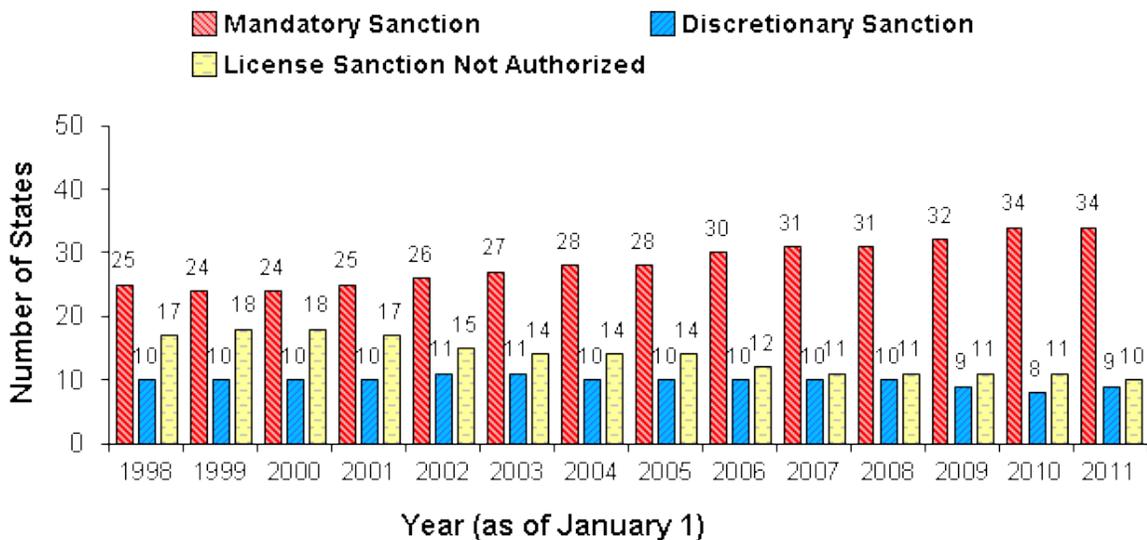


Exhibit 4.3.14: Distribution of License Suspension/Revocation Procedures for Alcohol Violations by Minors, January 1, 1998, through January 1, 2011

References and Further Information

Data for this policy were obtained from APIS at <http://www.alcoholpolicy.niaaa.nih.gov>. Follow links to the policy entitled “Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws).” APIS provides further descriptions of this policy and its variables, details regarding State policies, and a review of the limitations associated with the reported data. To see definitions of the variables for this policy, go to Appendix B.

6. GRADUATED DRIVER’S LICENSES

Policy Description

Graduated driver licensing (GDL) is a system designed to delay full licensure for teenage automobile drivers, thus allowing beginning drivers to gain experience under less risky conditions. Teenagers are targeted because they are at the highest risk for motor vehicle crashes, including alcohol-related crashes. By imposing restrictions on driving privileges, GDL reduces the chances of teenagers driving while intoxicated.

A fully developed GDL system has three stages: a minimum supervised learner’s period, an intermediate license (once the driving test is passed) that limits unsupervised driving in high-risk situations, and a full-privilege driver’s license available after completion of the first two stages. Beginners must remain in each of the first two stages for set minimum time periods.

The learner’s stage has three components:

- Minimum age at which drivers can operate vehicles in the presence of parents, guardians, or other adults
- Minimum holding periods during which learner’s permits must be held before drivers advance to the intermediate stage of the licensing process

- Minimum age at which drivers become eligible to drive without adult supervision

The intermediate stage of GDL law has five components:

- Minimum age at which drivers become eligible to drive without adult supervision
- Unsupervised night-driving prohibitions
- Primary enforcement of night-driving provisions
- Passenger restrictions, which set the total number of passengers allowed in vehicles driven by intermediate-stage drivers
- Primary enforcement of passenger restrictions

“Primary enforcement” refers to the authority given to law enforcement officers to stop drivers for the sole purpose of investigating potential violations of night-driving or passenger restrictions. Law enforcement officers in States without primary enforcement can investigate potential violations of these provisions only as part of an investigation of some other offense. Primary enforcement greatly increases the chance that violators will be detected.

The single component for the license stage of GDL is the minimum age at which full licensure occurs and both passenger and night-driving restrictions are lifted.

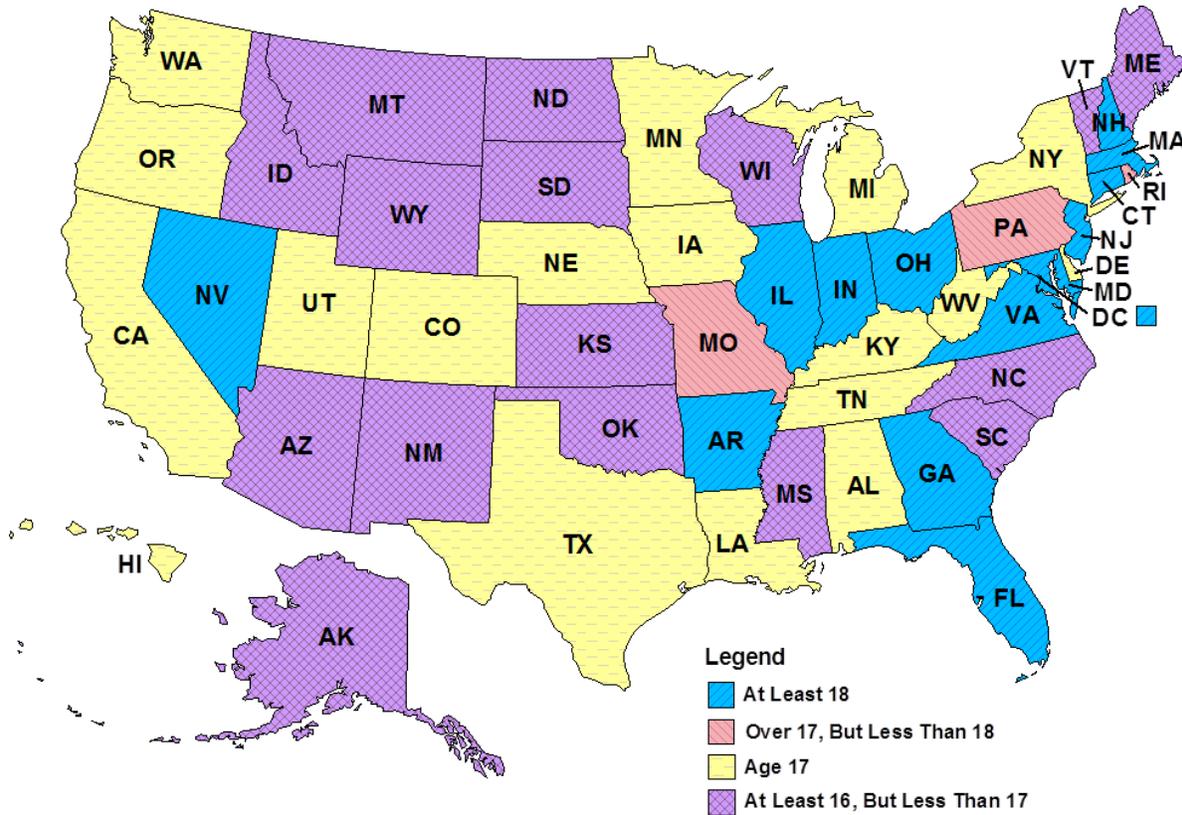
Status of Graduated Driver Licensing Policies

Currently, all 51 jurisdictions have some form of GDL policy and all but one State have full three-stage criteria (see Exhibit 4.3.15). North Dakota omits the intermediate stage; young drivers are eligible for full licensure upon completion of the learner stage.

The minimum ages established for each stage and the extent to which the other restrictions are imposed vary across jurisdictions. Among the most important GDL provisions related to traffic safety is the minimum age for full licensure. Fourteen jurisdictions allow full licensure on the 18th birthday; three jurisdictions permit it at ages above 17 but under 18; and 18 permit it on the 17th birthday. The remaining 16 jurisdictions permit full licensure to those who are under 17 but at least 16 years old.

All but two jurisdictions have night-driving restrictions; the hours during which these restrictions apply vary widely among jurisdictions, but fall largely between the hours of 6 p.m. and 1 a.m. Thirty-seven jurisdictions have primary enforcement of night-driving restrictions. Forty-five jurisdictions place passenger restrictions on drivers with less than full licensure, and 30 of those have primary enforcement of these restrictions.

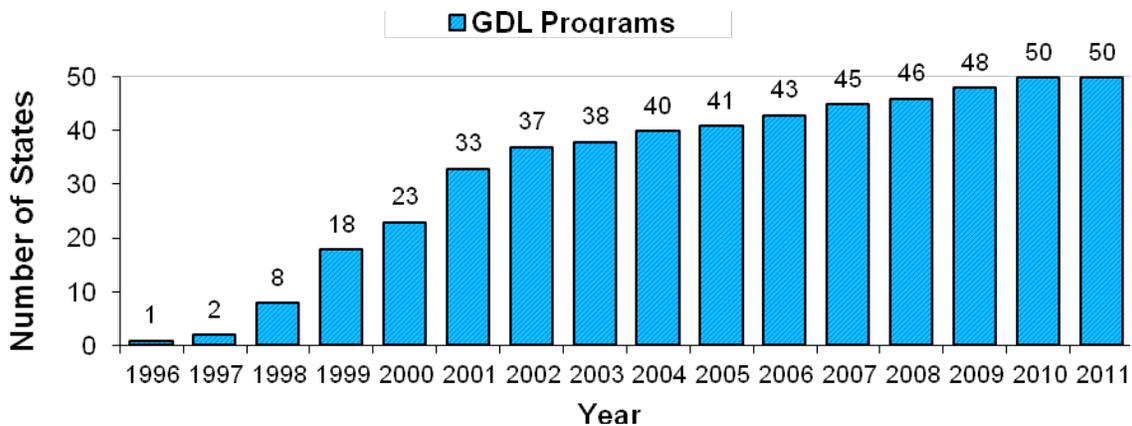
Exhibit 4.3.15: Minimum Age of Full Driving Privileges Laws as of January 1, 2011



Trends in Graduated Driver Licensing Policies

Since the mid-1990s, States enacting three-stage GDL laws have steadily increased (see Exhibit 4.3.16). On January 1, 1996, only one State (Maryland) had such a law, but by 2000, 23 jurisdictions had enacted three-stage GDL laws and by 2011, that number had risen to 50.

Exhibit 4.3.16: Number of States (and District of Columbia) with Three-Stage Graduated Driver Licensing Policies, July 1, 1996, through January 1, 2011



References and Further Information

Legal research for this topic is planned and managed by SAMHSA and conducted under contract by The CDM Group, Inc. Historical data for the years 1996 through 2004 were obtained from “Graduated Driver Licensing Programs and Fatal Crashes of 16 year old Drivers: A National Evaluation” (Baker, S. P., Chen, L.-H., & Li, G. (2006).; National Highway Transportation Safety Administration DOT HS 810 614). Data from January 1, 2005, until December 31, 2008, were obtained from the Insurance Institute for Highway Safety (http://www.iihs.org/laws/pdf/us_licensing_systems.pdf). Data through January 1, 2011, were collected by SAMHSA. To see definitions of the variables for this policy, go to Appendix B.

Laws Targeting Alcohol Suppliers

7. FURNISHING ALCOHOL TO MINORS

Policy Description

All States prohibit furnishing alcoholic beverages to minors by both commercial (bars, restaurants, retail sales outlets) and noncommercial servers. However, examination of case law would be required to determine with certainty that the prohibition applies to both commercial and noncommercial servers in all States. Additionally, most States include some type of exception to their Furnishing laws of the types listed below.

Most underage persons obtain alcohol from adults including parents, older siblings and peers, or strangers solicited to purchase alcohol for the minor. Smaller numbers of youth purchase alcohol for themselves from merchants who fail to comply with laws prohibiting sale to minors or by using false identification (see the “False Identification” section of this Report). These sources increase the availability of alcohol to underage persons, which, in turn, increases underage consumption. Prohibitions and associated sanctions on furnishing to underage persons can be expected to depress rates of furnishing by raising the monetary and social costs of this behavior. Such laws provide a primary deterrent (preventing furnishing) and a secondary deterrent (reducing the chances of persons sanctioned under these laws furnishing in the future).

Two types of exceptions to underage furnishing laws are discussed in this analysis:

- Family exceptions permit parents, guardians, or spouses to furnish alcohol to minors; some States specify that the spouse must be of legal age while others do not.
- Location exceptions permit furnishing alcohol in specified locations and may limit the extent to which family members can furnish minors. No State has an exception for furnishing on private property by anyone other than a family member.

Some States provide sellers and licensees with one or more defenses against a charge of furnishing alcoholic beverages to a minor. Under these provisions, a retailer who provides alcohol to a minor will not be found in violation of the furnishing law if he or she can establish one of these defenses. This policy topic tracks one such defense: some States require that the minor who initiated a transaction be charged for possessing or purchasing the alcohol before the retailer can be found in violation of the furnishing law. (Defenses associated with minors using false identification can be found in the “False Identification” section of this Report.) Many States also have provisions that mitigate or reduce the penalties imposed on retailers if they have