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- Identify relevant statutes applicable to young drivers
- Discuss the need for restrictive laws on young drivers
- Describe the penalties and effective sentencing options for these laws

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## Texas Transportation Code License Restrictions

- Ch. 521 governs the issuance of licenses
- Secs. 521.022, 521.023 and 521.024 **prohibit issuance** of license for the operation of a school bus, junior college bus, common carrier or taxi to a person **Under 18**
- A commercial license (**CDL**) **May Not** be issued to a person **Under 18**

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## Instruction (Learner's) Permit 521.222 TC

- At least 15 years old
  - ✓ Approved driver training school or instructor
  - ✓ DPS
    - Passed the written exam and other exams required under Sec. 521.161
- DPS can issue to a person Over 18 who has passed all parts of the written exam without a driving test

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## Graduated Driver Licensing or GDL



<http://www.txdps.state.tx.us/driverlicense/graduateddriver.htm>

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Phase I - GDL

- MUST** hold learner's permit for 6 months
- MUST** be accompanied by someone who is at least 21
- MUST** maintain a valid learner's permit
- MUST** be an enrolled student

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Phase II - GDL

**Not more than 1 additional person under the age of 21 who is NOT a family member**



for first 12 months

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Phase II - GDL

**Curfew – Midnight to 5 AM**



**Exceptions include school activities, work or emergency**

for first 12 months

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Phase II - GDL

**Cell Phone Use PROHIBITED**



**INCLUDES Hands Free!**

until age 18!

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Phase II - GDL

☺ These same restrictions apply to motorcycle/moped users **UNDER** the age of 17

☺ EXCEPTION: unless within sight of the driver's parent or guardian



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RECAP

- ☐ Legislature gave us the **GDL Program** in 2002
- ☐ GDL creates a **Progressive System** that restricts a teen driver's driving activities during certain hours of the day
- ☐ Sec. 545.424 TC has evolved since 2002

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OTHER LAWS UNIQUE TO YOUNG DRIVERS

- ☐ \_\_\_\_\_
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- ☐ \_\_\_\_\_
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PRIVILEGE  
VS.  
RIGHT

a Rite of Passage  
doesn't make it a Right

'DRIVE' IT HOME

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### WHO IS MOST AT RISK?

- The risk of motor vehicle crashes is higher among 16 – 19 year olds than among **ANY OTHER** age group
- Per mile driven, teen drivers ages 16-19 are **FOUR TIMES** more likely than older drivers of ALL ages to crash

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### CONSIDER THIS

- Motor vehicle crashes are the #1 killer of U.S. teens accounting for more than **1 in 3 deaths** in this age group
- In 2009, **8 teens** from ages 16 - 19 died **every day** from motor vehicle injuries

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### WHY?

- **Teen Males:** the motor vehicle death rate is almost 2 times that of females
- **Teens Driving With Teen Passengers:** increases the crash risk of unsupervised teen drivers and this increases with the number of teen passengers
- **Newly Licensed Teens:** crash risk is particularly high during that 1<sup>st</sup> year

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WHAT FACTORS PUT TEEN DRIVERS AT RISK?

- Underestimate dangerous situations
- Unable to recognize hazardous situations
- More likely to speed – less likely to wear seat belts
- Presence of male teenage passengers increases the likelihood of risky driving
- ALL = INEXPERIENCE**

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INEXPERIENCE MAGNIFIED BY

- Alcohol
- Teen Passengers
- Driving at Night
- Fatigue
- Distractions, such as music and cell phone
- Peer Pressure

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YOUNG DRIVERS - THE HIGH RISK YEARS

**Video Provided By:**  
Insurance Institute for Highway Safety  
<http://www.iihs.org/videos/default.html>

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Code of Criminal Procedure  
Art. 45.0215  
Appearance and Disposition

**Requires that a defendant under 17:**

- Appear in open court
- With a parent or legal guardian
- Purpose:
  - ✓ **Accountability & Responsibility**

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THE BASICS

- **DL Restrictions** – Sec. 521.221 TC
  - ✓ Fine up to \$200
- **Use of Cell Phone** – Sec. 545.425 TC
  - ✓ Fine up to \$200

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- **Alcohol Offenses**
  - ✓ Suspend or deny DL 30 - 60 days
  - ✓ Fail to complete CS - up to 1 year
- **Fail to Attend Tobacco Class**
  - ✓ Suspend or deny DL up to 180 days
- **Failure to Attend School**
  - ✓ Suspend or deny DL up to 365 days
- **Fail to Appear, Fail to Pay, Contempt**
  - ✓ Suspend or deny DL until court order is satisfied

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## Strategies and Solutions

- Increased education before & after citation or accident

### DEFERRED DISPOSITION

- Must** require a DSC if a moving violation
- If provisional license, **Must** retake the driving test with DPS
- Could also require an Alive @ 25 class

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## Strategies and Solutions

### DEFERRED DISPOSITION - Continued

- Rehabilitate with ANY other reasonable condition  
Art. 45.051(a)(10) CCP
- Creative punishments  
<http://www.cityoflakeway.com/index.aspx?NID=260>

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## Teen Court Dismissal

- Under Art. 45.052 CCP may have traffic offense dismissed
- Must be under 18 years of age, enrolled in school **AND** not completed a teen court program within previous 2 years
- Minimal fees

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