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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 - GDJ

- 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 - GDJ

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



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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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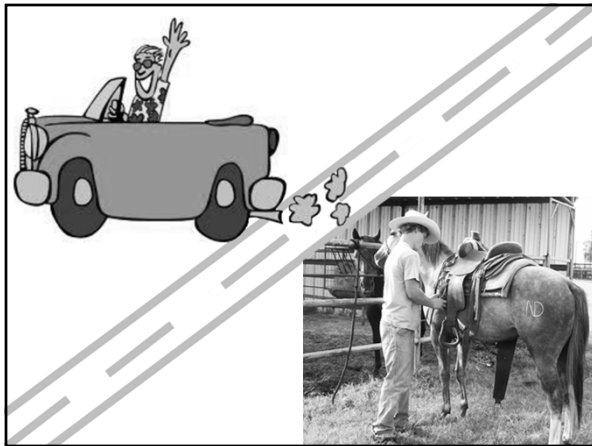
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PRIVILEGE  
VS.  
RIGHT

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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The End

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## **LAKEWAY MUNICIPAL COURT TEEN DRIVING CONTRACT**

**1. SPEEDING:** In more than 40% of all **FATAL CAR COLLISIONS** among teenagers speeding is the primary cause of the collision.

**AGREEMENT:** I will always obey Speed Limits and will drive more carefully when the weather or road conditions necessitate it, such as at night or when it is raining.

**CONSEQUENCES:** I will pay for any tickets, court costs, increases in auto insurance that result from a traffic tickets.

**2. TIME OF DAY:** 50% of all fatalities involving teens in motor vehicle collisions occur between 4 p.m. and midnight.

**AGREEMENT:** Every time I drive, I will set a time to be home with my parents before I leave.

**CONSEQUENCES:** If I miss my time deadline by more than 15 minutes, I will be grounded one day for each minute I'm late.

**3. COLLISIONS:** Sixteen-year-old drivers have crash rates that are five times greater than 18-year-old drivers.

**AGREEMENT:** I will wear my safety belt and make sure all of my passengers wear their safety belts, pay attention to my driving, road conditions, avoid distractions, watch other drivers, make sure the road is clear before proceeding through a green signal light (wait two seconds after the light turns green before proceeding), and drive “defensively” to avoid collisions. If I see a car coming at me in my lane of traffic, I will do everything possible to avoid “head-on” collisions even if I have to drive off the road and hit a stationary object because most head-on collisions are **FATAL**.

**CONSEQUENCES:** I will be responsible for paying for any repair costs and increases in insurance premiums associated with accidents that were caused by me.

**4. PASSENGERS:** The presence of teen passengers in a car doubles the chances of a fatal crash.

**AGREEMENT:** I will not have any passengers ride with me when I am driving unless I get my parents’ permission, in advance.

**CONSEQUENCES:** If I have too many passengers in my car, I will lose my driving privileges for one month.

**5. IMPAIRED DRIVING:** Drunk driving or “buzzed” driving is the cause of more than 25% of all fatal teen crashes.

**AGREEMENT:** I will never drink alcohol, smoke marijuana, or take any other illegal or mind-altering drug and drive. I will not ever ride with anyone who has been drinking, smoking or using illegal or mind-altering drugs. If I need a ride home, and I am “impaired” or the driver with whom I rode with is “impaired” I agree to call my parents for a ride. My parents agree that I will not be punished for doing this.

**CONSEQUENCES:** If I ever drive after drinking, I will lose my driving privileges indefinitely.

**6. SEATBELTS:** Using seat belts can reduce the risk of dying in a car crash by 45%. In rollover collisions, the vast majority of unbelted occupants are ejected from the vehicle, dying as a result of the vehicle rolling over them or as a result of sustaining fatal head injuries.

**AGREEMENT:** I will always wear my seat belt whether I am driving or riding as a passenger.

**CONSEQUENCES:** If I receive a ticket for failure to wear a seat belt, I will be responsible for all costs associated with it. I will also lose nonessential driving privileges for a month.

**7. CELL PHONES, TEXTING, MUSIC, AND OTHER DISTRACTIONS:** Talking on a cell phone, texting messages, or putting on makeup while driving is just as dangerous as driving while intoxicated because it greatly slows down the time a driver has to react.

**AGREEMENT:** I will never talk on my cell phone or send a text message while I'm driving.

**CONSEQUENCES:** I will lose my cell phone indefinitely if I'm talking or texting and driving.

**AGREEMENT BETWEEN TEEN DRIVER AND PARENTS**

I, \_\_\_\_\_ (name of teen driver) promise to abide by the contract outlined above. If I break any part of this contract, I will accept the consequences. During any time that I cannot drive, I will be responsible for making other arrangements.

\_\_\_\_\_  
SIGNATURE OF DRIVER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF PARENT

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF PARENT

\_\_\_\_\_  
DATE