

Teen Driving Task Force
Minutes of January 27, 2012 Meeting
AmericInn
Ft. Pierre, South Dakota

Task Force Members Present: Nancy Allard, Bob Clark, Staci Eggert, Ken Franks, John Foster, Cindy Gerber, Representative Peggy Gibson, Captain Steve Haney, Dr. Susan Randall, Senator Todd Schlekeway, Mark Swendsen, and Senator Craig Tieszen. Representative Nick Moser was present via teleconference.

Support staff present: Lee Axdahl and Hannah Houdyshell

Others present: Dr. Richard Braunstein, on behalf of the Government Research Bureau, and Jon Ryckman and Dick Tieszen, on behalf of Safe and Sound South Dakota

Task Force Members absent: Chief Richard Greenwald, Major Randy Hartley

Call to order

Meeting was called to order and Representative Moser connected via teleconference.

Task Force introduction

Members of the task force introduced themselves in round table.

Presentation on current South Dakota laws

Cindy Gerber explained the stages of licensure involved in the graduated driver licensing that was passed in 1998:

- The Instruction permit is the first license given to minors age 14 to 18. The minor needs a guardian's signature and must pass a vision and knowledge test. Driver's Education is not required and an Instruction permit is not required to take Driver's Education. If Driver's Education class is completed with an 80% or better, the period that an Instruction permit must be held goes from 180 days to 90 days and the knowledge test is waved unless the minor has not taken Driver's Education within the 12 months of applying for the permit. An Instruction permit is valid for one year. If the permit is expired, the holder is given a 30 day grace period to renew it. A minor with an Instruction permit must drive with a passenger, who is 18 or older and sitting in the front seat, between the hours of 6 am and 10 pm. After 10 pm, the minor may only drive with a parent or guardian as passenger.
- The Restricted permit is the next license the minor, age 14 to 18, receives after the 180 days of driving under the Instruction permit. The same conditions that apply to receive an Instruction permit apply to the Restricted permit. The driver is now allowed to drive without any passengers required between the hours of 6 am and 10 pm. The same rules as the Instruction permit apply after 10 pm. The minor must be conviction free for 6 months to pass from one license to another. The minor must go to the Department of Public Safety to upgrade their license before the age of 18, but at the age of 18 their license will automatically become a full operator's license.

- An operator's license has no restrictions. Most minors are upgrading to the operator's license at the age of 16. They are not retested to go from one stage of licensure to the next.

A traffic violation for a minor is heard in adult court. The minor can lose their license for 30 days for any traffic or restriction violation and 1 year for a felony. A notification of suspension is sent to the driver and they have 15 days to contest it in court before the suspension begins. The driver loses their license for 90 days or until their 16th birthday, whichever is longer, for a second offense and any subsequent offenses will go on record but not result in further license suspension. The most common violations are speeding and violating restrictions (driving after 10 pm). School functions seem to be the main reason teen drivers are out after 10 pm.

Introduction of guest speaker

John Foster introduced Dr. Richard Braunstein of the University of South Dakota and the Government Research Bureau. He presented a report sponsored by the Department of Transportation concerning Driver's Education.

Presentation of Driver's Education Study

Dr. Richard Braunstein introduced the Driver's Education Study that was composed of 250,000 incident reports in South Dakota over the past ten years, broken down by Driver's Education completers and those who did not participate in Driver's Education. The findings were mixed as there will be those who do not report participation in Driver's Education and there were incidents where the severity rating was not known. Dr. Braunstein noted that Iowa found that a more restrictive graduated driver's licensing program worked better than Driver's Education in accident prevention. Based on other states best practices, a standardized Driver's Education curriculum, objectives, instructor training, exams and assessments were found to have some positive effect on crash ratings. The Driver's Education instructor involved in a non-standardized classroom has no sounding board for assessment. The South Dakota Driver's Education Association was disbanded in the 1980's. An instructor is required to take nine hours of instruction and he is certified to teach Driver's Education for life. The study reported that as the permit, intermediate, and operator license ages went up the number of fatalities went down. The more substantial the regulation or restrictions involved in graduated licensing programs, the fewer accidents that were reported.

Dr. Braunstein suggested a curriculum from American Driver and Traffic Safety Education Association, which would cost approximately \$70 for each school district. The Department of Transportation has not done a cost analysis for Driver's Education in South Dakota. John Foster offered to get this curriculum for the task force to review.

Dr. Braunstein offered to do more research on individual state's Driver's Education programs, concerning whether they are required or elective and how states pay for the programs. Representative Gibson broached this subject as current legislation is making it impossible for schools in South Dakota to collect fees for Driver's Education classes. The state of South Dakota cannot meet the demand for Driver's Education. There are school districts that do not offer it and there is no Driver's Education on the Reservations. Dr. Braunstein also will look into state's best practices. He cited Michigan as an example of how graduated licensing and Driver's Education work together with courses related to each stage of licensure, and Idaho where a "pre" Driver's Education class teaches children the necessary attitude and behavior driving involves.

It was suggested that the time discount given to those who complete Driver's Education with an 80% or better is counter-productive as experience is the only way to improve one's driving skills. South Dakota is 47th in the nation for young driver accidents. The bottom states in the list were rural states where the driver logs higher driving miles at higher speeds. The states surrounding South Dakota -- Iowa 30th, Nebraska 39th, and North Dakota 37th -- have more regulations and restrictions for minors, which

results in fewer accidents. Driver's Education offered in a private setting is federal and has a standard curriculum, yet doesn't receive the time discount the state gives to a participant of the school's Driver's Education program. Experience has the greatest impact on driver's safety.

The Government Research Bureau recommends:

1. Standardized Driver's Education instruction
2. Standardized Driver's Education exams based on course goals and objectives
3. Ongoing evaluation of the Driver's Education program by its participants
4. Driving simulators (recommended, not required)
5. "Pre" Driver's Education
6. Link grades to the graduated driver's licensing program
7. Increase minimum driving age
8. Remove the time discount for Driver's Education
9. Prohibit night driving, passenger limits, and cell phone use during restricted phase
10. Increase age threshold by one year, making Graduated Driver's License apply for one more year
11. Review graduated driver licensing and Driver's Education evaluating best practices
12. Reform the South Dakota Driver's Education Association

More data is needed on Driver's Education participants, graduated driver licensing for specific ages, and on accident severity ratings. Dr. Braunstein suggested a database be formed with all this information available to the agencies that require it.

Dr. Susan Randall motioned for Dr. Braunstein to return in the future. Senator Tieszen seconded the motion.

Senator Tieszen moved to break for lunch and continue the agenda at 1:00 with public testimony, John Foster with Department of Transportation's response to the Driver's Education study, and a presentation by Safe and Sound South Dakota.

Public Testimony

Driver's Education instructor Dwayne LeFave, Desmet, SD, commented he would like to see a standardized curriculum for Driver's Education and has looked at the curriculum recommended by Dr. Braunstein. He would also like to see the reformation of the South Dakota Driver's Education Association. Larry Weiss of Parents Matter said Driver's Education was a necessary program as we are drivers for life.

Department of Transportation's response to the Driver's Education Study

John Foster delivered the Department of Transportation's thoughts on Dr. Braunstein's recommendations. The Department agreed that a standardized, cost effective curriculum would be a positive move, but does not think the budget will support making it mandatory statewide. He stated the department would like to see the South Dakota Driver's Education Association reformed and a Driver's Education task force created to deal with analyzing and implementing the changes that the state needs.

Presentation by Safe and Sound South Dakota

Dick Tieszen and Dr. Jon Ryckman gathered statistics for Safe and Sound South Dakota from a survey of 860 parents of teen drivers, ages 15 to 17, throughout the state. Teens are more likely to die in motor vehicle crashes than other forms of death and the rate in South Dakota of teen deaths in auto accidents is higher than other states in the nation including its neighboring states. The risk of being in an accident increases with the number of passengers and the first year of driving is often the most dangerous. More months behind the wheel means lower crash rates. Safe and Sound South Dakota

does not support the time decrease given to Driver's Education participants and recommends the 180 days required for the instruction permit should be increased to 12 months. The group would also like to see a passenger restriction on the graduated driver licensing restrictions. They also would like to see the age one can acquire an operator's license from 16 to 18 with required seat belt use. They believe that South Dakota's licensing system is outdated.

Night time driving with passengers has been found to triple the chance of an accidents and inexperience is the cause of many accidents on rural roads. Comprehensive graduated driver licensing programs are effective in reducing accidents. The survey participants were in favor of passenger restrictions.

Discussion of Agenda for March 20, 2012

The task force members wanted to hear a presentation on Tribal issues, including rural road safety.

Schlekeway moved to review the curriculum suggested by the Driver's Education Study. Randall seconded the motion.

Senator Tieszen asked that Dwayne LeFave return to talk more about the Driver's Education curriculum and made him an adjunct member of the task force.

John Foster moved to hear the legislative approach to the subject, addressing the concern for any future legislation that may result from the task forces findings. Senator Tieszen seconded the motion.

Cindy Gerber offered to print up accident records with percentages.

Representative Gibson moved to approve the minutes for the meeting held on December 15, 2011. Senator Schlekeway seconded the motion.

Senator Tieszen moved to adjourn the meeting at 3:30 pm CST.