



Oregon

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Department of Transportation

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DATE: April 23, 2013
TO: Senate Committee on Business and Transportation
FROM: Amy Joyce, Legislative Liaison
SUBJECT: House Bill 2261—Graduated Driver License clarification

INTRODUCTION

HB 2261 revises Oregon statute to clarify that the restrictions imposed on new teen drivers end after one year or at age 18, whichever comes first.

BACKGROUND

In 1999 the Oregon Legislature instituted a graduated driver license program (GDL) by which 16- and 17-year olds who obtain a driver license are subject to restricted privileges. These provisional licenses prohibit the teen from driving with any teen passengers for the first six months, and limit to four teen passengers during the second six months. For that entire first year of licensure the provisional licensee may not drive between midnight and 5:00 a.m., with exceptions for work and school activities.

When the law passed it was understood the restrictions lasted for one year or until the young person reached their 18th birthday, whichever date came first. The DMV, which produces the Driver Manual, and the Transportation Safety Division, which oversees teen driver education, both implemented the GDL law in that way. However, the text of the law on its face has some ambiguity. The Department has learned of several instances of licensees over the age of 18, who have had that license for less than one year, being cited for violation of the GDL restrictions.

Current law provides for DMV to issue to applicants 18 years of age and older a driver license that is not provisional and does not impose GDL restrictions. Enforcing GDL restrictions beyond 18 years of age makes it likely that some 17-year olds will wait to get their license until they are 18 to avoid the GDL restrictions. This means they won't realize the benefits of the GDL restrictions, which allows a teen to gain driving experience without distractions. The GDL provisions, along with teen driver education, have resulted in tremendous reductions in fatal- and serious-injury crashes with teens behind the wheel.

Lack of clarity about this provision creates confusion for teens, parents, law enforcement, judges, and providers of teen driver education. It also can create inequity in how laws are applied to 18-year olds, based on whether the person obtained their license at age 16, 17, or 18.

WHAT THE BILL DOES

HB 2261 clarifies that GDL restrictions placed on provisional drivers last for one year or until age 18, whichever comes first. This reinforces the intent of the law passed many sessions ago. It makes the requirements clear to law enforcement and driver education providers, as well as teens and their parents. It is also the better policy, in that it does not create a disincentive for a 17-year old to get the driver license before the 18th birthday, and therefore, get at least some driving time while under the GDL restrictions.

SUMMARY

HB 2261 will ensure consistent application of the law and allow the Driver Manual and teen driver education providers to explain the law with confidence. It will also avoid any disincentive for 17-year olds to obtain their license before the 18th birthday, and thereby, get the benefits of driving without too many distractions.