

**Graduated Licensing:  
A Blueprint for North America**

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Many jurisdictions throughout North America are considering graduated licensing, an increasingly popular approach to reducing new drivers' risk of collisions. Such an approach is needed because of the extremely high crash rates among new drivers, especially young ones. In the United States, for example, 16 year-olds have almost 10 times the crash risk of drivers ages 30-59 and almost 3 times the risk of older teenagers.<sup>1</sup>

North American jurisdictions traditionally have allowed quick and easy paths to full-privilege licensure at an early age, which contributes to the high crash rate of young drivers. Graduated licensing offers a more sensible and less risky way for new drivers to begin. It has been found to reduce collisions and injuries in New Zealand and Ontario, Canada,<sup>2,3</sup> but most North American systems are too new for formal evaluation.

Six Canadian provinces and 24 U.S. states have enacted some form of graduated licensing since 1994. Table 1 lists these jurisdictions and effective dates of the legislation. To assist other jurisdictions where graduated licensing is being contemplated, this document provides recommendations for the structure and characteristics of such systems. Recommendations are based on scientific research where available and on what graduated systems are intended to accomplish.

**Table 1**  
**North American Jurisdictions That Have Enacted Some Form of Graduated Licensing Since 1994**

<b>Jurisdiction</b>	<b>Effective Date</b>	<b>Jurisdiction</b>	<b>Effective Date</b>
Ontario	April 1, 1994	South Carolina	July 1, 1998
Nova Scotia	October 1, 1994	British Columbia	August 1, 1998
New Brunswick	January 1, 1996	Maine	August 1, 1998
Florida	July 1, 1996	Massachusetts	November 4, 1998
Virginia	July 1, 1996	Indiana	January 1, 1999
Kentucky	October 1, 1996	Iowa	January 1, 1999
Connecticut	January 1, 1997	Minnesota	January 1, 1999
Michigan	April 1, 1997	Nebraska	January 1, 1999
Quebec	June 30, 1997	Newfoundland	January 1, 1999
North Carolina	December 1, 1997	Ohio	January 1, 1999
Georgia	January 1, 1998	Rhode Island	January 1, 1999
Illinois	January 1, 1998	South Dakota	January 1, 1999
Louisiana	January 1, 1998	Delaware	July 1, 1999
New Hampshire	January 1, 1998	Maryland	July 1, 1999
California	July 1, 1998	New Jersey	January 1, 2001

## **WHAT IS GRADUATED LICENSING?**

Graduated licensing is a system for phasing in on-road driving, allowing beginners to get their initial experience under conditions that involve lower risk and introducing them in stages to more complex driving situations. Essentially an apprentice system, graduated licensing involves three stages. The first is a supervised learner's period, then an intermediate licensing phase that permits unsupervised driving only in less risky situations, and finally a full-privilege license becomes available when conditions of the first two stages have been met.

Within this framework, substantial variation is possible in terms of the provisions of the stages and their duration. This variation often has created difficulty for jurisdictions that are constructing a graduated system. Policymakers need to know what features their system should include and what the characteristics should be.

## GENERAL FEATURES

**Who should be covered?** A graduated system is designed to address driving inexperience, so there is some justification for applying it to beginners of all ages. This is the approach taken in Canada, where a significant number of new drivers are not young.<sup>4</sup> In contrast, the graduated systems in all U.S. states except Maryland and New Jersey apply only to young drivers — specifically those younger than age 18, the legal age of adulthood in the United States. If a driver is 18 years or older when first licensed, graduated licensing does not apply; if 18 is reached while in the system, graduation is automatic.

Young drivers have been the focus of U.S. systems primarily because they constitute the largest group of beginners and have the highest crash risk.<sup>1</sup> Regardless of driver age, inexperience increases crash risk, and inexperience combined with immaturity magnifies this risk. It is possible that some states have significant numbers of older beginners, although this has not been adequately determined.

**Recommendation:** Consider the age distribution of the beginning driver population in deciding whether to apply graduated licensing to all beginners or only young beginners, who are the primary targets.

**How many stages?** A complete graduated licensing system includes all three stages — the supervised learner's period, the intermediate license that permits some unsupervised driving, and full-privilege licensure. It is important to include both of the first 2 stages, but 10 of the 30 jurisdictions with elements of graduated licensing have not done so. Nine programs include only the learner's stage, and 1 includes only an intermediate licensing stage; both likely limit program effectiveness.

**Recommendation:** Implement three-stage licensing systems.

## LEARNER'S PHASE: KEY FEATURES

Under traditional licensing systems, most jurisdictions allow for a learning period prior to full licensure. However, in many cases a learner's permit is optional; when it is required, its minimum holding period either is not specified or is short, typically 30 days. In a graduated system, an extended learner's period is essential to provide the opportunity for extensive supervised on-road practice in a variety of conditions.

**When should the licensing process start?** States and provinces that recently have adopted graduated licensing or components of it generally have maintained the starting ages in effect under their prior licensing systems, which range from 14 to 16 years. There are four exceptions. Ohio lowered the permit age from 16 to 15 years, 6 months but allows driving only while supervised by a parent or driving instructor before age 16. Newfoundland lowered the permit age from 17 to 16; Virginia from 15 years, 8 months to 15 years. Michigan's permit age was moved back from 15 to 14 years, 9 months. The rationale for lowering the starting age is to allow more time for supervised driving before continuing to the intermediate license. However, because this allows driving at an even younger age, it may encourage younger people to drive unsupervised as well as supervised. A study of fatal crashes of 15 year-olds in states where permits are allowed at this age found that three of four beginners were driving illegally.<sup>5</sup> The effect of a younger permit age has not been established yet, but policymakers should consider that lowering the permit age might increase rather than decrease risk. Raising the starting age to 16 would have safety benefits. In a few systems the starting age is 16, but no jurisdiction has raised the minimum permit age as graduated licensing has been introduced.

**Recommendation:** Maintain the starting age at 16, or raise it to 16.

**What driving restrictions should be imposed?** Research shows that supervised driving is a relatively safe activity,<sup>5</sup> so a critical aspect of the learner's phase is to require adult supervision of all driving — that is, supervision by a fully licensed driver at least age 21. Some jurisdictions leave the kind of driving to the discretion of the supervisor, some impose restrictions such as barring nighttime driving, and other jurisdictions require some practice driving at night. North Carolina phases in driving during the 12-month learner's stage, disallowing nighttime driving during the first 6 months.

**Recommendation:** Require adult supervision and restrict driving at the discretion of the supervisor. It is acceptable to phase in more difficult driving, as in North Carolina.

**Should a minimum amount of practice driving be required?** Requiring parents to certify that a certain number of hours have been driven under supervision facilitates the goal of the learner's stage. It also protects against the possibility that beginners will stay off the roads to avoid crashes or traffic violations that may delay graduation to the next stage. Ten jurisdictions impose this requirement; 4 require driving 50 hours, and the others require 12-40 hours. In some of these, a portion of the driving hours has to be accumulated at night.

**Recommendation:** Require 30-50 hours of certified driving, some of which should be allocated to nighttime driving.

**At a minimum, how long should permits be held?** Under the licensing systems that preceded graduated licensing, a few jurisdictions specified a minimum stay in the learner's phase. In other jurisdictions, required holding periods did not exist, or they were determined by the age at which a permit was obtained if the jurisdiction allowed a permit at a younger age (e.g., 15½) than the minimum age for licensure (e.g., 16). No research addresses the appropriate amount of time for a learner's phase. The range among the 30 jurisdictions with elements of graduated licensing is broad, from 2 months to a year. The developing consensus is that a minimum of 6 months is reasonable (16 jurisdictions require 6 months, and 6 require 1 year).

**Recommendation:** Establish a minimum 6-month learner's phase.

## **INTERMEDIATE STAGE: KEY FEATURES**

The highest risk for beginning drivers is when they first get their licenses and can drive unsupervised, so key features of graduated licensing include establishing an appropriate minimum age for unsupervised driving and initially restricting some kinds of unsupervised driving. Some jurisdictions do impose a stage after the learner's period during which beginners are subject to tougher penalties; but this is not the same as the intermediate stage under graduated licensing, which restricts when and where beginners are allowed to drive. The goal is to keep initial license holders out of high-risk situations as they continue to accumulate driving experience.

**What should the starting age be?** If the learner's phase starts at the recommended age of 16 and lasts for at least 6 months, the earliest age at which the intermediate stage would begin is 16½. However, in most jurisdictions the starting ages for learners and/or the minimum holding periods allow advancement at an earlier age.

**Recommendation:** Do not permit any unsupervised driving before age 16½.

**How should nighttime driving be limited?** For drivers of all ages, crash risk is higher at night than during the day. Night driving is especially risky for young beginners,<sup>6</sup> which is why unsupervised nighttime driving has been restricted in a few states for many years. Research has established that such restrictions are effective in reducing crashes and strongly endorsed by parents. Young people also adapt to night driving restrictions.<sup>6-11</sup>

Licensure laws in 19 states and 2 provinces include night driving restrictions, but starting times vary widely. One jurisdiction specifies a 6 p.m. start, one 8 p.m., two 9 p.m., four 11 p.m., eight at midnight, one at 12:30 a.m., and four at 1 a.m. Among the states with 11 p.m. starting times, two start later on weekend nights, and one has a later starting time for 17 year-olds. In the United States, about three-quarters of the nighttime crashes of 16 and 17 year-olds occur before midnight (9-11:59 p.m.). Night driving restrictions that begin both early and late effectively reduce crashes during the restricted hours, but those restrictions that start earlier reduce a greater number of crashes because more drivers are affected.<sup>7</sup> Also, parents prefer an early start.<sup>8</sup>

Night driving is allowed under adult supervision, and jurisdictions typically allow some unsupervised driving during restricted hours. Work-related driving generally is allowed, and many jurisdictions allow driving to and from school-related activities. A variety of other exemptions also may apply — e.g., for religious events or volunteer fireman duties. The intention is not to deny essential driving at night but to limit high-risk recreational driving.

**Recommendation:** Restrict unsupervised night driving by newly licensed drivers. Examine the pattern of nighttime crashes in the age group to which graduated licensing will apply to decide when this restriction should begin; optimal starting times are 9 p.m. or 10 p.m. Exempt appropriate activities from the night driving restriction.

**Should teenage passengers be restricted?** Research shows that unsupervised driving with teenage passengers increases crash risk compared with driving alone; the more passengers the greater the risk.<sup>12,13</sup> The presence of teenage passengers increases crash risk both day and night,<sup>12</sup> so night driving restrictions alone do not adequately address this problem.

California was the first North American jurisdiction to ban teenage passengers. The ban applies during the first 6 months of a 12-month intermediate licensing phase unless an adult is present in the car. Five other jurisdictions also limit passengers. Requirements vary as to whether this restriction applies to all passengers or to teens only, how many passengers are allowed, and whether family members are exempt. A few jurisdictions specify no more passengers than there are seat belts, but this is not effective because it allows four or more teenage passengers.<sup>12</sup>

Research indicates that New Zealand's passenger restriction is effective, although more young people were found to violate this rule than the one that restricts driving at night.<sup>14,15</sup> Many parents support teenage passenger restrictions, but the support is less than for nighttime restrictions.<sup>8</sup>

**Recommendation:** Limit teenage passengers during some or all of the intermediate phase.

**How long should the intermediate phase last? When should full privileges be allowed?**

The specified minimum length of time is a year in Newfoundland and two years in Nova Scotia. In Canada, the age of graduation from the system is not an issue because this is not linked to driver age.

In the United States, 18 systems allow full-privilege driving before age 18. Only 6 states hold young people in the system until age 18; this can be accomplished by raising the starting age, setting the duration of the stages so it is impossible to graduate before age 18, or requiring beginners to remain in the intermediate stage until age 18 even though they may have completed the time requirements at a younger age.

The actual time spent in the intermediate stage can vary widely from state to state, depending on the age a young driver enters the system. For those who obtain an intermediate license at the earliest possible age, the time ranges from six months to two years. But teenagers who start the process later and reach age 18 before or soon after they start the intermediate phase spend less time in this stage. Such situations could be avoided by applying graduated licensing to all beginners regardless of age, but then policymakers would have to revisit the wisdom of night driving and passenger restrictions. Maryland, for example, drops the night driving restriction for beginners who are older than 18. New Jersey waives night and passenger restrictions for all new drivers age 21 and older.

**Recommendation:** Hold beginning drivers in the intermediate stage until at least age 18. Both inexperience and immaturity contribute to the high crash rate of young drivers, and graduated systems can address both by delaying the age of full-privilege driving until 18.

**Should a test be required before full-privilege licensure?** Requiring drivers to pass an exit test that is more difficult than the initial on-road licensing test in order to graduate to full-privilege driving could motivate beginners to develop their skills and weed out drivers who have not practiced enough to become proficient. Such tests have been introduced in Ontario and British Columbia but are not part of any U.S. system.

**Recommendation:** Consider an exit test to ensure competence prior to full-privilege licensure.

## OTHER ISSUES

**Should driver education be required?** Traditional driver education has not reduced crashes,<sup>16</sup> although it can be a superior way to learn basic driving skills. The on-road training it involves also can contribute to a beginner's driving experience. How to integrate driver education with a graduated licensing system has been the subject of much general discussion and extensive consideration in a recent report.<sup>17</sup> With a few exceptions, jurisdictions merely have carried over the driver education requirements of prior licensing systems. The driver education requirement in Maine now applies to drivers younger than age 18, rather than 17. New Jersey and South Carolina added a driver education requirement. Michigan changed its driver education format to a two-phase system, as recommended by the National Highway Traffic Safety Administration, to correspond to the phases of graduated licensing.<sup>16</sup> Overall, 19 jurisdictions require driver education as part of graduated licensing systems. In the jurisdictions where driver education is optional, five provinces grant a "time discount" to beginners who take driver education, allowing them to graduate sooner.

**Recommendation:** Graduated licensing works with or without driver education. In jurisdictions that do not already require driver education, the graduated system need not include any such provisions. In jurisdictions that do require driver education, the training should be integrated to complement graduated licensing. Ways should be explored to harmonize the delivery of driver education lessons with multistage graduated licensing requirements.<sup>17</sup> However, there is no justification for time discounts, which have been found to be detrimental.<sup>3</sup>

**What about penalty provisions?** In practice, graduated systems are largely self-enforcing, with parents playing a major role. All jurisdictions penalize drivers in graduated systems who do not comply with driving restrictions or who are involved in traffic violations or at-fault crashes. Almost all jurisdictions delay or prohibit graduation from the system if there is evidence of a poor driving record. In Nova Scotia, for example, sufficient violations incurred during the two-year intermediate stage start the clock over so that drivers with such records who entered the system at age 16 could remain under a midnight driving restriction until well beyond age 18. The threat of such a penalty can provide strong motivation for safe driving.

**Recommendation:** Include penalty provisions that delay graduation for beginners with poor driving records.



## OVERALL ASSESSMENT

In the 30 North American jurisdictions where versions of graduated licensing have been enacted since 1994, significant reductions in collisions and injuries are anticipated. However, even more substantial reductions would be possible if jurisdictions met all the recommendations for a graduated system. Core provisions for graduated systems are summarized in Table 2, which also identifies jurisdictions that meet these provisions through laws enacted since 1994.

The twin goals of graduated licensing are to encourage beginning drivers to acquire significant experience under supervision and to prohibit unsupervised driving in high-risk situations. Jurisdictions have addressed the first goal more successfully than the second. The learner's phase is mandated in almost all jurisdictions, and in most cases it lasts six months or longer. However, limitations on high-risk driving during the intermediate licensing stage are not always included and, where included, do not fully accomplish the objective of limiting exposure to high-risk driving. In the majority of jurisdictions where night driving restrictions have been imposed, they start too late (11 p.m. or later) or apply only to novice drivers younger than age 17 or 18. Some jurisdictions impose passenger restrictions in the intermediate stage, but these end before the stage expires or permit too many young passengers. Despite these limitations, graduated licensing systems enacted so far represent a major step toward alleviating the new driver problem, particularly among young people.

Many questions about optimal graduated systems will be answered when researchers evaluate the injury-reducing potential of these systems as well as acceptance of them among both parents and teenagers. These systems are designed to enhance safety, but they also reduce mobility and may inconvenience people. The acceptability of some provisions — especially certifying 50 hours of driving during the learner's stage and restricting teenage passengers during the intermediate stage — is unknown. This report has concentrated on safety aspects of graduated licensing components. However, acceptability of the provisions is important in terms of public support for graduated licensing. It also will affect safety outcomes because provisions that are less acceptable will be more frequently violated.

**Table 2**  
**Core Provisions for Graduated Licensing and Jurisdictions that Meet or Exceed Such Provisions<sup>1</sup>**

Learner's Stage			Intermediate Stage				Unrestricted Driving
Minimum Age	Minimum Mandatory Holding Period	Amount of Supervised Driving	Minimum Age	Duration of Nighttime Restriction	Unsupervised Driving Prohibited	Passenger Restriction	Minimum Age
16	6 months	30-50 hours	16, 6 months	Until age 18	9 or 10 p.m. to 5:00 a.m.	No teenage passengers unless supervised by driver age 21 or older (exception: members of driver's household)	18
British Columbia	British Columbia <sup>2</sup>	California	Massachusetts	Florida	Delaware	California	Florida
Connecticut	California	Maine	New Jersey	Georgia	North Carolina	Indiana	Georgia
Kentucky	Connecticut <sup>2</sup>	Maryland	Newfoundland	Indiana	South Carolina	Massachusetts	Indiana
Massachusetts	Delaware	Michigan	Nova Scotia <sup>3</sup>	Massachusetts	South Dakota	New Jersey	Massachusetts
New Brunswick	Florida	Minnesota	Rhode Island	New Hampshire			New Hampshire
New Hampshire	Georgia	Nebraska		New Jersey			New Jersey
New Jersey	Iowa	Ohio		Newfoundland			Newfoundland <sup>4</sup>
Newfoundland	Kentucky			Nova Scotia			Nova Scotia
Nova Scotia	Massachusetts						
Ontario	Michigan						
Quebec	Minnesota						
Rhode Island	New Brunswick						
	New Jersey						
	Newfoundland						
	North Carolina						
	Nova Scotia <sup>2</sup>						
	Ohio						
	Ontario						
	Quebec						
	Rhode Island						
	South Dakota <sup>2</sup>						
	Virginia						

<sup>1</sup> Includes only jurisdictions that have enacted legislation since 1994

<sup>2</sup> A time discount for driver education shortens required holding period to less than 6 months

<sup>3</sup> A time discount for driver education reduces the minimum age to younger than 16 years, 6 months

<sup>4</sup> A time discount for driver education reduces the minimum age to younger than 18

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