

111TH CONGRESS
1ST SESSION

H. R. 1895

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2009

Mr. BISHOP of New York (for himself and Mr. CASTLE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe Teen and Novice
5 Driver Uniform Protection Act of 2009” or the
6 “STANDUP Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) The National Highway Traffic Safety Ad-
2 ministration has reported that—

3 (A) motor vehicle crashes are the leading
4 cause of death of Americans between 15 and 20
5 years of age;

6 (B) from 1995 to 2006, over 76,000 Amer-
7 icans between the 15 and 20 years of age died
8 in motor vehicle crashes, an average of 122
9 teenage deaths per week;

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

14 (D) teenage drivers who are 16 years of
15 age have a motor vehicle crash rate that is al-
16 most ten times the crash rate for drivers be-
17 tween 30 and 60 years of age.

18 (2) According to the American Automobile As-
19 sociation, teenage drivers comprise slightly more
20 than $\frac{1}{3}$ of all fatalities in motor vehicle crashes in
21 which they are involved and nearly $\frac{2}{3}$ of all fatalities
22 in those crashes are other drivers, passengers, and
23 pedestrians.

24 (3) According to the Insurance Institute for
25 Highway Safety, the chance of a crash by a 16- or

1 17-year-old driver is doubled if there are 2 peers in
2 the vehicle and quadrupled with 3 or more peers in
3 the vehicle.

4 (4) According to the National Highway Traffic
5 Safety Administration, the cognitive distraction
6 caused by hands free and hand-held cellular phones
7 is significant enough to degrade a driver's perform-
8 ance, particularly teenage drivers between 15 and 20
9 years of age.

10 (5) Although only 20 percent of driving by teen-
11 age drivers occurs at night, more than 50 percent of
12 the motor vehicle crash fatalities involving teenage
13 drivers occur at night.

14 (6) In 1997, the first full year of its graduated
15 driver licensing system, Florida experienced a 9 per-
16 cent reduction in fatal and injurious crashes among
17 teenage drivers between the ages of 15 and 18, com-
18 pared with 1995, according to the Insurance Insti-
19 tute for Highway Safety.

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

1 (8) In California, according to the Automobile
2 Club of Southern California, teenage passenger
3 deaths and injuries resulting from crashes involving
4 16-year-old drivers declined by 40 percent from
5 1998 to 2000, the first 3 years of California's grad-
6 uated driver licensing program. The number of at-
7 fault collisions involving 16-year-old drivers de-
8 creased by 24 percent during the same period.

9 (9) The National Transportation Safety Board
10 reports that over 40 States and the District of Co-
11 lumbia have implemented 3-stage graduated driver
12 licensing systems. Many States have not yet imple-
13 mented other basic safety features of graduated
14 driver licensing laws to protect the lives of teenage
15 and novice drivers.

16 (10) A 2001 Harris Poll indicates that—

17 (A) 95 percent of Americans support a re-
18 quirement of 30 to 50 hours of practice driving
19 with and adult;

20 (B) 92 percent of Americans support a 6-
21 month learner's permit period; and

22 (C) 74 percent of Americans support lim-
23 iting the number of teenage passengers in a car
24 with a teenage driver and supervised driving
25 during high-risk driving periods, such as night.

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

2 (a) **MINIMUM REQUIREMENTS.**—

3 (1) **IN GENERAL.**—A State is in compliance
4 with this section if the State has a graduated driver
5 licensing law that includes, for novice drivers under
6 the age of 21, a 2-stage licensing process described
7 in paragraph (2) before granting an unrestricted
8 driver’s license.

9 (2) **LICENSING PROCESS.**—To comply with the
10 required licensing process, a State shall enact licens-
11 ing requirement that includes—

12 (A) a learner’s permit stage that—

13 (i) commences at age 16 years of age
14 or older;

15 (ii) is at least 6 months in duration;

16 (iii) prohibits the use of a cellular
17 telephone or any communications device in
18 a non-emergency situation;

19 (iv) prohibits nighttime driving; and

20 (v) is in effect until the commence-
21 ment of the intermediate stage or until a
22 driver becomes 18 years of age or older;

23 (B) an intermediate stage that is in effect
24 until a driver is 18 years of age or older that—

25 (i) commences immediately after the
26 expiration of the learner’s permit stage;

1 (ii) is at least 6 months in duration;

2 (iii) prohibits operating a motor vehi-
3 cle with more than one non-familial pas-
4 senger under the age of 21 if there is no
5 licensed driver 21 years of age or older
6 present in the motor vehicle;

7 (iv) prohibits nighttime driving; and

8 (v) prohibits the use of a cellular tele-
9 phone or any communications device in
10 non-emergency situations; and

11 (3) any other requirement that the Secretary of
12 Transportation (referred to in this Act as the “Sec-
13 retary”) may require, including for novice drivers in
14 the learner’s permit stage—

15 (A) at least 40 hours of behind-the-wheel
16 training with a licensed driver who is over 21
17 years of age;

18 (B) a driver training course;

19 (C) a requirement that any such driver be
20 accompanied and supervised by a licensed driver
21 21 years of age or older at all times when such
22 driver is operating a motor vehicle; and

23 (D) a requirement that, in addition to any
24 other penalties imposed by State law, the grant
25 of an unrestricted driver’s license be automati-

1 cally delayed for any individual who is convicted
2 of an driving-related offense, such as driving
3 while intoxicated, misrepresentation of their
4 true age, reckless driving, unbelted driving,
5 speeding, or other violations as determined by
6 the Secretary, during the learner's and inter-
7 mediate stages of the licensing process.

8 (b) RULEMAKING.—After public notice and comment
9 rulemaking the Secretary shall issue regulations necessary
10 to implement this section.

11 **SEC. 4. INCENTIVE GRANTS.**

12 (a) IN GENERAL.—For each of the first 3 fiscal years
13 beginning after the date of enactment of this Act, the Sec-
14 retary shall award a grant to any State in compliance with
15 section 3(a) on or before the first day of that fiscal year
16 that submits an application under subsection (b).

17 (b) APPLICATION.—Any State desiring a grant under
18 this section shall submit an application to the Secretary
19 at such time, in such manner, and containing such infor-
20 mation as the Secretary may require, including a certifi-
21 cation by the Governor of the State that the State is in
22 compliance with section 3(a). The Secretary shall review
23 each State application and determine whether or not the
24 State is in compliance with subsection 3(a).

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

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

7 (2) the ratio that the amount of funds appor-
8 tioned to each such State for such fiscal year under
9 section 402 of title 23, United States Code, bears to
10 the total amount of funds apportioned to all such
11 States for such fiscal year under such section.

12 (d) USE OF FUNDS.—Amounts received from a grant
13 under this section shall be used for—

14 (1) enforcement of section 3(a);

15 (2) training for law enforcement personnel and
16 other relevant State agency personnel relating to the
17 enforcement of section 3(a);

18 (3) publishing relevant educational materials
19 that pertain directly or indirectly to the State grad-
20 uated driver licensing law; and

21 (4) other administrative activities that the Sec-
22 retary considers relevant to the State graduated
23 driver licensing law.

24 (e) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated out of the Highway

1 Trust Fund (other than the Mass Transit Account)
2 \$25,000,000 for each fiscal year under section 4(a) to
3 carry out this section.

4 **SEC. 5. WITHHOLDING OF FUNDS FOR NONCOMPLIANCE.**

5 (a) IN GENERAL.—

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

13 (2) FISCAL YEAR 2012.—The Secretary shall
14 withhold 5 percent of the amount otherwise required
15 to be apportioned to any State for fiscal year 2012
16 under each of the paragraphs (1), (3), and (4) of
17 section 104(b) of title 23, United States Code, if
18 that State is not in compliance with section 3(a) of
19 this Act on October 1, 2011.

20 (3) FISCAL YEAR 2013 AND THEREAFTER.—The
21 Secretary shall withhold 10 percent of the amount
22 otherwise required to be apportioned to any State
23 for fiscal year beginning with fiscal year 2013 under
24 each of the paragraphs (1), (3), and (4) of section
25 104(b) of title 23, United States Code, if that State

1 is not in compliance with section 3(a) of this Act on
2 the first day of such fiscal year.

3 (b) PERIOD OF AVAILABILITY OF WITHHELD
4 FUNDS.—

5 (1) FUNDS WITHHELD ON OR BEFORE SEP-
6 TEMBER 30, 2012.—Any amount withheld from any
7 State under subsection (a) on or before September
8 30, 2012, shall remain available for distribution to
9 the State under subsection (c) until the end of the
10 third fiscal year following the fiscal year for which
11 such amount is appropriated.

12 (2) FUNDS WITHHELD AFTER SEPTEMBER 30,
13 2012.—Any amount withheld under subsection (a)(2)
14 from any State after September 30, 2012, may not
15 be distributed to the State.

16 (c) APPORTIONMENT OF WITHHELD FUNDS AFTER
17 COMPLIANCE.—

18 (1) IN GENERAL.—If, before the last day of the
19 period for which funds withheld under subsection (a)
20 remain available to a State under subsection (b), the
21 State comes into compliance with section 3(a), the
22 Secretary shall, on the first day on which the Sec-
23 retary determines the State has come into compli-
24 ance, distribute to the State any amounts withheld

1 under subsection (a) that remains available for ap-
2 portionment to the State.

3 (2) PERIOD OF AVAILABILITY OF SUBSE-
4 QUENTLY APPORTIONED FUNDS.—Any amount dis-
5 tributed under paragraph (1) shall remain available
6 for expenditure by the State until the end of the
7 third fiscal year following the year for which the
8 funds are so apportioned. Any amount not expended
9 by the State by the end of such period shall revert
10 back to the Treasury of the United States.

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

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