●                                     |                        | ●                  | ●                  |                                       | 8                                    | ●                          |
| New York                                | ●                                 | ●                               | ●                | ●                                   | ●                    | ●                             | ●                     | ●                     | ○                      |                                 | ●                                     | ●                      | ●                  | ●                  | ●                                     | 13                                   | ●                          |
| North Carolina                          | ●                                 | ●                               | ●                |                                     | ●                    | ●                             | ●                     | ●                     | ●                      |                                 |                                       | ●                      | ●                  | ●                  | ●                                     | 12                                   | ●                          |
| North Dakota                            |                                   |                                 | ○                |                                     | ●                    |                               | ●                     |                       | ●                      |                                 |                                       | ●                      | ●                  | ●                  | ●                                     | 7                                    | ●                          |
| Ohio                                    |                                   |                                 |                  |                                     | ●                    | ●                             |                       | ●                     | ●                      | ●                               |                                       | ●                      | ●                  | ●                  |                                       | 8                                    | ●                          |
| Oklahoma                                | ●                                 |                                 | ○                |                                     | ●                    | ●                             | ●                     | ●                     | ○                      |                                 |                                       | ●                      | ●                  | ●                  |                                       | 8                                    | ●                          |
| Oregon                                  | ●                                 | ●                               | ●                |                                     | ●                    | ●                             | ○                     | ●                     | ●                      |                                 | ●                                     | ●                      | ●                  | ●                  | ●                                     | 12                                   | ●                          |
| Pennsylvania                            |                                   |                                 | ●                | ●                                   | ●                    | ●                             | ○                     | ●                     | ○                      |                                 |                                       | ●                      | ●                  | ●                  |                                       | 8                                    | ●                          |
| Rhode Island                            | ●                                 |                                 | ●                | ●                                   | ●                    | ●                             | ○                     | ●                     | ●                      |                                 |                                       | ●                      | ●                  | ●                  | ●                                     | 11                                   | ●                          |
| South Carolina                          | ●                                 |                                 | ○                |                                     | ●                    | ●                             | ●                     | ○                     |                        |                                 |                                       | ●                      | ●                  | ●                  |                                       | 7                                    | ●                          |
| South Dakota                            |                                   |                                 |                  |                                     |                      |                               | ●                     |                       |                        |                                 |                                       | ●                      | ●                  |                    |                                       | 3                                    | ●                          |
| Tennessee                               | ●                                 | ●                               | ●                |                                     | ●                    | ●                             | ○                     | ●                     | ●                      |                                 |                                       | ●                      | ○                  |                    | ●                                     | 9                                    | ●                          |
| Texas                                   | ●                                 |                                 | ●                |                                     | ●                    |                               |                       |                       | ●                      |                                 |                                       | ●                      | ●                  | ●                  |                                       | 7                                    | ●                          |
| Utah                                    |                                   |                                 | ●                |                                     | ●                    | ●                             | ○                     |                       | ○                      |                                 | ●                                     | ●                      | ●                  | ●                  | ●                                     | 8                                    | ●                          |
| Vermont                                 |                                   | ●                               | ●                |                                     | ●                    | ●                             |                       | ●                     | ●                      |                                 |                                       | ●                      | ●                  | ●                  |                                       | 9                                    | ●                          |
| Virginia                                |                                   | ●                               | ●                |                                     | ●                    | ●                             |                       |                       |                        | ●                               | ●                                     | ●                      | ●                  |                    |                                       | 8                                    | ●                          |
| Washington                              | ●                                 | ●                               | ●                |                                     | ●                    | ●                             |                       |                       | ●                      |                                 | ●                                     | ●                      | ●                  | ●                  | ●                                     | 11                                   | ●                          |
| West Virginia                           |                                   | ●                               | ●                |                                     | ●                    |                               | ●                     | ●                     | ●                      |                                 |                                       | ●                      | ●                  |                    | ●                                     | 9                                    | ●                          |
| Wisconsin                               | ●                                 |                                 | ●                |                                     | ●                    | ●                             | ○                     | ●                     | ●                      |                                 |                                       | ●                      | ●                  | ●                  | ●                                     | 10                                   | ●                          |
| Wyoming                                 |                                   |                                 | ●                |                                     |                      | ●                             | ○                     | ●                     | ○                      |                                 |                                       | ●                      | ●                  |                    | ●                                     | 6                                    | ●                          |
| <b>Total Number with Optimal Law</b>    | 32+ DC                            | 19+ DC                          | 31+ DC           | 8+ DC                               | 46+ DC               | 39+ DC                        | 11                    | 30+ DC                | 27                     | 13+ DC                          | 17                                    | 42+ DC                 | 48+ DC             | 39+ DC             | 35+ DC                                |                                      |                            |
| <b>Total Number Missing Optimal Law</b> | 18                                | 31                              | 19               | 42                                  | 4                    | 11                            | 39+ DC                | 20                    | 23+ DC                 | 37                              | 33+ DC                                | 8                      | 2                  | 11                 | 15                                    |                                      |                            |

● = Optimal law (1 point) ○ = No credit given, indication of partial law for informational purposes only

# STATES AT A GLANCE

Each state and DC are graphically represented in alphabetical order with the following information:

- The number of people killed in motor vehicle crashes in each state for the year 2011, as reported by the National Highway Traffic Safety Administration (NHTSA).
- The number of people killed in motor vehicle crashes in each state for the past ten years, as reported by the National Highway Traffic Safety Administration (NHTSA).
- The annual economic cost of motor vehicle crashes to the state, as reported in *The Economic Impact of Motor Vehicle Crashes 2000* (NHTSA). (See chart on page 10.)
- The state's background color represents its overall rating (Green, Yellow or Red) based on the chart on pages 40 and 41 of this report.
- A list of the 15 optimal lifesaving laws that the state has not enacted, based on Advocates' definitions on pages 14 - 15 and discussed in this report.

## **States are credited with having laws only if their laws meet Advocates' optimal criteria (definitions on pages 14 and 15).**

- **Only 14 states and DC** (CA, DE, GA, IL, KS, LA, MD, NJ, NY, NC, OR, RI, TN, and WA) received a “Green” rating, showing significant advancement toward adopting all of Advocates' recommended optimal laws.
- **30 states** (AL, AK, AR, CO, CT, FL, HI, ID, IN, IA, KY, ME, MA, MI, MN, MO, NV, NH, NM, ND, OH, OK, PA, SC, TX, UT, VT, VA, WV, and WI) received a “Yellow” rating, showing moderately positive performance but with numerous gaps still in their highway safety laws.
- **6 states** (AZ, MS, MT, NE, SD, WY) received a “Red” rating, indicating poor performance because of a dangerous lack of basic laws.

### **Abbreviation Key (Explanation for Laws Needed):**

**S** = Highway Safety Law is **Secondary** Enforcement

(Advocates gives no credit for any law that is subject to secondary enforcement.)

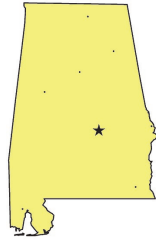
**DE** = **Driver Education** exemption included in the GDL provision

(Advocates gives no credit for any GDL provision that is exempted based on driver education.)

*Note:* No state without a primary enforcement seat belt law or that has repealed an existing all-rider motorcycle helmet law within the previous 10 years is eligible for a green rating, no matter how many other laws it may have.

## ALABAMA

2011 Fatalities: **894**  
Ten Year Fatality Total: **10,207**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$2.79 Billion**



### Highway Safety Laws Needed in Alabama:

Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
(Without DE Exemption)  
GDL - Stronger Nighttime Restriction Provision  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders

## ALASKA

2011 Fatalities: **72**  
Ten Year Fatality Total: **767**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$475 Million**



### Highway Safety Laws Needed in Alaska:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Child Endangerment Law  
Open Container Law

## ARIZONA

2011 Fatalities: **825**  
Ten Year Fatality Total: **10,249**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$4.27 Billion**



### Highway Safety Laws Needed in Arizona:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
(Without DE Exemption)  
GDL - Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Cell Phone Restriction Provision (Without S)  
GDL - Age 18 Unrestricted License  
All-Driver Text Messaging Restriction

## ARKANSAS

2011 Fatalities: **549**  
Ten Year Fatality Total: **6,232**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.97 Billion**



### Highway Safety Laws Needed in Arkansas:

All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
GDL - Stronger Nighttime Restriction Provision  
GDL - Cell Phone Restriction Provision (Without S)  
Open Container Law

S = Secondary Enforcement DE = Driver Education

## CALIFORNIA

2011 Fatalities: **2,791**  
Ten Year Fatality Total: **36,973**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$20.66 Billion**

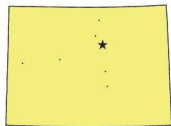


### Highway Safety Laws Needed in California:

GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision (Without S)  
GDL - Passenger Restriction Provision (Without S)  
GDL - Cell Phone Restriction Provision (Without S)  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders

## COLORADO

2011 Fatalities: **447**  
Ten Year Fatality Total: **5,642**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$3.28 Billion**



### Highway Safety Laws Needed in Colorado:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision (Without S)  
GDL - Passenger Restriction Provision (Without S)  
GDL - Age 18 for Unrestricted License

## CONNECTICUT

2011 Fatalities: **220**  
Ten Year Fatality Total: **2,785**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$3.60 Billion**



### Highway Safety Laws Needed in Connecticut:

All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - 6-Month Holding Period Provision  
(Without DE Exemption)  
GDL - Stronger Nighttime Restriction Provision  
Child Endangerment Law  
Open Container Law

## DELAWARE

2011 Fatalities: **99**  
Ten Year Fatality Total: **1,236**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$706 Million**



### Highway Safety Laws Needed in Delaware:

All-Rider Motorcycle Helmet Law  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Open Container Law

## DISTRICT OF COLUMBIA

2011 Fatalities: **27**  
Ten Year Fatality Total: **400**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$732 Million**



### Highway Safety Laws Needed in Washington, D.C.:

GDL - Stronger Nighttime Restriction Provision  
GDL - Stronger Cell Phone Restriction Provision  
Ignition Interlock Law for All Offenders

S = Secondary Enforcement    DE = Driver Education

## FLORIDA

2011 Fatalities: **2,398**  
Ten Year Fatality Total: **30,005**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$14.40 Billion**



### Highway Safety Laws Needed in Florida:

All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Cell Phone Restriction Provision  
Ignition Interlock Law for All Offenders  
All-Driver Text Messaging Restriction

## GEORGIA

2011 Fatalities: **1,223**  
Ten Year Fatality Total: **15,067**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$7.85 Billion**



### Highway Safety Laws Needed in Georgia:

GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision (Without S)  
GDL - Passenger Restriction Provision  
Ignition Interlock Law for All Offenders

## HAWAII

2011 Fatalities: **100**  
Ten Year Fatality Total: **1,264**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$655 Million**



### Highway Safety Laws Needed in Hawaii:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
All-Driver Text Messaging Restriction

## IDAHO

2011 Fatalities: **167**  
Ten Year Fatality Total: **2,445**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$856 Million**



### Highway Safety Laws Needed in Idaho:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders

## ILLINOIS

2011 Fatalities: **918**  
Ten Year Fatality Total: **11,883**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$8.98 Billion**



### Highway Safety Laws Needed in Illinois:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision

S = Secondary Enforcement

## INDIANA

2011 Fatalities: **750**  
Ten Year Fatality Total: **8,319**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$4.35 Billion**

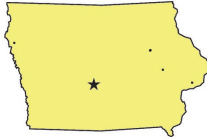


### Highway Safety Laws Needed in Indiana:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
Ignition Interlock Law for All Offenders  
Child Endangerment Law

## IOWA

2011 Fatalities: **360**  
Ten Year Fatality Total: **4,103**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$2.11 Billion**

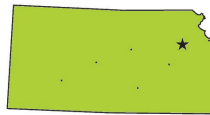


### Highway Safety Laws Needed in Iowa:

All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
GDL - Stronger Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
All-Driver Text Messaging Restriction (Without S)

## KANSAS

2011 Fatalities: **386**  
Ten Year Fatality Total: **4,344**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.88 Billion**



### Highway Safety Laws Needed in Kansas:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Age 18 for Unrestricted License

## KENTUCKY

2011 Fatalities: **721**  
Ten Year Fatality Total: **8,667**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$3.11 Billion**



### Highway Safety Laws Needed in Kentucky:

All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Stronger Nighttime Restriction Provision  
GDL - Passenger Restriction Provision (Without S)  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law  
Mandatory BAC Test Law - Drivers Killed

## LOUISIANA

2011 Fatalities: **675**  
Ten Year Fatality Total: **8,713**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$4.00 Billion**



### Highway Safety Laws Needed in Louisiana:

Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Age 18 for Unrestricted License  
Open Container Law

S = Secondary Enforcement

## MAINE

2011 Fatalities: **136**  
Ten Year Fatality Total: **1,768**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$912 Million**



### Highway Safety Laws Needed in Maine:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders

## MARYLAND

2011 Fatalities: **485**  
Ten Year Fatality Total: **5,946**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$4.24 Billion**

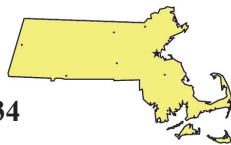


### Highway Safety Laws Needed in Maryland:

GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Cell Phone Restriction Provision (Without S)  
Ignition Interlock Law for All Offenders

## MASSACHUSETTS

2011 Fatalities: **337**  
Ten Year Fatality Total: **4,034**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$6.28 Billion**



### Highway Safety Laws Needed in Massachusetts:

Primary Enforcement Seat Belt Law  
GDL - Nighttime Restriction Provision (Without S)  
GDL - Passenger Restriction Provision (Without S)  
Ignition Interlock Law for All Offenders

## MICHIGAN

2011 Fatalities: **889**  
Ten Year Fatality Total: **10,703**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$8.07 Billion**



### Highway Safety Laws Needed in Michigan:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders

Note: Although Michigan is otherwise eligible for a green rating, it is rated yellow because of the 2012 repeal of its all-rider motorcycle helmet law.

## MINNESOTA

2011 Fatalities: **368**  
Ten Year Fatality Total: **5,094**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$3.07 Billion**



### Highway Safety Laws Needed in Minnesota:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders

S = Secondary Enforcement



## MISSISSIPPI

2011 Fatalities: **630**  
Ten Year Fatality Total: **8,136**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$2.11 Billion**



### Highway Safety Laws Needed in Mississippi:

Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
GDL - Stronger Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Open Container Law  
All-Driver Text Messaging Restriction

## MISSOURI

2011 Fatalities: **784**  
Ten Year Fatality Total: **10,356**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$4.74 Billion**

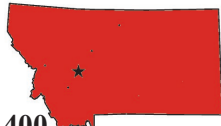


### Highway Safety Laws Needed in Missouri:

Primary Enforcement Seat Belt Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Child Endangerment Law  
Open Container Law  
All-Driver Text Messaging Restriction

## MONTANA

2011 Fatalities: **209**  
Ten Year Fatality Total: **2,400**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$621 Million**



### Highway Safety Laws Needed in Montana:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7 (Without S)  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
All-Driver Text Messaging Restriction

## NEBRASKA

2011 Fatalities: **181**  
Ten Year Fatality Total: **2,457**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.63 Billion**



### Highway Safety Laws Needed in Nebraska:

Primary Enforcement Seat Belt Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
(Without DE Exemption)  
GDL - Nighttime Restriction Provision (Without S)  
GDL - Passenger Restriction Provision (Without S)  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
All-Driver Text Messaging Restriction (Without S)

S = Secondary Enforcement DE = Driver Education

## NEVADA

2011 Fatalities: **246**  
Ten Year Fatality Total: **3,446**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.87 Billion**



### Highway Safety Laws Needed in Nevada:

Primary Enforcement Seat Belt Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision (Without S)  
GDL - Passenger Restriction Provision (Without S)  
GDL - Stronger Cell Phone Restriction Provision  
Ignition Interlock Law for All Offenders

## NEW HAMPSHIRE

2011 Fatalities: **90**  
Ten Year Fatality Total: **1,314**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.01 Billion**



### Highway Safety Laws Needed in New Hampshire:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 6-Month Holding Period Provision  
GDL - Stronger Nighttime Restriction Provision  
GDL - Stronger Cell Phone Restriction Provision  
Ignition Interlock Law for All Offenders

## NEW JERSEY

2011 Fatalities: **627**  
Ten Year Fatality Total: **6,851**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$9.34 Billion**

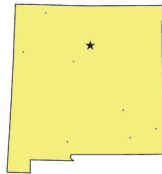


### Highway Safety Laws Needed in New Jersey:

GDL - 30-50 Hours Supervised Driving Provision  
GDL - Stronger Nighttime Restriction Provision  
Ignition Interlock Law for All Offenders

## NEW MEXICO

2011 Fatalities: **353**  
Ten Year Fatality Total: **4,214**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.41 Billion**



### Highway Safety Laws Needed in New Mexico:

All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Age 18 for Unrestricted License  
Child Endangerment Law  
All-Driver Text Messaging Restriction

## NEW YORK

2011 Fatalities: **1,169**  
Ten Year Fatality Total: **13,480**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$19.50 Billion**



### Highway Safety Laws Needed in New York:

GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
(Without DE Exemption)

S = Secondary Enforcement DE = Driver Education

## NORTH CAROLINA

2011 Fatalities: **1,227**  
Ten Year Fatality Total: **13,480**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$8.27 Billion**

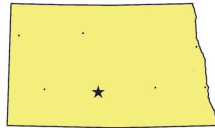


### Highway Safety Laws Needed in North Carolina:

GDL - Minimum Age 16 for Learner's Permit  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders

## NORTH DAKOTA

2011 Fatalities: **148**  
Ten Year Fatality Total: **1,144**  
Annual Economic Cost  
Due to Motor Vehicle  
Crashes:  
**\$290 Million**



### Highway Safety Laws Needed in North Dakota:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
GDL - Passenger Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders

## OHIO

2011 Fatalities: **1,016**  
Ten Year Fatality Total: **12,106**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$11.09 Billion**



### Highway Safety Laws Needed in Ohio:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7 (Without S)  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision  
Ignition Interlock Law for All Offenders  
All-Driver Text Messaging Restriction (Without S)

## OKLAHOMA

2011 Fatalities: **696**  
Ten Year Fatality Total: **7,348**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$2.59 Billion**



### Highway Safety Laws Needed in Oklahoma:

All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
All-Driver Text Messaging Restriction

## OREGON

2011 Fatalities: **331**  
Ten Year Fatality Total: **4,265**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.95 Billion**



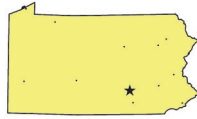
### Highway Safety Laws Needed in Oregon:

GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Age 18 for Unrestricted License

S = Secondary Enforcement

## PENNSYLVANIA

2011 Fatalities: **1,286**  
Ten Year Fatality Total: **14,647**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$8.17 Billion**



### Highway Safety Laws Needed in Pennsylvania:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
GDL - Stronger Nighttime Restriction Provision  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
(Without DE Exemption)  
Ignition Interlock Law for All Offenders  
Child Endangerment Law

## RHODE ISLAND

2011 Fatalities: **66**  
Ten Year Fatality Total: **788**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$767 Million**



### Highway Safety Laws Needed in Rhode Island:

All-Rider Motorcycle Helmet Law  
GDL - Stronger Nighttime Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders

## SOUTH CAROLINA

2011 Fatalities: **828**  
Ten Year Fatality Total: **9,715**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$3.34 Billion**

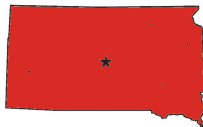


### Highway Safety Laws Needed in South Carolina:

All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Passenger Restriction Provision  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
All-Driver Text Messaging Restriction

## SOUTH DAKOTA

2011 Fatalities: **111**  
Ten Year Fatality Total: **1,604**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$498 Million**



### Highway Safety Laws Needed in South Dakota:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 6-Month Holding Period Provision  
(Without DE Exemption)  
GDL - 30-50 Hours Supervised Driving Provision  
GDL - Passenger Restriction Provision  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Child Endangerment Law  
All-Driver Text Messaging Restriction

S = Secondary Enforcement DE = Driver Education

## TENNESSEE

2011 Fatalities: **946**  
Ten Year Fatality Total: **11,424**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$4.63 Billion**



### Highway Safety Laws Needed in Tennessee:

GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Mandatory BAC Test Law - Drivers Killed  
Open Container Law

## TEXAS

2011 Fatalities: **3,016**  
Ten Year Fatality Total: **33,791**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$19.76 Billion**

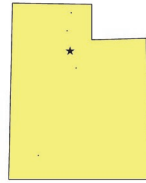


### Highway Safety Laws Needed in Texas:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
GDL - Nighttime Restriction Provision (Without S)  
GDL - Passenger Restriction Provision (Without S)  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
All-Driver Text Messaging Restriction

## UTAH

2011 Fatalities: **240**  
Ten Year Fatality Total: **2,796**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.59 Billion**



### Highway Safety Laws Needed in Utah:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License

## VERMONT

2011 Fatalities: **55**  
Ten Year Fatality Total: **744**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$221 Million**



### Highway Safety Laws Needed in Vermont:

Primary Enforcement Seat Belt Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Child Endangerment Law

## VIRGINIA

2011 Fatalities: **764**  
Ten Year Fatality Total: **8,804**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$5.20 Billion**



### Highway Safety Laws Needed in Virginia:

Primary Enforcement Seat Belt Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision (Without S)  
GDL - Passenger Restriction Provision (Without S)  
GDL - Cell Phone Restriction (Without S)  
Open Container Law  
All-Driver Text Messaging Restriction (Without S)

S = Secondary Enforcement DE = Driver Education

## WASHINGTON

2011 Fatalities: **457**  
Ten Year Fatality Total: **5,595**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$5.31 Billion**



### Highway Safety Laws Needed in Washington:

GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Age 18 for Unrestricted License

## WEST VIRGINIA

2011 Fatalities: **337**  
Ten Year Fatality Total: **3,847**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.27 Billion**



### Highway Safety Laws Needed in West Virginia:

Primary Enforcement Seat Belt Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
(Without DE Exemption)  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Open Container Law

## WISCONSIN

2011 Fatalities: **582**  
Ten Year Fatality Total: **7,058**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$3.76 Billion**



### Highway Safety Laws Needed in Wisconsin:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders

## WYOMING

2011 Fatalities: **135**  
Ten Year Fatality Total: **1,603**  
Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$424 Million**



### Highway Safety Laws Needed in Wyoming:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 6-Month Holding Period Provision  
GDL - Stronger Nighttime Restriction Provision  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Open Container Law

S = Secondary Enforcement DE = Driver Education

# SOURCE INFORMATION

*In developing this report, Advocates relied upon numerous research studies, statistical analyses, fact sheets and other public data. Additional information is available upon request.*

- American Automobile Association (AAA), “Crashes vs. Congestion- What’s the Cost to Society?,” November 2011.
- Alcohol Involvement Among Drivers 15 to 20 Years Old Involved in Fatal Crashes, FARS 2009, NHTSA.
- Allstate Foundation Teen Licensing Survey, “Unlikely Allies in Fight for Stronger Teen Driving Laws: Teens Themselves,” 2010.
- Arbogast, Kristy B., Jermakian, Jessica S., Kallan, Michael J., & Durbin, Dennis R., “Effectiveness of Belt Positioning Booster Seats: An Updated Assessment,” *Pediatrics*, October 2009.
- Ascone, Debra, Lindsey, Tonja, & Varghese, Cherian, “An Examination of Driver Distraction in NHTSA Databases,” Data Reporting and Information Division, National Center for Statistics and Analysis, NHTSA, September 2009.
- Associated Press writer, “Alaska Legislature Passes Ban on Texting While Driving,” published in *Insurance Journal*, April 2012.
- Chen/Baker/Li, “Graduated Driver Licensing Programs and Fatal Crashes of 16-Year-Old Drivers: A National Evaluation,” *Pediatrics*, July 2006.
- Children’s Hospital of Philadelphia - Partners for Child Passenger Safety: Fact and Trend Report, September 2008.
- Dobben B., “Text messages may have been distraction in crash killing 5 teens,” Associated Press; July 13, 2007.
- Executive Order No. 13513, Federal Leadership On Reducing Text Messaging While Driving, signed Oct. 1, 2009, 74 FR 51225 (Oct. 6, 2009).
- Fatalities in Crashes Involving a Young Driver (Ages 15-20) by State and Fatality Type, FARS 2009, NHTSA.
- Ferguson et al., “Progress in Teenage Crash Risk During the Last Decade,” *Journal of Safety Research*, 2007.
- “Governor Parkinson Highlights Benefits of Kansas Primary Seat Belt Law,” Press Release, Office of Governor Parkinson, Aug. 10, 2010.
- Hanowski R, Olson R, Hickman J, Bocanegra J, “Driver Distraction in Commercial Vehicle Operations,” Virginia Tech Transportation Institute Center for Truck and Bus Safety September 2009.
- Mayhew, D., “Reducing the Crash Risk for Young Drivers,” June 2006.
- McCartt AT, Hellinga LA, Braitman KA, “Cell Phones and Driving: Review of Research,” *Traffic Injury Prevention*, 7:89-106 (2006).
- McCartt AT, Mayhew DR, Braitman KA, Ferguson SA, Simpson HM. “Effects of Age and Experience on Young Driver Crashes: Review of Recent Literature,” Insurance Institute for Highway Safety, Arlington, VA (2008).
- McCartt, Anne T., Teoh, Eric R., Fields, Michelle, Braitman, Keli A. and Hellinga, Laurie A, “Graduated Licensing Laws and Fatal Crashes of Teenage Drivers: A National Study,” *Traffic Injury Prevention*, 11:240-248 (2010).
- McEvoy SP, et al, “Role of Mobile Phones in Motor Vehicle Crashes Resulting in Hospital Attendance: A Case-Crossover Study,” *British Medical Journal*; July 2005:428-432.

# SOURCE INFORMATION, CONT.

- Miller, Ted R. & Zaloshnja, Eduard, “On a Crash Course: The Dangers and Health Costs of Deficient Roadways,” Pacific Institute for Research and Evaluation, commissioned by Transportation Construction Coalition, May 2009.
- Morgan, C. 1999. Effectiveness of lap/shoulder belts in the back outboard seating positions. NHTSA. (DOT HS-808-945)
- Mothers Against Drunk Driving, “Fifth Anniversary Report to the Nation.” November 2011.
- Motorcyclist Fatalities in Motor Vehicle Traffic Crashes by State (With/Without All Rider Helmet Laws) and Helmet Use, FARS 2009, NHTSA.
- National Governors Association and National Association of State Budget Officers. The Fiscal Survey of the States: An Update of State Fiscal Conditions, Fall 2010.
- Naumann, Rebecca B., Dellinger, Ann M., Zaloshnja, Eduard, Lawrence, Bruce A. and Miller, Ted R.(2010), “Incidence and Total Lifetime Costs of Motor Vehicle-Related Fatal and Nonfatal Injury by Road User Type, United States, 2005,” *Traffic Injury Prevention* 11:4, 353-360.
- New York Times. (2009) Technology Series: “Driver to Distraction.” Entire series can be found on this website: [http://topics.nytimes.com/top/news/technology/series/driven\\_to\\_distraction/index.html](http://topics.nytimes.com/top/news/technology/series/driven_to_distraction/index.html).
- NHTSA, An Analysis of the Significant Decline in Motor Vehicle Traffic Fatalities in 2008 (DOT HS 811 346), June 2010.
- NHTSA, The Economic Impact of Motor Vehicle Crashes, 2000 (2002).
- NHTSA, State Blood Alcohol Concentration (BAC) Testing and Reporting for Drivers Involved in Fatal Crashes: Current Practices, Results, and Strategies, 1997-2009 (DOT HS 811 661), August 2012.
- NHTSA, Traffic Safety Facts: 2011 Motor Vehicle Crashes Overview (DOT HS 811 701), December 2012.
- NHTSA, Traffic Safety Facts, Alcohol-Impaired Driving (DOT HS 811 700), December 2012.  
(DOT HS 811 702), December 2012.
- NHTSA, Traffic Safety Facts, Lives Saved in 2011 by Restraint Use and Minimum-Drinking-Age Laws (DOT HS 811 702), December 2012.
- NHTSA, Traffic Safety Facts: Motorcycle Helmet Use in 2011—Overall Results (DOT HS 811 610), April 2012.
- NHTSA, Traffic Safety Facts: Seat Belt Use in 2011—Use Rates in the States and Territories (DOT HS 811 651), August, 2012.
- NHTSA, Traffic Safety Facts: Traffic Tech—Technology Transfer Series, Number 323. Estimated Minimum Savings to a State’s Medicaid Budget by Implementing A Primary Seat Belt Law: Arkansas, Colorado, Florida, and Missouri. March 2007.
- NHTSA, Traffic Safety Facts: Traffic Tech—Technology Transfer Series, Number 406. Determining the Relationship of Primary Seat Belt Laws to Minority Ticketing. September 2011.
- Orsay, E.M.; Muelleman, R.L.; Peterson, T.D.; Jurisic, D.H.; Kosasih, J.B.; and Levy, P. (1994), “Motorcycle helmets and spinal injuries: dispelling the myth,” *Annals of Emergency Medicine* 23:802-06.
- Preusser, D.F & Tison, J. (2007), “GDL Then and Now,” *Journal of Safety Research*, 38(2), 159-163.



# SOURCE INFORMATION, CONT.

Redelmeier DA, Tibshirani RJ. "Association between Cellular-Telephone Calls and Motor Vehicle Collisions," *The New England Journal of Medicine* 1997; 336(7):453-58.

Research and Innovative Technology Administration, Bureau of Transportation Statistics. State Transportation Statistics, 2009.

Romboy, Dennis, "Lawmakers close loophole in texting-while-driving law," *Deseret News*, March 2012.

Strayer DL, Drews FA, Crouch DJ, "A Comparison of the Cell Phone Driver and the Drunk Driver," *Human Factors* 2006; 48:381-391.

United States Government Accountability Office, "Motorcycle Safety: Increasing Federal Funding Flexibility and Identify Research Priorities Would Help Support States' Safety Efforts". Report to Congress, November 2012.

Vogel, Steve, "Teen Driver Menace: Text Messaging- Studies Show Texting While Driving Is Epidemic," *Parenting Teens*, October 22, 2007.

Weiss, Harold, Ph.D., MPH, MS, Agimi, Yll, MPH, and Steiner, Claudia, MD, MPH, "Youth Motorcycle-Related Brain Injury by State Helmet Law Type: United States 2005 2007," *Pediatrics*, November 2010.

Williams, A.F. (2007), "Contribution of the components of graduated licensing to crash reductions," *Journal of Safety Research*, 38(2), 177-184.

# SOURCE INFORMATION, CONT.

## Organizations:

*Thanks to the many individuals and organizations whose websites and staff provided background and state law information for The 2012 Roadmap to State Highway Safety Laws.*

American Automobile Association (AAA) Foundation for Traffic Safety  
[www.aaafoundation.org](http://www.aaafoundation.org)

American Public Health Association (APHA)  
[www.apha.org](http://www.apha.org)

Brain Injury Association of America  
[www.biausa.org](http://www.biausa.org)

Federal Highway Administration  
[www.fhwa.dot.gov](http://www.fhwa.dot.gov)

Federal Motor Carrier Safety Administration  
[www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)

Governors Highway Safety Association (GHSA)  
[www.ghsa.org](http://www.ghsa.org)

Insurance Institute for Highway Safety (IIHS)  
[www.iihs.org](http://www.iihs.org)

Mothers Against Drunk Driving (MADD)  
[www.madd.org](http://www.madd.org)

National Conference of State Legislatures (NCSL)  
[www.ncsl.org](http://www.ncsl.org)

National Highway Traffic Safety Administration (NHTSA)  
[www.nhtsa.dot.gov](http://www.nhtsa.dot.gov)

National Safety Council  
[www.nsc.org](http://www.nsc.org)

National Transportation Safety Board (NTSB)  
[www.nts.gov](http://www.nts.gov)

Students Against Destructive Decisions (SADD)  
[www.sadd.org](http://www.sadd.org)

Traffic Injury Research Foundation  
[www.trafficingjuryresearch.com](http://www.trafficingjuryresearch.com)

U.S. Centers for Disease Control and Prevention (CDC)  
[www.cdc.gov](http://www.cdc.gov)

Virginia Tech Transportation Institute  
[www.vtti.vt.edu](http://www.vtti.vt.edu)

West Virginia University Injury Control Research Center  
[www.hsc.wvu.edu/icrc](http://www.hsc.wvu.edu/icrc)

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## ABOUT ADVOCATES

**Advocates for Highway and Auto Safety** is an alliance of consumer, health and safety groups and insurance companies and agents working together to make America's roads safer.

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