



Montana's GDL **Graduated Driver License Law**



Montana's graduated driver license law creates a three-step program that reduces the risk while new drivers under age 18 develop and improve their driving skills. Teens still get to drive and gradually work up to driving on their own.

All teens are at risk for crashes because they **LACK DRIVING EXPERIENCE**. This year, like every year, more than 5,000 teens will likely die on America's roads. Sixteen year olds are three times more likely to die in a car crash than other drivers.

Traveling the roads and dealing with traffic is more complex than simply knowing the rules of the road and how to operate a vehicle. Driver education begins the process of learning to drive, but teens need many, many hours of practice to become safe, competent drivers.

Montana's GDL aims to decrease teen crash risk by getting parents involved in helping their teens develop safe, responsible driving skills and attitudes. First with supervised practice and then by avoiding high-risk conditions for at least the first year of driving alone.

GDL Step One - Instruction Permit/Learner's License

Requires 6 months and 50 hours of supervised driving practice with parent/legal guardian – 10 hours must be at night. Seat belts required.

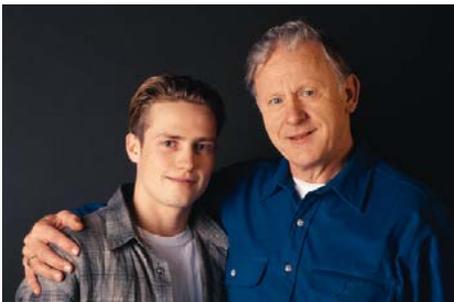
GDL Step Two - GDL Restricted License – One Year

Limits number of teen passengers and nighttime driving. Seat belts required.

Step Three - Full Privilege Driver's License

After one year of GDL restrictions or age 18

What is the Parent Role in Teen Driving?



1. Enroll your teen in Montana Driver Education – check with your local high school
2. Know Montana's GDL Laws
www.doj.mt.gov/driving/driverlicensing.asp
3. Supervise teen driving
4. Set family driving rules and limits
5. Impose consequences for violations



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GDL STEP ONE – INSTRUCTION PERMIT /LEARNER'S LICENSE

Apply after **Age 16**

Or 14 ½ - 15 year olds must be enrolled in or successfully complete a Montana approved Traffic Education Program. Ask your local high school for their driver education schedule.

Teens must pass the written driver exam, vision tests, and obtain parental consent to get their Instruction Permit/Learner's License. All new drivers under age 18 require a parent/legal guardian to sign the license application. Whoever signs is responsible for any financial liability.

CAR INSURANCE: Check with your car insurance agent to find out what kind of coverage is available while your teen is learning to drive and after your teen becomes a licensed driver.



WHO CAN SUPERVISE PRACTICE?

TEP – Traffic Education Permit: Students may drive only with driver education teacher during class. This begins the required six months of GDL supervised practice.

TELL - Traffic Education Learner's License: A licensed parent/legal guardian or driver education teacher must drive with teens who have a TELL permit.

Instruction Permit: If parents/legal guardians want their student to drive with other licensed adults during the GDL permit phase, students must obtain an Instruction Permit from the Driver Exam Office.

Traffic Education Learner Licenses and Instruction Permits are valid for one year.

HOW LONG: Minimum of six months – longer if there are any traffic violations or any alcohol/drug offense. Keep a log to record the time and different skills you practiced.

PRACTICE DRIVING: Instruction Permits are valid for one year so teens should practice, practice, and practice. It will take about two hours per week for six months to complete 50 hours of practice driving. Only practice when you are both ready, in the mood and have plenty of time.

In the beginning, practice in daylight and good weather. Limit passengers, it's best to practice with just you and your teen in the vehicle. Start out in empty parking lots or low traffic roads to practice turning, parking, backing up and easing to a stop. Use everyday trips if the route is appropriate for the student's skill level. Supervise driving to sports practice, school and the grocery store to practice different skills including merging and changing lanes.

Remember 3 things:

1. Remain calm and focused – take deep breaths;
2. Making mistakes is part of learning; and
3. Practice driving is serious, but should also be interesting and engaging.

GDL CONDITIONS

- 50 hours of **supervised driving** - 10 hours must be at night
- Each occupant must wear a seat belt – If you are pulled over and you aren't wearing your seat belt, you can get a ticket and an extension to your GDL Restrictions.
- Remain free from traffic violations and alcohol/drug offenses.
- Supervision must be provided by a licensed parent/guardian in the front seat.

(Note: If parents/guardians want their student to drive with other adults during the GDL permit phase, students must obtain an Instruction Permit from the Driver Exam Office.)

Resources for Keeping Young Drivers Safe from Children's Hospital of Philadelphia
<http://www.chop.edu/consumer/jsp/division/generic.jsp?id=84822>

GDL STEP TWO – GDL RESTRICTED LICENSE

WHEN: Pass the Driving Test (This is where all that practice pays off)

Get your GDL Restricted License to drive on your own after successful completion of GDL Step One - Instruction Permit, and parent/legal guardian certification of no alcohol/drug or traffic offenses for six months, and 50 hours of supervised driving.

HOW LONG: One year

Teens need time to become familiar with driving without an adult. Restrict driving in the dark, not just late at night until your teen gains more experience with adverse conditions.

Certain conditions are especially high risk for teen drivers including dusk/dark/nighttime driving, high speeds, passengers, adverse weather, traffic and road conditions. Supervise teenager's driving under high-risk conditions to be sure that they are able to handle them before allowing independent driving under these conditions. Continue to drive with your teen even after they have their driver license.



GDL CONDITIONS

- ◆ Each occupant must wear a seat belt.
- ◆ Teens may not drive between 11:00 p.m. and 5:00 a.m. The reason for this is simple. As a young driver, your greatest risk of being involved in a fatal or injury crash is in the dark and at night. Exceptions to night driving restrictions include emergencies, travel to and from school, church, or work and farm related activities.

The risk of a fatal crash for a teen driver doubles with just one teen passenger. Each new passenger increases the risk of a fatal crash and car crashes are the leading killer of teens.

GDL Passenger Restrictions

- ◆ **One Passenger** - For the **first six months** teens may drive with only one passenger who is not a family member
- ◆ **Up to Three Passengers** - For the **second six months** teens may drive with up to three passengers who are not family members

STEP THREE – FULL PRIVILEGE DRIVER'S LICENSE



WHEN: Upon successful completion of GDL Steps One and Two or reaching age 18, whichever comes first.

Like in sports and music - competence, skill, judgment and good habits grow through experience. Parents should continue to monitor, drive with and impose consequences on teen driving even after teens have their full privilege driver's license.

Remember to play it smart. There are a lot of cars out there. So drive safely – for life.

Consequences, Penalties and Conviction Points

GDL Step One Violations - Penalty for any alcohol/drug or traffic offenses:

Supervised practice driving extended until teen has six months with no alcohol/drug or traffic offenses

GDL Step Two Violations - Penalty for any alcohol/drug or traffic offenses:

First Offense – not less than 20 hours or more than 60 hours of community service; and

Second Offense – suspension of driver's license for six months.

MIP - Minor in Possession of Alcohol

Under 45-5-624 of the Montana Code Annotated, MIP convictions are not recorded on an individual's Montana driving record. However, a driver license suspension resulting from an MIP conviction is permanently recorded on the offender's driving record.

Confiscation – A driver license confiscation is not the same as a suspension. Confiscation is between the violator and the court. If a person with a driver's license is convicted of an MIP violation, the court must confiscate the license:

- first MIP offense – 30-day confiscation; and
- second or subsequent MIP offense – six-month confiscation.

A violator who drives during a period of driver license confiscation may be charged with driving without a license. A violator may also be subject to additional sentencing provisions imposed by the court.

Suspension for failure to complete substance abuse course – Under Montana's MIP law, violators who fail to complete a community-based substance abuse course may have their driver's licenses suspended:

- first failure to complete substance abuse course – three-month suspension;
- second failure – nine-month suspension; and
- third or subsequent failure – 12-month suspension.

Remember – Your Driving Record is for Life. Traffic convictions stay on your driving record permanently even if they occur in other states.

Montana Driver Records Sample Conviction Points	MCA 61-11-203	Montana Code Annotated (MCA) Title 61
No driver's license	2 points	61-5-102
Speeding	3 points	61-8-303
Other moving violations – Failure to obey stop signs and traffic signals, following too closely, improper passing	2 points	61-8-207 61-8-320 to 340
Car insurance violations	5 points	61-6-301
Illegal drag racing	5 points	61-8-308
Hit and Run (property)	4 points	61-7-107
Reckless driving -driving with willful and wanton disregard for safety of persons and property	5 points	61-8-301
Failure to stop and help or give information when involved in a crash	4 or 8 points	61-7-103 61-7-105
Driving with your license suspended or revoked	6 points	61-11-213
Second offense penalty - vehicle may be seized		61-5-212
DUI - Driving while intoxicated or drugged with narcotics	10 points	61-8-401
Other felony when a motor vehicle is used	12 points	61-11-203
Seat belt Violation	\$20 fine	61-13-104
Habitual Traffic Offender		
30 or more conviction points in 3 years		
License Revoked and No Driver license for 3 years		61-11-212



Most Montanan's drive safely and courteously - 97% follow the rules of the road. Half of the 3% who get traffic tickets, learn after their first ticket. Only a few drivers, 1.5%, are repeat offenders taking risks which put themselves and other road users in danger. Speeding tickets account for nearly 25% of all tickets. Even young drivers find their traffic tickets can add up to a revoked license if they have 30 conviction points within 3 years.

Parent Tips for Trips

Parents have a very important role to play in encouraging and ensuring safe teen driving. Your influence is stronger, more immediate and long lasting than all other influences. Praise your teen when they use good judgment and obey the GDL. Talk with your teen about safe driving and being a safe passenger even before they get a Learner License.



Be a role model and set a good example:

- Always wear a seat belt as a driver and insist all passengers buckle up
- Come to a complete stop at stop signs and signals - Look left, then right, then straight ahead and then left again before proceeding.
- Keep a safe following and stopping distance – with at least a 4-second space between your vehicle and others
- Obey the posted speed limit
- Use your turn signal for changing lanes and when turning
- Always check mirrors and turn your head to look for traffic and obstacles before turning the steering wheel.
- Treat other drivers, pedestrians, bicyclists and roadway users with courtesy
- Avoid distractions that take your attention from the road – ask a passenger to change the radio/CD, pull over to the side of the road to answer your cell phone or to remove an insect flying inside the car.

Remember 3 things:

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Set Family Driving Rules and Limits



Teens can do what it takes to be a safe driver. Families need to make sure their teen has the knowledge and skills for safe driving and set rules and limits. Increase privileges as teens gain more driving experience and show safe, responsible driving behavior. Parents control the car keys and the GDL restrictions limit passengers and night driving.

Car handling and traffic mix are more complicated than when parents learned to drive. Certain conditions are especially high risk for teen drivers including dusk/dark/nighttime driving, high speeds, passengers, adverse weather, traffic, and road conditions.

Supervise teenager's driving under high-risk conditions to be sure that they are able to handle them before allowing independent driving under these conditions. Continue to drive with your teen even after they have their driver's license.



Families should set rules for driver safety and set consequences for violations of the rules. Always know where your teen is going, who they will be with and when they will return. Make clear that teens are expected to:

- Obey all traffic laws and signs including speed limits
- Always wear a seat belt and require all passengers to buckle up
- Never drive after any amount of alcohol or other drug use or ride with a driver who has used any amount of alcohol or other drugs. Even cold medicine and prescription drugs can affect your driving.
- Never take unnecessary risks while driving, such as tailgating or cutting too sharply in front of other vehicles
- Never perform risky driving behaviors
- Reduce distractions while driving, such as playing around with passengers, changing the radio stations or CDs, eating or using a cell phone
- Never drive when angry, upset, or overly tired.

Talk with other parents of teen drivers. Make clear your family's consequences for teens who violate safe driving rules. Discuss with your teen a Parent-Teen Driving Agreement and consequences which should relate to the loss of driving privileges. For example:



Curfew

Your teen returns after curfew – "You broke the law and put yourself and others in danger. You will not be driving for one week."

Speed

Your teen gets a speeding ticket – "You will not be driving until you pay for the ticket and the increased cost of your car insurance."

Note: "Among the youngest and least experienced drivers, the leading cause of fatal crashes is driver error (77 percent), followed by speeding (38 percent) and alcohol (less than 25 percent). And when other teenagers are in the car, crashes are more likely to be fatal. (The overlap in percentages is explained by the fact that some crashes involve more than one factor.)"

Insurance Institute for Highway Safety, Highway Loss Data Institute, "Fatality Facts: Teenagers,"

Cell Phone

Your teen talks, argues or sends text messages on the cell phone while driving – "A driver who talks on a cell phone is four times more likely to be involved in a serious crash. Your eyes and mind are off the road when using a cell phone. It's hard to be aware of the changing road environment – other vehicles, hazards, traffic patterns, pedestrians. What do you think we should do?"

- Trade the cell phone for the car keys so the phone stays at home;
- Keep the cell phone on voice mail and in the back seat or trunk; and/or
- Teen drives only with parent for a week or a month

Parents can pull a teen's driver license if they are under age 18. (Parents don't need a specific reason and we're not kidding!)



www.opi.mt.gov/gdl