

Tennessee's Graduated Driver Licensing Law

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Introduction

Public Chapter 700 (2000) made significant changes to Tennessee's driver license laws relative to teen drivers.

The changes included:

- Lengthening the time teens are required to hold a learner's permit;
- Prohibiting unsupervised driving by minors;
- Restricting when minors can drive; and
- Restricting with whom minors can drive.

These reforms created a graduated driver licensing system for drivers under the age of 18. The restrictions are intended to allow teen drivers to develop their driving skills before obtaining full, unrestricted driving privileges.

This publication reviews the concept of graduated driver license systems, outlines the specifics of Tennessee's graduated driver licensing system, and reviews policy options highway safety organizations have suggested for strengthening such laws.

Graduated driver licensing systems are designed to “phase in young beginners to full driving privileges” as they mature and become more seasoned drivers.

Insurance Institute for Highway Safety and National Highway Traffic Safety Administration, “Q&As: Teenagers – graduated driver licensing,” April 2009, www.iihs.org/research/qanda/gdl.html (accessed March 10, 2010).

Background

“Motor vehicle crashes are the leading cause of death for U.S. teens, accounting for more than one in three deaths in this age group.”¹ Nationally, 16-year old drivers have crash rates that are about three times greater than 17-year-old drivers, five times greater than 18-year-old drivers, and approximately twice the rate of 85-year-old drivers.²

Tennessee ranked 6th in the nation for fatal crashes involving teenage drivers per capita, according to a 2008 national study by the insurance company Allstate. Among the nation's 50 major metropolitan areas, the Nashville-Murfreesboro region ranked 4th and Memphis ranked 16th.³

Tennessee Department of Safety statistics for the period from 1994 to 2008 show the highest number of fatal crashes involving teenage drivers occurred in 1999. This number decreased in subsequent years, with preliminary data indicating 132 fatal crashes in 2008, a fourteen-year low. (See Exhibit 1.) As shown in Exhibit 2, the rate of traffic crashes involving drivers between ages 15 and 24 has decreased more than 18 percent since 2005.

A graduated driver licensing system typically consists of three stages or phases:

1. Supervised learner's period (e.g., a learner's permit) – may drive only when accompanied by a licensed driver.
2. Intermediate license – may not drive unsupervised under certain conditions, such as during certain hours (e.g., late at night or early morning) or with more than one teen passenger.
3. Intermediate unrestricted license – no restrictions but must meet certain eligibility criteria. This license is available upon completion of the first two stages.⁴

Exhibit 1: Fatal Traffic Crashes Involving Tennessee Teen Drivers

Year	Fatal Crashes
1994	209
1995	220
1996	201
1997	214
1998	212
1999	221
2000	189
2001	191
2002	197
2003	162
2004	191
2005	167
2006	171
2007	178
2008	132

Note: 2008 data are preliminary.

Source: Tennessee Department of Safety, data obtained from Federal Analysis Reporting System (FARS) website, <http://www-fars.nhtsa.dot.gov/Main/index.aspx> (accessed July 24, 2009).

Exhibit 2: Rate of Tennessee Traffic Crashes Involving Drivers Ages 15 to 24

Year	Crashes per 1,000 drivers ages 15 to 24
2005	136.65
2006	136.38
2007	129.55
2008	115.64
2009	111.57

Source: Tennessee Department of Safety, Office of Research, Statistics, and Analysis, *Tennessee Traffic Crash Data: County Rankings and Statistics by Emphasis Area 2005-2009*, March 2010, pp. 33-34, <http://tennessee.gov/safety/stats/CrashData/TrafficFatality/Rankings/CountyRankings05-09.pdf> (accessed May 19, 2010).

Research on Graduated Driver Licensing Systems

Research suggests that the most comprehensive graduated driver licensing (GDL) systems are correlated with reductions in both fatal crashes and injury crashes among teen drivers. The Insurance Institute for Highway Safety considers GDL systems to be the most comprehensive when they (1) delay the learner's permit stage until age 16 and (2) include strong nighttime and passenger restrictions. An Insurance Institute for Highway Safety (IIHS) study of states' GDL systems found that states with the most comprehensive systems saw larger reductions in fatal crash rates among teen drivers (30 percent) and insurance claim rates (20 percent) when compared to states with less comprehensive systems.⁵ Other research cites a 38 percent reduction in fatal crashes among 16-year-old drivers and a 40 percent reduction in injury crashes in states with the most comprehensive GDL systems.⁶

One particular element of a GDL system – restrictions on the number of teen passengers – has also been the subject of national research. A National Highway Traffic Safety Administration (NHTSA) evaluation of crashes involving teens in California, Massachusetts, and Virginia found there were fewer 16-year-old drivers involved in crashes following the passage of passenger restriction laws.⁷

Federal Legislation: Safe Teen and Novice Driver Uniform Protection (STAND UP) Act of 2009

Recognizing the link between strong GDL systems and reduced crash rates, federal lawmakers have introduced legislation to give states incentives to further strengthen their laws. H.R. 1895, the Safe Teen and Novice Driver Uniform Protection (STAND UP) Act of 2009, would provide driver safety grants to states with GDL laws meeting certain minimum requirements. This legislation would encourage states to pass stricter requirements for novice drivers under 21 and allow for withholding of federal funds for noncompliance.

This legislation would outline the following requirements for the learner's permit and intermediate stage:

Learner's permit

- Commence at 16 or older and last for at least 6 months.
- Prohibit nighttime driving and use of a cellular telephone or any communication devices, except in emergencies.

Intermediate Stage

- Commence immediately after learner's permit stage and remain effective until the driver becomes 18 or older.
- Prohibit driving with more than one passenger, nighttime driving, and use of a cellular telephone or any communication devices, except in emergencies.

Source: H.R. 1895, <http://www.opencongress.org/bill/111-h1895/show> (accessed March 31, 2010).

Tennessee's Law

Tennessee's Graduated Driver Licensing law provides three phases of licensing for teen drivers:

1. **Learner's Permit** - Minimum age for a learner's permit is 15. Nighttime driving restriction from 10 p.m. to 6 a.m.
2. **Intermediate Restricted License** - Nighttime driving restriction from 11 p.m. to 6 a.m. Requires 50 hours of supervised driving, 10 of which must be at night.
3. **Intermediate Unrestricted License** - No restrictions but must meet certain eligibility criteria.⁸
(See Exhibit 3.)

Attendance and academic progress

Tennessee Code Annotated §49-6-3017 prohibits the issuance of a driver license to any person less than 18 years of age who at the time of application does not present a high school diploma or certificate of graduation, or documentation that the person is:

- (1) Enrolled and making satisfactory progress in a GED course or has obtained a GED;
- (2) Enrolled in and making satisfactory progress in a secondary school; or
- (3) Excused from such requirement due to circumstances beyond the applicant's control.

In addition, the state will suspend the license of any student under the age of 18 who drops out of school. After withdrawing from school for the first time, a student will not be considered eligible for a license until he or she has returned to school and either made satisfactory academic progress or turned 18. Students who withdraw from school 2 or more times will have all driving privileges suspended until their 18th birthday.⁹

Minors who are enrolled in a GED course of study may have their driver licenses suspended upon accumulating more than 10 consecutive or 15 days total unexcused absences in a semester. Additionally, a minor who does not already possess a driver license and accumulates more than 10 consecutive or 15 days total unexcused absences in a semester is ineligible for a license until his or her 18th birthday.¹⁰

Exhibit 3: Tennessee’s Graduated Driver Licensing Law

	Learner’s Permit Class	Intermediate Restricted	Intermediate Unrestricted	Regular Class D
Requirements	<ul style="list-style-type: none"> ▪ Must be 15 years old ▪ Vision Exam ▪ Knowledge Test ▪ Proof of Compulsory School Attendance and Satisfactory Progress ▪ Parent/legal guardian must sign Teenage Affidavit of Financial Responsibility ▪ Birth Certificate ▪ Social Security Number ▪ Proof of citizenship or lawful permanent Resident 	<ul style="list-style-type: none"> ▪ Must be 16 years old ▪ Must have held a valid learner’s permit for 6 months ▪ Certification of 50 hours behind the wheel, including 10 hours at night ▪ Cannot have 6 or more points on driving record during the 180 days immediately preceding application ▪ Driving Test 	<ul style="list-style-type: none"> ▪ At least 17 years old ▪ Held a valid Intermediate Restricted license for 1 year ▪ Cannot have: <ul style="list-style-type: none"> ○ 6 or more points on driving record ○ Been at fault in a traffic accident or convicted of a 2nd seatbelt violation 	<ul style="list-style-type: none"> ▪ Must be at least 18 years old
Restrictions	<ul style="list-style-type: none"> ▪ Must have licensed driver age 21 or older in the front seat ▪ Cannot drive between 10:00 p.m. – 6:00 a.m. 	<ul style="list-style-type: none"> ▪ Only 1 passenger ^a ▪ Cannot drive between 11:00 p.m. – 6:00 a.m. 	<ul style="list-style-type: none"> ▪ No restrictions, however, license still states “Intermediate” prominently on the face of the license 	<ul style="list-style-type: none"> ▪ No restrictions and license looks like the regular “under 21 license”

^a May have multiple passengers if (1) at least one passenger is 21 years of age or older with a valid, unrestricted license, or (2) passengers are siblings living in the same house as the driver and going to and from school (if license holder has written permission from parent or guardian). Source: Tennessee Department of Safety, “Driver License Handbook – Chapter 3,” p. 19, <http://www.tennessee.gov/safety/dlhandbook/07chap3.pdf> (accessed March 1, 2010).

Status Check on Tennessee’s Graduated Driver Licensing Laws

The IIHS¹¹ ranked states on the comprehensiveness of their graduated driver licensing systems in 2009. The IIHS considered the length of the learner’s permit period and the duration and stringency of intermediate license restrictions to be particularly important to the effectiveness of a graduated driver licensing system.¹²

Most states, including Tennessee, received the highest rating.¹³ However, the IIHS recommended increasing the minimum age required for a learner’s permit from 15 to 16. (See Exhibit 4.)

Conclusion

Implemented in 2001, Tennessee’s GDL law places restrictions on the state’s youngest drivers to allow them time to develop driving skills before obtaining full, unrestricted driving privileges. Research suggests that the most comprehensive GDL systems are correlated with reductions in both fatal crashes and injury crashes among teen drivers.

Exhibit 4: A Comparison of Expert Recommendations for GDL Laws and Tennessee’s GDL Law

Expert Recommendations	Tennessee’s Graduated Driver Licensing Law
Learner’s stage begins at 16 and lasts at least 6 months	Learner’s stage begins at 15 and lasts at least 6 months
30 or more hours of supervised driving	50 hours of supervised driving, 10 of which must be at night
Restrictions of unsupervised night driving and passengers during the first 6 to 12 months of licensure	Restriction of unsupervised night driving and passengers during the first 18 months of licensure (learner’s permit and intermediate restricted phases)
Nighttime driving restriction should start at 9 p.m. or 10 p.m.	Nighttime driving restriction from 10 p.m. to 6 a.m. for drivers with learner’s permit and nighttime driving restriction from 11 p.m. to 6 a.m. for drivers with Intermediate Restricted Licenses
No more than 1 teen passenger	No more than 1 passenger ^a

^a May have multiple passengers if (1) at least one passenger is 21 years of age or older with a valid, unrestricted license, or (2) passengers are siblings living in the same house as the driver and going to and from school (if license holder has written permission from parent or guardian).

Source: Insurance Institute for Highway Safety and National Highway Traffic Safety Administration, “Q&As: Teenagers – graduated driver licensing,” April 2009, “Question 1. What is graduated driver licensing?,” <http://www.iihs.org/research/qanda/gdl.html> (accessed March 10, 2010). National Highway Traffic Safety Administration, *National Evaluation of Graduated Driver Licensing Program*, June 2006, p. vi, <http://trafficsafetymarketing.gov/teens/linkfiles/GDL/810888GradDriverLicense.pdf> (accessed March 1, 2010). Tennessee Department of Safety, *Driver License Handbook*, Chapter 3, p. 19, <http://www.tennessee.gov/safety/dlhandbook/07chap3.pdf> (accessed March 1, 2010).

Endnotes

- Centers for Disease Control and Prevention, “Teen Drivers: Fact Sheet,” January 19, 2009, http://www.cdc.gov/MotorVehicleSafety/Teen_Drivers/teendrivers_factsheet.html (accessed March 10, 2010).
- National Highway Traffic Safety Administration, *Traffic Safety Facts Laws: Graduated Driver Licensing System*, Jan. 2008, p.1., <http://trafficsafetymarketing.gov/teens/linkfiles/GDL/810888GradDriverLicense.pdf> (accessed March 10, 2010).
- Allstate Insurance Company, “Allstate America’s Teen Driving Hotspots: Study,” May 2008, <http://www.allstatenewsroom.com/categories/6/releases/4403> (accessed March 10, 2010).
- Insurance Institute for Highway Safety and National Highway Traffic Safety Administration, “Q&As: Teenagers – graduated driver licensing,” April 2009, www.iihs.org/research/qanda/gdl.html; Insurance Institute for Highway Safety, “Licensing Ages and Graduated Licensing Systems,” May 2010, <http://www.iihs.org> (accessed May 25, 2010).
- A.T. McCartt, E.R. Toeh, M. Fields, K.A. Braitman, and L.A. Hellinga, “Graduated Licensing Laws and Fatal Crashes of Teenage Drivers: A National Study,” May 2009, Arlington, VA: Insurance Institute for Highway Safety, p.1., <http://www.iihs.org> (accessed Apr. 12, 2010); R.E. Trempel, “Graduated Driver Licensing Laws and Insurance Collision Claim Frequencies of Teenage Drivers,” Nov. 2009, Arlington, VA, Insurance Institute for Highway Safety, p.1, <http://www.iihs.org> (accessed Apr. 12, 2010).
- Centers for Disease Control and Prevention, “Teen Drivers: Fact Sheet,” page last updated Apr. 10, 2010, http://www.cdc.gov/motorvehiclesafety/teen_drivers/teendrivers_factsheet.html (accessed March 22, 2010)
- National Highway Traffic Safety Administration, “Traffic Safety Facts Laws: Graduated Driver Licensing System,” Jan. 2008, p.1., <http://trafficsafetymarketing.gov/teens/linkfiles/GDL/810888GradDriverLicense.pdf> (accessed March 3, 2010). Following the passage of passenger restriction laws, three states had fewer 16-year-old drivers per year involved in crashes: 740 in California, 173 in Massachusetts, and 454 in Virginia.
- Tennessee Department of Safety, *Driver License Handbook*, Chapter 3, p. 19, <http://www.tennessee.gov/safety/dlhandbook/07chap3.pdf> (accessed March 1, 2010).
- Tennessee Code Annotated* §49-6-3017.
- Ibid.
- “The Insurance Institute for Highway Safety is an independent, nonprofit, scientific, and educational organization dedicated to reducing the losses — deaths, injuries, and property damage – from crashes on the nation’s highways.” See <http://www.iihs.org>.
- Insurance Institute for Highway Safety, “Licensing Ages and Graduated Licensing Systems,” May 2010, <http://www.iihs.org> (accessed May 25, 2010).
- States were rated on possessing key components of graduated licensing. The highest rating is “Good,” followed by “Fair,” “Marginal,” and “Poor.”



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