

Driver Education Study
Funding and Structure Options

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**A Report to the Executive Appropriations Committee
Of the Utah State Legislature**

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Executive Summary

This report is presented to fulfill requirements of item 38 of Senate Joint Resolution 15 (Master Study Resolution) enacted during the 2002 General Session of the Legislature. Item 38 reads as follows:

Driver Education in Schools – to study how to phase out driver education in schools and address the increased impact on Driver License Division.

During the FY 2002 General session of the Legislature and also during the fifth special session there were considerations of removing the driver education program out of the Public Schools. The state spends approximately \$4.2 million to subsidize driver education. The session considerations focused on the possibility of saving the \$4.2 million to help with the budget constraints. This and other considerations will be considered in this report.

The report will help frame major issues and provide some options for further consideration.

Issues to be considered are:

1. Can an actual savings to the state be realized by removing driver education from the schools?
2. Should local district operation and maintenance funds be used to support driver education?
3. Should driver education fees be equalized among all students in the state?
4. Are fee waivers hindering school districts from charging students the full cost of the driver education program?
5. Is it the best use of academic time to offer driver education during school hours?
6. Should driver education be privatized?
7. Does the private sector have the ability to absorb training needs?

Research has been done by the Analyst's Office to determine how changes to the current system of driver education for new drivers statewide would affect both public and private delivery systems as well as effects on the Division of Driver License in the Department of Public Safety. The above issues have raised several options for the Legislature to consider. The following options are meant to guide further study into how driver education should be delivered in Utah.

Options

1. Fee Changes
 - a. An equalized fee structure could be established across the state where all students would be required to pay the same out of pocket expenses.
 - b. Change the system from a state and local district subsidized program, to a self-supporting program. This would require districts to charge students the full cost of instruction.
 - c. Not allow school districts to use local revenue sources to supplement a driver education program.

- d. The Legislature could remove the state subsidy of the driver education program, resulting in a district increasing fees to cover program costs, using more local revenue to support a program or contracting with private providers in their areas to conduct driver education.
 - e. The state could look to other sources for subsidy revenue.
 - f. The state could offer a voucher to students to take driver education from a private school.
 - g. The Legislature could choose to increase the motor vehicle registration fee for driver education to cover the full cost of the program.
2. Privatization
- a. The Legislature could move the entire program from the public schools to the private sector.
 - b. A partial privatization could be considered by keeping the classroom instruction in the public schools, but have districts contract out to the Division of Public Safety or private providers for behind the wheel training.
3. Other
- a. The Legislature could give parents the option of providing driver training. Students would be required to pass the written test (at the Driver License Division) in order to obtain a learners permit so they can drive with parental supervision. Parents would verify that behind-the-wheel training has been completed. Students would still be required to pass the driving test through the Driver License Division.
 - b. The Legislature could consider other states models of how to improve driver education in Utah.

Section I - Current Process

Public Education- Driver Education Programs

Utah’s public high schools are the primary source for driver education in the state. Public high schools train roughly 34,000 students annually through driver education courses. The driver education program receives funding through three major sources; the Automobile Driver Education Fee applied annually to all motor vehicle registrations in the state, fees paid by students to participate in driver education courses, and by school district operation and maintenance funds. Driver education statutory provisions and revenue sources are detailed below.

Program Organization and the authority to establish a Driver Education Program

Utah Code Section 53A-13-201(2)(a) states that “Local school districts may establish and maintain driver education classes for pupils” and 53A-13-201(4) states “The State Board of Education shall prescribe rules for driver education in the public schools.” Currently all school districts in the state operate driver education programs in the public high schools. The State Board of Education has, through Rule R277-507, established teacher endorsement requirements, driver education program standards, and provisions governing the suspension of the driver education teaching endorsement. (See Appendix A)

Driver education teachers certified as license examiners

The Driver License Division, in conjunction with the State Board of Education, has certified most high school driver education instructors to administer written and driving tests to public high school students. Currently, 466 high school driver education instructors are certified through the division to administer written and driving tests. Although 466 teachers have received the certification, not all are currently instructing students. The following is the authorizing language for certification of high school driver education instructors to administer written and practical driving tests.

53A-13-208. Driver education teachers certified as license examiners.

- (1) The Driver License Division of the Department of Public Safety and the State Board of Education through the State Office of Education shall establish procedures and standards to certify teachers of driver education classes under this part to administer written and driving tests.
- (2) The division is the certifying authority.
- (3)
 - (a) teacher certified under this section shall give written and driving tests designed for driver education classes authorized under this part.
 - (b) The Driver License Division shall, in conjunction with the State Office of Education, establish minimal standards for the driver education class tests that are at least as difficult as those required to receive a class D operator's license under Title 53, Chapter 3, Uniform Drivers License Act.
 - (c) A student who passes the written test but fails the driving test given by a teacher certified under this section may apply for a class D operator's license under Title 53, Chapter 3, Part 2, Driver Licensing Act, and complete the driving test at a Driver License Division office.

Program Funding

Under Utah Code Section 41-1a-1204, an automobile driver education fee of \$2.50 has been levied upon each motor vehicle registered in the state. By placing a fee on each registered vehicle, users that have benefited from driver education continually support the program through vehicle registrations. Revenue from the Automobile Driver Education Fee in FY 2003 is estimated at roughly \$4.2 million. The Tax Commission administers the collection of the Driver Education Fee, and collected fee revenue is deposited into a restricted account within the Uniform School Fund.

41-1a-1205. Disposition of driver education tax -- Expense appropriation.

- (1) The automobile driver education tax collected under Section **41-1a-1204** shall be placed to the credit of the Automobile Driver Education Tax Account within the Uniform School Fund.
- (2) The necessary expenses of the commission incurred in the administration and collection of the tax shall be paid from its legislative appropriation in the General Fund, which fund shall be reimbursed by a transfer for the expenses from the legislative appropriation of the Uniform School Fund.

*Appropriation to the
State Board of
Education*

Each year, in accordance with Utah Code Section 53A-13-206, all funds in the Automobile Driver Education Tax Account in excess of the expense of administering the collection of the tax are appropriated to the State Board of Education. Three percent of the total fee collection, or \$126,000, is used annually to administer and collect the Driver Education Fee. Funds are distributed to school districts for use in the administration and maintenance of driver education classes and programs, the establishment of experimental programs, and the purchasing of equipment.

The distribution of Driver Education Tax revenue to school districts is done on a reimbursement basis. School districts may apply for reimbursement for driver education classes that conform to code and board rules. Reimbursement revenue is used to cover the actual cost of providing the behind-the-wheel and observation training portions of the program. The reimbursement to school districts may not exceed \$100 per student.

53A-13-202(3)(4)(5). Reimbursement of school districts for driver education class expenses – Limitations – Excess funds.

- (3) The reimbursement amount shall be paid out of the Automobile Driver Education Fee Account in the Uniform School Fund and may not exceed the state average behind-the-wheel and observation training costs based on uniform accounting for the preceding year but not to exceed \$100 per student who has completed such a standard driver education course during the school year.
- (4) If the amount of money in the account at the end of a school year is less than the total of the reimbursable costs, the state superintendent of public instruction shall allocate the money to each school district in the same proportion that its reimbursable costs bear to the total reimbursable costs of all school districts.
- (5) If the amount of money in the account at the end of any school year is more than the total of the reimbursement costs, the superintendent may allocate the excess funds to school districts to aid in the procurement of equipment and facilities which reduce the cost of behind-the-wheel instruction.

Student Driver Education Fees

School districts may charge a fee to students participating in driver education classes. This fee, set by the local school board, supplements the reimbursement provided by the state. Driver education fees, for the 2000-2001 school year, are listed in the chart below. Local boards have authorized fees ranging from no fee in twelve school districts to \$160 in Uintah School District. Approximate revenue collected from student fees in FY 2001 is \$1,727,697.

District	Student Fees		District	Student Fees	
	Fee Amount	Estimated Revenue		Fee Amount	Estimated Revenue
Alpine	45.00	143,730	Nebo	0.00	0
Beaver	60.00	7,560	No. Sanpete	50.00	11,050
Box Elder	0.00	0	No. Summit	40.00	1,880
Cache	80.00	93,520	Ogden	75.00	47,775
Carbon	0.00	0	Park City	100.00	14,700
Daggett	0.00	0	Piute	0.00	0
Davis	46.00	215,602	Provo	55.00	51,150
Duchesne	0.00	0	Rich	0.00	0
Emery	0.00	0	Salt Lake	0.00	0
Garfield	50.00	4,300	San Juan	0.00	0
Grand	55.00	5,775	Sevier	50.00	17,700
Granite	70.00	306,110	So. Sanpete	25.00	6,400
Iron	70.00	37,380	So. Summit	25.00	2,600
Jordan	65.00	370,565	Tintic	0.00	0
Juab	75.00	12,075	Tooele	75.00	44,025
Kane	50.00	5,900	Uintah	160.00	71,040
Logan	50.00	19,300	Wasatch	30.00	8,160
Millard	50.00	14,950	Washington	50.00	60,650
Morgan	100.00	18,000	Wayne	0.00	0
Murray	35.00	19,320	Weber	80.00	116,480
			STATE:	42.90	1,727,697

Local Revenue Sources

Programmatic expenditures in excess of the state subsidy and student fee revenue collections are covered through other local revenue sources. Local revenue covers costs associated with fee waivers, classroom expenditures such as supplies, maintenance, etc. and capital expenditures such as classroom space, simulators, driving range and automobiles.

Local School Districts annually use \$500,000 to \$800,000 of local property tax revenue to subsidize driver education programs. This funding with the addition of student fees makes up the total local revenue used for driver education programs. Capital expenditures incurred by local school districts to provide driver education programs are not categorized at the programmatic level. Most facility costs associated with driver education are part of the total construction cost when a new high school is built, or major renovations are undertaken. The costs associated with automobile purchase and maintenance are categorized under general program equipment costs, these expenses are generally covered by local revenues. State funds in excess of total program costs may be distributed for equipment purchases UCA 53A-13-202(5).

Public Education: Driver Education Revenues and Expenditures
2000-2001

District	Driver Education Expenditures							Driver Education Revenue Sources					
	Students Trained	Supplies, Materials, and Teacher Costs		Equipment Cost		Total Cost		State Revenue	Total Local Revenue	Other**	Total Revenue Expended	Student Fees*	
		Total	Per Student	Total	Per Student	Total	Per Student					Fee Amount	Estimated Revenue
Alpine	3,194	377,088	118.06	52,061	16.30	429,149	134.36	383,597	130,642	85,090	429,149	45.00	143,730
Beaver	126	15,300	121.43	0	-	15,300	121.43	31,800	0	0	31,800	60.00	7,560
Box Elder	942	123,612	131.22	1,210	1.28	124,822	132.51	94,320	33,956	0	128,276	0.00	0
Cache	1,169	159,850	136.74	36,705	31.40	196,555	168.14	111,300	81,241	-4,507	197,048	80.00	93,520
Carbon	356	68,478	192.35	0	-	68,478	192.35	42,900	25,638	0	68,538	0.00	0
Daggett	15	1,327	88.47	20,000	1,333.33	21,327	1,421.80	22,300	0	973	21,327	0.00	0
Davis	4,687	617,112	131.66	38,500	8.21	655,612	139.88	542,402	230,486	105,304	667,584	46.00	215,602
Duchesne	383	44,272	115.59	0	-	44,272	115.59	44,272	0	0	44,272	0.00	0
Emery	263	39,138	148.81	29,753	113.13	68,891	261.94	45,340	9,895	0	55,235	0.00	0
Garfield	86	14,718	171.14	18,659	216.97	33,377	388.10	29,904	2,550	-923	33,377	50.00	4,300
Grand	105	9,942	94.69	0	-	9,942	94.69	0	0	-9,942	9,942	55.00	5,775
Granite	4,373	1,367,611	312.74	157,769	36.08	1,525,380	348.82	468,381	904,103	-153,396	1,525,880	70.00	306,110
Iron	534	65,550	122.75	0	-	65,550	122.75	53,400	12,151	1	65,550	70.00	37,380
Jordan	5,701	\$685,741	\$120.28	\$0	\$0.00	\$685,741	\$120.28	627,370	331,445	273,074	685,741	65.00	370,565
Juab	161	41,657	258.74	0	-	41,657	258.74	53,480	10,175	21,998	41,657	75.00	12,075
Kane	118	24,154	204.69	20,748	175.83	44,902	380.53	31,340	0	-13,562	44,902	50.00	5,900
Logan	386	48,126	124.68	0	-	48,126	124.68	34,740	15,850	0	50,590	50.00	19,300
Millard	299	52,576	175.84	366	1.22	52,942	177.06	29,900	23,672	1	53,571	50.00	14,950
Morgan	180	25,565	142.03	693	3.85	26,258	145.88	14,900	14,650	3,192	26,358	100.00	18,000
Murray	552	74,077	134.20	0	-	74,077	134.20	54,500	19,577	0	74,077	35.00	19,320
Nebo	1,279	191,313	149.58	0	-	191,313	149.58	140,261	78,078	26,981	191,358	0.00	0
No. Sanpete	221	25,367	114.78	18,845	85.27	44,212	200.05	36,960	7,252	0	44,212	50.00	11,050
No. Summit	47	8,620	183.40	14,900	317.02	23,520	500.43	24,500	1,550	2,530	23,520	40.00	1,880
Ogden	637	105,157	165.08	0	-	105,157	165.08	70,480	49,700	14,858	105,322	75.00	47,775
Park City	147	41,310	281.02	0	-	41,310	281.02	35,860	5,450	0	41,310	100.00	14,700
Piute	37	7,469	201.86	0	-	7,469	201.86	26,560	0	19,091	7,469	0.00	0
Provo	930	122,615	131.84	0	-	122,615	131.84	109,860	3,000	-9,755	122,615	55.00	51,150
Rich	46	6,793	147.67	18,159	394.76	24,952	542.43	25,500	0	548	24,952	0.00	0
Salt Lake	1,425	458,931	322.06	0	0.00	458,931	322.06	149,695	309,236	0	458,931	0.00	0
San Juan	249	32,250	129.52	23,351	93.78	55,601	223.30	39,340	30,499	14,238	55,601	0.00	0
Sevier	354	49,639	140.22	0	-	49,639	140.22	39,900	14,480	4,741	49,639	50.00	17,700
So. Sanpete	256	45,720	178.59	0	-	45,720	178.59	45,720	0	0	45,720	25.00	6,400
So. Summit	104	18,388	176.81	20,000	192.31	38,388	369.12	33,720	2,055	-2,613	38,388	25.00	2,600
Tintic	36	3,028	84.11	17,292	480.33	20,320	564.44	22,960	0	2,640	20,320	0.00	0
Tooele	587	75,257	128.21	37,500	63.88	112,757	192.09	58,700	30,700	-23,357	112,757	75.00	44,025
Uintah	444	113,916	256.57	5,754	12.96	119,670	269.53	60,647	58,336	-687	119,670	160.00	71,040
Wasatch	272	37,651	138.42	30,732	112.99	68,383	251.41	47,000	24,713	3,330	68,383	30.00	8,160
Washington	1,213	188,994	155.81	42,521	35.05	231,515	190.86	121,300	110,215	0	231,515	50.00	60,650
Wayne	50	7,382	147.64	0	-	7,382	147.64	4,226	3,156	0	7,382	0.00	0
Weber	1,456	159,419	109.49	0	-	159,419	109.49	145,600	13,820	0	159,420	80.00	116,480
Other/Adjustment ***										22,727	-22,727		
STATE:	33,420	5,555,113	6,389	605,518	3,726	6,160,631	\$184.34	3,954,935	2,588,271	382,575	6,160,631		1,727,697

Source: USOE Finance and Statistics Notes: * Estimated fee revenue is totaled in local revenue, ** Other includes Carry Forward, Ending Balances and Other, *** Other/Adjustment balances adjusts discrepancies among districts.

Private Driver Education Schools

Utah State Statute authorizes private driver education schools to provide training and in some cases testing of individuals seeking a standard driver's license (UCA 53-3-501-509). A number of State Administrative Rules detail the relationship between the private companies, instructors and the state. These rules 708-2, 708-21, 708-27, and 708-37 establish the operational boundaries for the state and the private companies.

Private school Responsibilities and Average Costs

The schools are responsible to provide the classroom, the vehicle, the instructor and any additional materials they may use beyond the Department of Public Safety's Drivers' Handbook. Students pay a fee to attend the private driver education schools. Of those surveyed, the cost scale is from \$185 to \$250 per student. The schools do not receive a financial subsidy from the state.

There are currently 32 private driver education schools operating throughout the state. The private driver education schools are independent for-profit private corporation/businesses. There is no formal organization representing the schools within the state. The Driver School Association of America (DSAA) and the American Driver and Traffic Safety Education Association (ADTSEA) are professional associations that represent traffic safety educators throughout the United States and abroad. A few companies belong to these organizations.

State Licensing Fees for Private Driver Education Schools

The State Department of Public Safety must certify the private schools and instructors. The Driver Education Licensing Fees paid to the division are as follows:

1. \$80.00 – Original School License
2. \$50.00 – Renewal of School License
3. \$5.00 – Duplicate School License
4. \$15.00 - Original Instructor License
5. \$10.00 - Renewal of Instructor License
6. \$3.00 - Duplicate Instructor
7. \$20.00 - Branch School License
8. \$25.00 – Reinstatement of a License.

Department of Public Safety - Driver License Division

Utah State Statute created the Driver License Division within the Department of Public Safety. The Division is headed by a director appointed by the Commissioner of Public Safety and approved by the Governor. The Division has responsibility to establish rules:

- ▶ For examining applicants for a license, as necessary for the safety and welfare of the traveling public;
- ▶ Regarding the restrictions to be imposed on a person driving a motor vehicle with a temporary learner permit;
- ▶ For exemptions from licensing requirements as authorized in statute.

*Driver License
Division -
Responsibilities and
Instructor
Certification
Authority*

The Division also has the following key responsibilities:

1. To examine each applicant according to the class of license applied for.
2. To license motor vehicle drivers.
3. File every application for a license received by the Division.
4. The Division maintains a variety of records pertaining to driver licenses as stipulated in statute (See Utah Code 53-3-104).
5. Certifying authority for instruction and testing requirements for driver licensing. The Division establishes procedures and standards to certify teachers of driver education classes to administer knowledge and skills tests; minimal standards for the tests; and procedures to enable school districts to administer or process any tests for students to receive a class D operator's license.
6. Establishes procedures and standards to certify licensed instructors of commercial driver training school courses to administer the skills test; minimal standards for the test; and procedures to enable licensed commercial driver training schools to administer or process skills tests for students to receive a class D operator's license.

The Division maintains 41 field stations throughout the State to provide written and driving tests. The following table lists the communities in the State with field stations.

Field Stations		
Beaver	Junction	Price
Blanding	Loa	Provo – Express Station
Brigham City (CDL)	Logan	Randolph
Castle Dale	Kanab	Richfield
Cedar City	Manila	Roosevelt
Coalville	Milford	Salt Lake CDL
Delta	Moab	Sandy – Express Station
Duchesne	Monticello	St. George
Dugway	Nephi	Tooele
Ephriam	North Salt Lake (Rose Park)	Tremonton
Farmington	Ogden	Vernal
Fillmore	Orem	Wendover
Gunnison	Panguitch	West Valley City
Heber	Parowan	

*Driver License
Division - Funding
Sources*

The Division's budget for FY 2003 slightly exceeds \$18 million. The principal source of funding is provided from the Transportation Fund Restricted Account—Department of Public Safety Restricted Account which derives its revenue from fees charged for services (UCA 53-3-106). This source of funding for the Division's budget amounts to \$16.25 million. Transportation Fund Restricted Account—Uninsured Motorist Identification accounts for \$1.56 million. The Transportation Fund Restricted Account—Motorcycle Education of \$206,000 accounts for the remainder. Personal Services Expenditures make up the largest source of spending for the Division at \$11.65 million. Current Expenses is the next highest expenditure at \$5.6 million, followed by data processing expenses of a little more than \$730,000. The Division has 251 FTEs.

Section II - Driver Education Programs In Other States

Information from other states was gathered from a number of sources including: direct contacts in specific states; research publications, statutory codes, and Education Program Directors. There was no one source that compared all states on the basis of a public education driver training program versus private providers. As may be expected, states differ considerable in their practices and requirements but have many common elements to their programs. Some of the findings are generally summarized and where there has been some state by state comparisons we have included them in Appendix B.

Findings

Fifteen states mandate completion of a driver-education course before a person under age 18 can obtain a license, according to the American Driver and Traffic Safety Education Association. This may be provided by a public school or a commercial driving school.

Many schools, to save money, no longer offer driver education. Other schools have taken the classes out of the regular curriculum and offer them after school or in the summer. Some maintain for credit classes while others provide no credit or make it an elective credit. All states have provisions for beginning learners and various requirements that are similar. (See Appendix B)

Costs and how they are paid for vary considerably. One state (California) does not charge students for the training:

At no time may a student be charged for driver education that is required to be offered by the school district regardless of when and where it is offered. Also, note that several court cases (Driver School Assn. V. San Mateo Union High School Dist (1992) 11 Cal.App.4th 1513; California Assn. For Safety Education v. Brown*30 Cal.App.4th 1264, at 1280) have held that high school students may not be charged for driver training in adult schools where the course is being used to satisfy Education Code 51120 (j).*

Public schools in Michigan are not required to provide driver education classes for their students. Since 1998, students in school districts that choose not to offer driver's Ed receive a state voucher of \$80 to be applied to the cost of private driving school lessons. Schools that continue to offer driver education are permitted to accept the \$80 state voucher, but are required to match that contribution before charging for any remaining costs.

The North Carolina Legislature considered changing the funding source for driver education from the state's general fund to the dedicated highway fund.

State Responses

While the information is not inclusive of all states, hopefully, the few that are represented will provide some flavor to how other states conduct driver education programs.

Alaska: Driver education is not required in the public education system although some districts do provide the training.

Arizona: Driver education is not required by state law, however, the local education agency (LEA) may participate in the Arizona Department of Education's Driver Education Program provided the LEA meets the following requirements:

1. Students receive 30 hours of classroom instruction;
2. Students receive 6 hours (or the equivalent) of behind-the-wheel instruction;
3. The class is taught by a certified teacher with a driver education endorsement;
4. The principal or superintendent verifies the school information.

The Arizona Department of Transportation, Motor Vehicle Division (MVD), allows driver education teachers in participating schools to issue Certificates of Completion to their students who successfully complete the training. MVD waives the behind-the-wheel portion of the driver's license test for students with Certificates of Completion, although they reserve the right to administer tests to any applicant if the field station representatives believe doing so would be in the interest of public safety.

Public high schools typically provide the training, but private sector driving schools also exist. Public high schools provide the training as a credit. The high school instructor gives the driving exam, but students and adults must take the written exam at DMV.

The fee structure is designed to provide an equitable fee among all students.

California: Driver education is required to be offered by school districts. A school board may count driver education as an elective course that may be applied toward meeting the necessary graduation credits without requiring driver education for graduation. At no time may a student be charged for driver education that is required to be offered by the school district regardless of when and where it is offered.

A course of instruction in automobile driver education shall . . . (B) Provide the opportunity for students to take driver education within the regular school day . . . Additional classes may be offered . . . to accommodate those who have failed or those who cannot enroll in the regular school day program.

Education Code Section 41912 also states in part:

The express purpose of the legislature is that . . . “this instruction properly belongs in the high school curriculum on a basis having comparable standards of instruction, quality, teacher-pupil ratio and class scheduling as in other courses in the regular curriculum in the regular academic program.

A school district may contract out for driver education but this pertains to behind-the-wheel driver education only. A course on instruction in automobile driver education must be at least 2½ semester periods and taught by a qualified instructor. The semester period is thirty hours. Twelve hours of behind the wheel instruction are required. Normally, this consists of six hours of actual driving with a qualified instructor and six of observation.

Colorado: Driver education is a local issue, the state does not have statutes or regulations requiring it.

Hawaii: Driver education and training is required by state law for residents under the age of 18. Driver education is provided by the Department of Education (DOE) and private driving school instructors who are certified by the Department of Transportation. DOE teachers must also receive DOE driver education certification. The majority of DOE programs are conducted after school, on weekends, and during breaks. Three of the 42 public high schools in the state offer driver education during the school day as an elective course. It is not mandatory. The behind-the-wheel (BTW) portion is conducted only after school at all high schools.

Written exams are conducted by the high school instructors for the classroom portion. Since BTW is only conducted for six hours, there is no formal driving exam at the end of the 6 hour period. The DMV conducts the road test that makes the student eligible for a license.

As of July 1, 2002, the DOE receives \$2 per insured motor vehicle in the state from the insurance companies. These funds are used to pay for the costs of the program. The student pays a fee of \$10. Because the waiting lists are long at public schools, private driving schools accommodate students willing to pay up to \$550 (legal maximum for classroom and BTW instruction).

Illinois: Requires driver education to be offered to high school students, but students are not required by law to take the course. Illinois has a school code mandate waiver process, which allows districts to waive or modify certain sections of the school code. This is a section that is often modified to change the maximum fee allowed per district some districts raise their fee up to \$300 - but there is a stipulation that if the parents cannot afford this fee, this fee will be waived. In the last 3-4 years, there has been no effort to privatize this system.

Kentucky: Does not require driver education in the school system. If a local district offers it, they may provide high school credit. Very few have these programs now. These programs used to be wide spread but as resources have become limited, high school graduation requirements increased, and school-based decision making councils in charge of determining what programs are offered, these programs have gradually disappeared. There are private driver education schools in the state, which must be licensed by the Justice Cabinet.

Montana: Driver education and training is not required by state law. Each school district operating a junior high or high school may offer a driver education course as an extracurricular course.

The instructor gives the written exam early on in the course so that the student can receive a learner's permit. Once the driver education course is completed, the student must take the driving exam from the state DMV. However, in rare instances, if the student has done an exceptional job during the course, the instructor can grant a waiver. In that case, the student only needs to take the eye exam and pay the DMV fees to be fully licensed.

Each district determines its driver education fee structure. The fee is paid by the student. There is no fee waiver available at the state level. However, an individual school district may offer a waiver.

Ohio: Requires driver education for 16 and 17 year olds who wish to get licenses. Private schools or instructors and school districts are permitted to provide training.

Public schools currently offer drivers education as an elective; however, beginning December 31, 2003, school districts may only offer driver education for noncredit.

All driver exams (written and driving portions) required for licensure are given by the Bureau of Motor Vehicles, and fee structures vary among school districts. There are no statutory provisions to waive or reduce fees.

Virginia: Provides for driver education in its public schools. They have been concerned with quality issues. The Legislature directed the Joint Legislative Audit and Review Commission (JLARC) to conduct a study of the effectiveness of State oversight of commercial driver-training schools, including the licensing and monitoring of these schools. They concluded that graduates of commercial driver-training schools were more likely to be involved in accidents than were graduates of public or private school driver education programs.

Washington: State driver license applicants under age 18 must complete an approved traffic safety education course (unless waived under specified statutory exceptions). Traffic safety education may be delivered through school districts, private schools, or commercial driver training schools. Because traffic safety education is not a state-mandated high school graduation requirement, it is up to each individual school district regarding how much (if any) credit is awarded for completing a traffic safety education course.

Fees for traffic safety education programs operated by school districts are entirely set by each respective school district. Commercial driver training schools may also set their own fees. During the 2002 Legislative Session, the Legislature discontinued state subsidy of public school traffic safety education programs (effective this fiscal year, July 1, 2002). Fee waiver eligibility (at least at the state level) was made moot this year.

These are just a few examples of how driver education is provided in other states. Many of the states provide driver education in a similar manner. However, some have developed innovative ways to change fee structures, partially privatize and reduce the financial impact of subsidies on the state. These states along with others could be used as informational sources in improving how driver education is provided in Utah.

Note: As a note of interest, a 1995 report indicated Utah drivers under the age of 19 were 10.5 percent of total registered drivers in the state. Not surprising, this is double most states (See Appendix C).

Section III - Issues

Can an actual savings to the state be realized by removing driver education from the public high schools?

If driver education is transferred entirely to the private sector, there could be some cost savings to the state. These savings would be from shifting the motor vehicle fee collections of \$4.2 million from Public Education (\$4.074 million) and the Tax Commission (\$126,000) to other areas such as the Utah Highway Patrol or the Utah Department of Transportation. The General Fund in the Departments of Public Safety or Transportation could then be reduced with a net zero impact to the respective agencies. The Tax Commission would still require a portion of the fee to process the collection of this fee.

Savings of the entire amount of \$4.074 million may not be realized, depending on the new plan of action adopted by the Legislature. Possible costs include:

1. Increased oversight of private driver education providers (\$200,000 to \$400,000).
2. Additional support at the Drivers' License Offices for testing and processing (\$300,000 to \$500,000 primarily during transition period.)
3. Program subsidy directly to Public Education for small, rural areas not serviced by private providers;
4. Program fee subsidy to low income students;

Additional savings may be realized at the Department of Public Safety, if statute and administrative rules were changed, authorizing private providers to administer the written portion of the driving test.

The actual spending of the transition year should be closely monitored to determine if some adjustment in funding is necessary. These expenses could be paid for by redirecting the current driver education fee assessed on motor vehicles registrations.

Should local district operation and maintenance funds be used to support driver education?

The annual local revenue supporting driver education programs across the state vary from year to year. It is estimated that school districts spend \$500,000 to \$800,000 annually in local property tax collections subsidizing driver education programs. Student fees are categorized with local revenue sources and raised, during the 2000-2001 school year, approximately \$1,727,697. Local funding, including student fees, covers programmatic costs in excess of the state subsidy. Further consideration could be made as to whether driver education programs are the best place to expend local O&M revenue or whether student fees could be increased to cover programmatic costs in excess of the state subsidy.

Should driver education fees be equalized among all students in the state?

As previously mentioned, student fees charged by local school districts for participation in driver education vary greatly. Not all aspects regarding the differences in student fees can be covered in this report. Further study should be made as to why there are such great differences among the school districts. Particularly, why some districts can support their driver education programs primarily on local revenue and the state subsidy, not requiring fees of their students and why others need to charge their students \$70-\$160 more than the state subsidy. Further consideration could be made to equalize driver education fees among all students and the possibility of charging students the full cost of driver education instruction.

Fee Waivers

Section 53A-12-103(1)(a) requires local school boards to make certain "that adequate waivers or other provisions are available to ensure that no student is denied the opportunity to participate because of an inability to pay the required fee, deposit, or charge." Local school boards may waive the fee or provide alternatives to waiving the fee. Alternatives may include installment payments, school or community service or student work projects, etc. The State Board of Education Rule has been developed governing fees and fee waivers by local school districts.

Are fee waivers hindering school districts from charging students the full cost of the driver education program?

With any increase in fees there is the potential of an increase in student fee waiver applications. Further study should be made as to how fee waiver eligibility could be reduced or eliminated for driver education programs. The impact fee waivers have on the driver education program is unknown, as fee waiver information is not collected on a programmatic level. If a student qualifies for a fee waiver, all fees required of the student are waived. During the 2000-2001 school year, system-wide 37,672 students were given fee waivers, 712 worked in lieu of a fee waiver. In the same year \$2,644,095 in fees were waived system wide. It is unknown exactly how many driver education students applied for and received a fee waiver. Generally, revenue lost due to fee waivers is covered through other local revenue sources.

Is it the best use of academic time to offer driver education during school hours?

Individuals who have never been issued a drivers license must complete an approved driver education course before being licensed in Utah. Roughly 39,000 first time licenses are issued each year with around 34,000 receiving training through the public high schools.

State requirements for driver education provided by private companies are eighteen hours of classroom time, six hours of observation time and six hours of actual driving time, for a total of thirty hours of driving education. In the public high schools a student usually spends at least one term, and up to one semester, in the driver education program. The base hour requirements for public education students are thirty hours of classroom time, six hours of observation time and six hours of behind-the-wheel driving experience. Total hours may increase depending on each district and if they are on a term, trimester or semester system.

Driver education is not within the core mission of the public education system. The course generally receives elective credit which may be used toward graduation requirements. Students taking driver education in the public high schools are required to complete 12 or more hours than students in the private driving schools. Further study could be done to determine why public school driver education programs are required more training time as private driving schools. Also, consideration could be made to change the driver education program to an after-school and weekend system, removing driver education from the academic day. Is the current program structure best meeting the needs of students, or has the program been developed in such a way as not to conflict with traditional school schedules?

Should Driver Education be privatized?

There is often concern whenever a publicly subsidized entity is performing a private market activity. This is not to imply that it should never be done, but it probably ought to be done only after close scrutiny and a clear justification for the activity to be done by the public sector. It appears the Legislature attempted to address some public/private relationship concerns in the original legislation in Section 53-3-508 UCA that authorizes “local boards of education ... to conduct classes in drivers’ education for adult members of the district in those areas of the State where no commercial driver training course is available....”

The biggest challenge to privatizing this activity will be to the rural and remote locations of the State. The largest number of private schools and instructors are located along the Wasatch Front from Payson to Brigham City. A transition period would probably be required for certification of additional schools and instructors for both urban and rural locations. It is anticipated that the cost will go up, at least initially. The cost factor seems to be one of the most important to individuals selecting a private company. The cost to take a course could be significantly impacted by the forces of supply and demand.

The State Department of Public Safety could also be impacted in the short term by the transition period and over the long-term to certify, regulate and audit the additional companies providing the instruction and testing. The Analyst reviewed a number of studies and found no conclusive differences between public and private providers regarding safety and driving education training.

Does the private sector have the ability to absorb training needs?

It is estimated that it will take approximately one year for private providers to absorb the increase in demand. The first year will be a transition year. It should be funded with approximately \$700,000 (\$300,000 ongoing and \$400,000 one-time funds). The ongoing funds of \$300,000 should be used to increase the certification staff by 4 FTEs (3 professional staff and one secretarial/clerical support position). The one-time funds of \$400,000 should be used for temporary support staff positions for the transition and any necessary equipment costs. The actual spending of the transition year should be closely monitored to determine if some adjustment in funding is necessary. These expenses could be paid for by redirecting the current driver education fee assessed on motor vehicles registrations.

Section IV - Options

This study has focused on several issues pertaining to our driver education system. These issues, in conjunction with comparing our system to that of other states, have raised several options for the Legislature to consider. The following options are meant to guide further study into how driver education should be delivered in Utah.

1. Fee Changes

- a. An equalized fee structure could be established across the state where all students would be required to pay the same out of pocket expenses.
- b. Change the system from a state and local district subsidized program, to a self-supporting program. This would require districts to charge students the full cost of instruction.
- c. Not allow school districts to use local revenue sources to supplement a driver education program.
- d. The Legislature could remove the state subsidy of the driver education program, resulting in a district increasing fees to cover program costs, using more local revenue to support a program or contracting with private providers in their areas to conduct driver education.
- e. The state could look to other sources for subsidy revenue.
- f. The state could offer a voucher to students to take driver education from a private school.
- g. The Legislature could choose to increase the motor vehicle registration fee for driver education to cover the full cost of the program.

2. Privatization

- a. The Legislature could move the entire program from the public schools to the private sector.
- b. A partial privatization could be considered by keeping the classroom instruction in the public schools, but have districts contract out to the Division of Public Safety or private providers for behind the wheel training.

3. Other

- a. The Legislature could give parents the option of providing driver training. Students would be required to pass the written test (at the Drivers' License Division) in order to obtain a learners permit so they can drive with parental supervision. Parents would verify that behind-the-wheel training has been completed. Students would still be required to pass the driving test through the Drivers' License Division.
- b. The Legislature could consider other states models of how to improve driver education in Utah.

Appendix A

State Board Rule

R277-507-3. Endorsement Requirements.

A. In order for a high school driver education teacher to be certified as a driver license examiner by the Driver License Division of the Department of Public Safety, the teacher shall first be licensed and endorsed by the USOE.

B. The driver education endorsement shall be added to the Level 1, 2, or 3 license provided:

- (1) the individual has a valid and current secondary endorsement to a Level 1, 2, or 3 license;
- (2) the individual has a valid Utah automobile operator's license; and
- (3) the beginning teacher has no convictions for a moving violation or chargeable accident on record for which a driver license was suspended or revoked for the two year period immediately prior to employment.

C. A high school driver education teacher shall have professional preparation which includes the following:

- (1) sixteen (16) semester hours in the area of driver and safety education;
- (2) of the 16 hours required:
 - (a) a minimum of twelve (12) semester hours shall be in the area of driver and safety education, including a practicum covering classroom, on-street, simulator, and driving range instruction; and
 - (b) a minimum of three (3) semester hours shall be selected from areas of related safety work; and
 - (c) a minimum of one (1) semester hour of current/valid first aid and CPR training.

D. A high school driver education teacher after meeting the criteria of Subsection 3, shall obtain a valid and current certificate from the Driver License Division to administer knowledge and driving skills test, as required by and specified in 53A-13-208.

R277-507-4. Driver Education Program Standards.

The teacher preparation program of an institution may be approved by the Board if it requires demonstrated competency by the teacher in:

- (1) structuring, implementing, identifying and developing support materials related to regular classroom, multimedia, driving simulation, off-street multiple car driving range, and on-street experiences;
- (2) assisting students in examining and clarifying their attitudes and values about safety;
- (3) understanding and explaining the basic principles of motor vehicle systems, dynamics, and maintenance;
- (4) understanding and explaining the interaction of all highway transportation system elements;
- (5) initiating emergency procedures under varying circumstances;
- (6) motor vehicle operation and on-street instruction;

- (7) understanding and explaining the physiological and psychological influences of alcohol and other drugs especially as they relate to driving;
- (8) understanding and explaining due process in the legal system;
- (9) communicating effectively with federal, state, and local agencies concerning safety issues;
- (10) understanding and explaining the frequency, severity, nature and prevention of accidents related to driving which occur in various age groups in various life activities; and
- (11) understanding and explaining the UTAH DRIVER HANDBOOK, prepared by the Driver License Division.

R277-507-5. Endorsement Suspension.

A. The driver education endorsement shall be immediately suspended and the previously-endorsed individual shall not be allowed to teach driver education following a conviction for a moving violation, alcohol-related or chargeable accident for which an individual's driver license is suspended or revoked.

B. Once an individual's endorsement to teach has been suspended, he shall be required to maintain a driving record free of convictions for moving violations or chargeable accidents for which a driver license is suspended or revoked for a period of two years before the endorsement to teach may be reinstated.

Appendix B

State-by-State Provisions for Teenage Drivers

By insure.com

Additional state-by-state details follow the chart.

State	Learner Stage			Intermediate Stage		
	Min. Entry Age	Holding Period	Min. Amt. of Supervised Driving	Min. Age	Unsuperv'd Driving Prohibited	Passenger Rules
IIHS model reqmnts.	16	6 mos.	30-50 hrs.	16.5 yrs.	9/10 p.m.-5 a.m.	No more than 1 teenage passenger
Ala.	15	6 mos.	30 hrs.	16 yrs.	No intermediate stage.	
Alaska	14	6 mos.	None	16 yrs.	No intermediate stage.	
Ariz.	15 yrs., 7 mos.	5 mos.	25 hrs. including 5 hrs. at night	16 yrs.	No intermediate stage.	
Ark.	14	6 mos.	None	16 yrs.	No intermediate stage.	
Calif.	15	6 mos.	50 hrs. including 10 hrs. at night	16 yrs.	Midnight-5 a.m.	First 6 mos.: No passengers younger than 20 unless supervised by a 25-year-old driver
Colo.	15	6 mos.	50 hrs. including 10 hrs. at night	16 yrs.	Midnight-5 a.m.	None
Conn.	16	6 mos. (4 mos. with driver education)	None	16 yrs., 4 mos.	No intermediate stage.	
Del.	15 yrs., 10 mos.	6 mos.	40 hrs. in learner's stage; 10 hrs. at night in intermediate stage	16.5 yrs.	9 p.m.-6 a.m.	No more than 2 passengers
Fla.	15	12 mos.	50 hrs. including 10 hrs. at night	16 yrs.	1 a.m.-6 a.m.(age 16); 1 a.m.-5 a.m.(age 17)	None
Ga.	15	12 mos.	40 hrs. including 6 at night; 20 hrs. including 6 at night with driver education	16 yrs.	12 a.m.-6 a.m.	No more than 3 passengers younger than 21 (family members excepted)

State	Learner Stage			Intermediate Stage		
	Min. Entry Age	Holding Period	Min. Amt. of Supervised Driving	Min. Age	Unsuperv'd Driving Prohibited	Passenger Rules
Hawaii	15.5 yrs.	3 mos.	None	16 yrs.	No intermediate stage.	
Idaho	14.5 yrs.	4 mos.	50 hrs. including 10 hrs. at night	15 yrs.	Sunset to sunrise	None
Ill.	15	3 mos.	25 hrs.	16 yrs.	11 p.m.-6 a.m. Su-Th, Midnight-6 a.m. F-Sa	None
Ind.	15	2 mos.	None	16 yrs, 1 mo.	1 a.m.-5 a.m. Sa-Su, After 11 p.m. Su-Fr	First 90 days: No passengers unless supervised by a 21-year-old driver
Iowa	14	6 mos.	20 hrs. including 2 hrs at night	16 yrs.	12:30 a.m.-5 a.m.	None
Kan.	14	None	50 hrs. including 10 hrs. at night	16 yrs.	No intermediate stage.	
Ky.	16	6 mos.	None	16.5 yrs.	No intermediate stage.	
La.	15	3 mos.	None	16 yrs.	11 p.m.-5 a.m.	None
Maine	15	3 mos.	35 hrs. including 5 hrs. at night	16 yrs.	No night driving	First 90 days: No passengers unless supervised by 20-year-old driver (family members excepted)
Md.	15 yrs., 9 mos.	4 mos.	40 hrs.	16 yrs., 1 mo.	Midnight-5 a.m.	None
Mass.	16	6 mos.	12 hrs.	16.5 yrs.	Midnight-5 a.m.	First 6 mos.: No passengers younger than 18 unless supervised by 21-year-old driver (family members excepted)
Mich.	14, 9 mos.	6 mos.	50 hrs. including 10 hrs. at night	16 yrs.	Midnight-5 a.m.	None

State	Learner Stage			Intermediate Stage		
	Min. Entry Age	Holding Period	Min. Amt. of Supervised Driving	Min. Age	Unsuperv'd Driving Prohibited	Passenger Rules
Minn.	15	6 mos.	30 hrs. including 10 hrs. at night	17 yrs.	No intermediate stage.	
Miss.	15	6 mos.	None	15.5 yrs.	10 p.m.-6 a.m.	None
Mo.	15 yrs.	6 mos.	20 hrs.	16 yrs.	1 a.m.-5 a.m.	None
Mont.	14.5 yrs.	None	None	15 yrs.	No intermediate stage.	
Neb.	15	None	50 hrs. (none with driver education)	16 yrs.	Midnight-6 a.m.	None
Nev.	15.5 yrs.	None	50 hrs.	16 yrs.	No intermediate stage.	
N.H.	15.5 yrs	3 mos.	20 hrs.	16 yrs., 3 mos.	1 a.m.-5 a.m.	None
N.J.	16	6 mos.	None	17 yrs.	Midnight-5 a.m.	No more than 1 passenger unless supervised by 21-year-old driver (members of household excepted)
N.M.	15	6 mos.	50 hrs. including 10 hrs. at night	15.5 yrs.	Midnight-5 a.m.	No more than 1 passenger younger than 21 (family members excepted)
N.Y.	16	None	None	16 yrs.	9 p.m.-5 a.m.	None
N.C.	15	12 mos.	None	16 yrs.	9 p.m.-5 a.m.	None
N.D.	14	6 mos.	None	16 yrs.	No intermediate stage.	
Ohio	15.5 yrs.	6 mos.	50 hrs. including 10 hrs. at night	16 yrs.	1 a.m.-5 a.m.	None
Okla.	15.5 yrs.	None	None	16 yrs.	No intermediate stage.	
Ore.	15	6 mos.	50 hrs.; 100 hrs. without driver education	16 yrs.	Midnight-5 a.m. during first year with license	First 6 mos.: No passengers younger than 20 (family members excepted); Second 6 mos.: No more than 3 passengers younger than 20 (family members excepted)
Pa.	16	6 mos.	50 hrs.	16.5 yrs.	11 p.m.-5 a.m.	None

State	Learner Stage			Intermediate Stage		
	Min. Entry Age	Holding Period	Min. Amt. of Supervised Driving	Min. Age	Unsuperv'd Driving Prohibited	Passenger Rules
R.I.	16	6 mos.	None	16.5 yrs.	1 a.m.-5 a.m.	None
S.C.	15	6 mos.	40 hrs. including 10 hrs. at night	15 yrs., 6 mos.	6 p.m.-6 a.m. EST; 8 p.m.-6 a.m. EDT	None
S.D.	14	6 mos. (3 mos. with driver education)	None	14.5 yrs. (14 yrs., 3 mos. with driver education)	8 p.m.-6 a.m.	None
Tenn.	15	6 mos.	50 hrs. including 10 hrs. at night	16 yrs.	11 p.m.-6 a.m.	No more than 1 passenger unless supervised by 21-year-old driver (family members excepted)
Texas	15	6 mos.	None	16 yrs.	12 a.m. -5 a.m.	No more than 1 passenger under 21 (family members excepted)
Utah	15 yrs., 9 mos.	None	30 hrs. including 10 hrs. at night	16 yrs.	Midnight-5 a.m.	First 6 mos. no passengers under 21 (family members excepted)
Vt.	15	1 yr.	40 hrs. including 10 hrs. at night	16 yrs.	None	First 3 mos.: No passengers unless supervised by a licensed parent/guardian, driving instructor, or licensed driver 25 or older; Second 3 mos.: Same as first 3 mos. except family members may be transported without a supervising driver
Va.	15.5 yrs.	9 mos.	40 hrs. including 10 hrs. at night	16 yrs. 3 mos.	12 a.m. -4 a.m.	Under 17, no more than 1 passenger younger than 18; age 17 to 18, no more than 3 passengers under 18 (family members excepted)

State	Learner Stage			Intermediate Stage		
	Min. Entry Age	Holding Period	Min. Amt. of Supervised Driving	Min. Age	Unsuperv'd Driving Prohibited	Passenger Rules
Wash.	15	6 mos.	50 hrs. including 10 hrs. at night	16 yrs.	1 a.m.-5 a.m.	First 6 mos.: No passengers younger than 20 (family members excepted); Second 6 mos.: No more than 3 passengers younger than 20
Wash., D.C.	16	6 mos.	40 hrs. in learners stage; 10 hrs. at night in intermediate stage	16.5 yrs.	Sept.-June: 11 p.m.-6 a.m. Su-Th, Midnight-6 a.m. F-Sa; July-Aug.: Midnight-6 a.m.	For first 6 mos., no passengers except 1 driver 21 and over; after first 6 mos. no more than 2 passengers under 21 (family members excepted)
W.Va.	15	6 mos.	30 hrs.; None if driver education course completed	16 yrs.	11 p.m.-5 a.m.	No more than 3 passengers younger than 19 (family members excepted)
Wis.	15.5 yrs.	6 mos.	30 hrs. including 10 at night	16 yrs.	Midnight-5 a.m.	No more than 1 passenger (family members exempt)
Wyo.	15	10 days	None	16 yrs.	No intermediate stage.	

More State-by-State Details

Ala.: The supervising driver must be a parent, guardian, or driving instructor. At age 16, permit holders may drive while supervised by any licensed driver.

Ariz.: A driver-education instructor can authorize a student enrolled in driver education who is age 15 to drive only while supervised by the authorizing instructor.

Ark.: Teens age 14 can drive with an instruction permit after passing a written test; after 30 days and after passing a road test, they are eligible for a restricted license that must be held for six months. Unsupervised driving is not permitted by holders of either the instruction permit or the restricted license. The combined holding period for the permit and the restricted license is six months. Applicants for an intermediate license must be 16 and must be crash/violation free for 6 months.

Calif.: Students enrolled in driver education may drive while supervised by an instructor. License applicants who do not take driver education must wait until age 18 for a license. They are not required to go through an intermediate license stage.

Colo.: The supervising driver must be a parent, guardian, or driving instructor, and the permit holder must be enrolled in driver education. At age 15½, permit holders may drive supervised by a licensed driver age 21 or over and are not required to have taken driver education.

Conn.: Either driver education or home training is required for license applicants younger than 18. Applicants who have not completed driver education have a six-month learner's holding period.

Del.: A driver-education student does not need to drive with a driver education instructor. After completing the on-road requirements of driver education, a student who is at least 15 years and 10 months may apply for a Driver Education Learner's Permit, which allows the student to drive while supervised by an experienced driver. Upon completion of driver education, and if the student passes both the road and written tests, the student receives a Level 1 Permit that, for the first six months, allows driving only when supervised. There also is a passenger restriction during the first six months of the Level 1 permit. No more than two passengers are permitted in addition to the supervising driver. The Level 1 Permit for the second six months is the equivalent of an intermediate license. During that period, permit holders may drive unsupervised between 6 a.m. and 9 p.m. and may only carry two passengers. Applicants for a driver's license who are younger than age 18 must have held a Driver's Education Learner's Permit and/or a Level 1 Permit for at least 12 months. Driver Education is required for all license applicants younger than age 18.

Hawaii: License applicants younger than age 18 must have completed driver education.

Idaho: License applicants younger than 17 must have completed driver education. There are three classes of learner's permits: a training instruction permit for teens age 14 years old and 6 months taking driver education; a supervised instruction permit for practice driving a nonprofessional supervisor; and an instruction permit for teens under 17 who have completed driver education and supervised driving or for teens who are 17 and older without either driver education or supervised driving.

Ill.: Enrollment in driver education is required for permit applicants age 15; without driver education, a permit applicant must be age 17 and nine months. License applicants age 18 and older are not required to have driver education or to go through an intermediate license stage.

Ind.: Driver education determines the minimum age for permits and intermediate license. People enrolled in or who have completed driver education must be age 15 to have a permit; otherwise, they must be age 16. The minimum age for an intermediate license is 16 and one month with driver education; age 16½ without.

Iowa: In addition to the certification of the learner's stage, Iowa requires a certification of 10 hours of supervised driving, two of which must be at night during the intermediate stage. Driver education is required for an intermediate license and for an unrestricted license if the applicant is younger than age 18.

Ky.: The law prohibits learner's permit holders from driving between midnight and 6 a.m. There is no nighttime driving restriction for other license holders. License holders younger than age 18 must complete a four-hour course on safe driving within one year of receiving a license.

La.: Driver education is required for a permit and an intermediate license if the applicant is younger than 17. Teens age 17 and older must have completed an educational program that does not require a behind-the-wheel component. Intermediate license holders may only drive from 11 p.m. to 5 a.m. if accompanied by a supervising driver and during that time may only carry passengers who are members of their immediate family.

Maine: Driver education is required for a permit and a license if the driver is younger than age 18. The learner's permit holding period and the certification of practice driving applies to license applicants younger than age 21.

Md.: Fifteen-year-olds may drive if supervised by a driver-education instructor. Driver education and the certification of practice driving applies to all initial license applicants. The nighttime driving restriction only applies to intermediate license holders, younger than age 18.

Mass.: The night-driving restriction in Massachusetts also applies to permit holders younger than 18, unless accompanied by a licensed parent or guardian. Driver education is required of license applicants younger than age 18.

Mich.: Permit applicants younger than age 18 must have completed the first segment of driver education; license applicants younger than age 18 must have completed the second segment of driver education. Neither driver education nor an intermediate license is required for license applicants older than age 18. The nighttime restriction is for six months or until age 17.

Minn.: Permit applicants younger than age 18 must be enrolled in driver education; license applicants younger than age 18 must have completed driver education. The permit holding period applies to license applicants age 18 and older unless they have completed driver education. License applicants younger than age 18 must certify 10 hours of driving during a 12-month provisional phase. Provisional license holders must be "crash free" to qualify for a full license.

Miss.: License applicants 17 and older are exempt from the 6-month learner's permit holding period and the requirement to get an intermediate license.

Mont.: Enrollment in or completion of driver education is required for permit applicants younger than age 15; license applicants younger than age 16 must have completed driver education.

Neb.: Fourteen year-olds who live 1.5 miles or more from school and who either live outside or attend school outside a metropolitan area may be issued a learner's permit (called a "LPE permit") and a limited license (called a "school permit"). The LPE permit authorizes supervised driving for the purpose of preparing for the school permit, which allows driving to and from school or anyplace when supervised by a parent or guardian.

Nev.: License applicants younger than age 18 must have completed driver education if it is offered in the public school or, if it is unavailable, must complete 50 hours of supervised driving in addition to that required in the learner's stage.

N.H.: New Hampshire does not issue learner's permits. At age 15½ a teen can drive while supervised by a licensed driver age 25 or older. The initial license for 16- and 17-year-olds is like a permit for the first 90 days. It does not allow unsupervised driving at any time.

N.J.: The permit becomes an intermediate license after six months. The graduated licensing law applies to adults, except that the night driving and passenger restrictions are waived for new drivers age 21 and older. If the applicant has not completed driver education, the minimum permit age is 17 and the minimum intermediate license age is 17½.

N.M.: Permit applicants younger than 18 must be enrolled in driver education; license applicants younger than 18 must have completed driver education.

N.Y.: New York's licensing law prohibits all 16-year-old licensees and 17-year-olds without driver education from driving in New York City.

N.C.: Learner's permit holders may not drive between 9 p.m. and 5 a.m. for the first six months. Driver education is required for permit and license applicants younger than age 18.

Ohio: Driver education is required of license applicants younger than 18.

Okla.: Fifteen-year-olds may drive, but only when supervised by an instructor. Driver education is required for a license at age 16 if it is offered in the applicant's school district. A restricted license is available to 16-year-olds that allows daytime driving only, but it is not a required stage.

Ore.: Driver education is required for license applicants younger than 18. It is waived for applicants who certify an additional 50 hours of supervised driving.

R.I.: Driver education is required of permit and license applicants younger than 18.

S.C.: In South Carolina, the nighttime restriction applies in the learner stage as well as in the intermediate stage. Fifteen-year-olds who are enrolled in driver education do not need a permit to drive with an instructor. License applicants younger than 17 who have not completed driver education may not get a license to drive unsupervised after nightfall.

Tenn.: Learner's permit holders may not drive from 10 p.m. to 6 a.m.

Texas: The minimum permit age is 15 for applicants who have not completed the classroom phase of driver education. The minimum license age is 18 for applicants who have not completed driver education.

Utah: Regardless of age, permit applicants must be enrolled in driver education and license applicants must have completed driver education. Passenger restrictions end when a driver has been licensed for 6 months or when the driver turns 18, whichever occurs first.

Vt.: Driver education is required for license applicants younger than 18.

Va.: Driver education is required for license applicants younger than 19. Initial license applicants age 19 and older must either complete driver education or hold a learner's permit for at least 30 days.

Wash.: Permit applicant must be enrolled in driver education; otherwise the minimum permit age is 15½. Driver education is required for license applicants younger than age 18. Intermediate license holders with a crash or violation history are ineligible for an unrestricted license until age 18.

Wash., D.C.: The learner's stage is mandatory for all license applicants, regardless of age. A nighttime restriction (9 p.m. to 6 a.m.) applies in the learner stage. License applicants younger than 21 must go through the intermediate stage until they have completed it or until age 21.

W.Va.: Learner's permit holders younger than 18 may not drive from 11 p.m. to 5 a.m. and may not carry more than two passengers in addition to the supervising driver.

Wis.: Enrollment in driver education is required for permit applicants younger than 18. Driver education is required for license applicants younger than 18.

*Source: **Insurance Institute for Highway Safety***

Last updated July 25, 2002

Appendix C

Licensed Drivers by State - 1995

State	Total Drivers	Drivers 19 & Under	% of Total
Alabama	3,456,100	228,969	6.6%
Alaska	434,389	21,450	4.9%
Arizona	2,626,222	219,087	8.3%
Arkansas	1,769,012	95,977	5.4%
California	20,139,586	786,214	3.9%
Colorado	2,272,570	177,620	6.5%
Connecticut	2,349,051	99,602	2.4%
Delaware	524,992	28,219	5.4%
District of Columbia	338,549	9,063	2.7%
Florida	11,024,064	412,734	3.7%
Georgia	4,840	301,542	6.2%
Hawaii	495	38,283	5.2%
Idaho	732,058	64,864	8.0%
Illinois	803,911	439,438	6.1%
Indiana	7,210,972	188,014	5.1%
Iowa	1,905,450	130,459	6.8%
Kansas	1,770,786	127,695	7.2%
Kentucky	2,535,463	142,070	5.6%
Louisiana	2,593,509	155,651	6.0%
Maine	864,447	41,732	4.8%
Maryland	3,344,125	139,630	4.2%
Massachusetts	4,211,029	162,207	3.9%
Michigan	6,658,750	415,492	6.2%
Minnesota	2,761,121	163,347	5.9%
Mississippi	1,693,159	133,217	7.9%
Missouri	3,587,086	213,975	6.0%
Montana	573,749	52,432	9.1%
Nebraska	1,151,764	83,198	7.2%
Nevada	1,044,609	48,796	4.7%
New Hampshire	901,104	47,457	5.3%
New Jersey	5,403,671	220,778	4.1%
New Mexico	1,173,442	73,875	6.3%
New York	10,473,731	413,950	4.0%
North Carolina	5,028,421	238,532	4.7%
North Dakota	448,781	37,277	8.3%

State	Total Drivers	Drivers 19 & Under	% of Total
Ohio	7,772,757	402,288	2.5%
Oklahoma	2,156,558	128,538	6.0%
Oregon	2,541,873	141,952	5.6%
Pennsylvania	8,154,056	333,243	4.1%
Rhode Island	670,360	31,030	4.6%
South Carolina	2,542,139	149,370	5.9%
South Dakota	515,869	39,650	7.7%
Tennessee	3,739,043	215,694	5.8%
Texas	12,369,243	645,796	5.2%
Utah	1,255,460	131,534	10.5%
Vermont	455,606	22,035	4.8%
Virginia	4,628,886	225,279	4.9%
Washington	3,765,376	193,951	5.2%
West Virginia	1,304,539	68,631	5.3%
Wisconsin	3,601,619	215,458	6.0%
Wyoming	346,299	26,371	7.6%