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## FISCAL IMPACT REPORT

ORIGINAL DATE 02/18/11  
 LAST UPDATED 02/22/11    **HB** \_\_\_\_\_

SPONSOR    SJC \_\_\_\_\_

SHORT TITLE    License Requirements for Drivers Under 18    **SB** 9/SJCS/aSFI#1

ANALYST    Haug

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
NFI	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Public Defender Department (PDD)  
 Department of Transportation (DOT)  
 Department of Public Safety (DPS)  
 Taxation and Revenue Department (TRD)

### SUMMARY

#### Synopsis of SFI#1 Amendment

Senate Floor Amendment #1 would provide an exception to the prohibition against using a mobile communication device while driving for a driver who holds a valid amateur radio operator license issued by the Federal Communications Commission and is operating an amateur radio.

#### Synopsis of Original Bill

The Senate Judiciary Committee Substitute for Senate Bill 9, introduced on behalf of the Courts, Corrections and Justice Committee, proposes to modify the requirements for licensing drivers under 18 years of age by (1) extending an instruction permit or provisional license by 30 days for each traffic violation committed during that time period; (2) adding the seat belt laws and mobile phone restrictions to the list of violations that could delay issuance of a provisional license or driver's license; and (3) adding buying, attempting to buy, receiving, possessing or permitting oneself to be served with alcoholic beverages, as provided in Subsection C of Section 60-7B-1 NMSA 1978 to the list of violations that could delay issuance of a provisional license or driver's license.

## **FISCAL IMPLICATIONS**

Senate Bill 9 has no fiscal implications.

## **SIGNIFICANT ISSUES**

The DOT states:

According to the Insurance Institute for highway safety, 62 percent of teen passenger deaths occur while the vehicle is driven by another teen. The National Safety Council reported in a 2007 Graduated Driver License (GDL) symposium that one of the most effective GDL provisions is the extension of the permit stage that delays the commencement of unsupervised driving. The earlier teens are allowed to drive and become licensed are both factors linked nationally to higher rates of fatal crashes according the National Safety Council.

The National Highway Traffic Safety Administration and the Insurance Institute for Highway Safety have identified an ideal GDL process for teens that would eliminate certain high-risk driving issues for novice drivers and extend the process for teens to hold a learner's permit or provisional license before full licensure. The recommended entry age for starting the GDL process is 16 years. New Mexico allows teens to start the GDL process at 15. The recommended minimum provisions for GDL also include a cell phone restriction for drivers under 18 years of age.

New Mexico currently does not have any restriction for mobile communication devices for teen drivers. According to a 2006 study by State Farm and the Children's Hospital of Philadelphia, 80 percent of teen drivers own a cell phone, and 48% admitted to talking on the phone while driving. 53 percent of teens reported seeing their peers use some form of handheld device (texting, game, music device) while driving.

The NMDOT Traffic Safety Bureau participated in the Senate Memorial 21 Driver Safety Task Force to study and propose changes in the Motor Vehicle Code to address young driver issues. The Task Force identified that the current GDL process in New Mexico is comparable to other States. However, the Task Force identified areas in need of improvement. Recommendations from this task force are included in SB 9.

According to TRD:

The bill does not alter the current provision allowing a thirteen year old to obtain a restricted motorcycle license. Consideration should be given to increasing the age for a restricted motorcycle license from thirteen to at least fifteen and a half – the same age as a provisional license (on Page 5, line 5).

The bill removes the requirement that a person has not been convicted of a traffic violation within the past ninety days in order to receive a regular or provisional license. That current requirement is replaced by the additional thirty-day period for each traffic violation committed.

## **TECHNICAL ISSUES**

TRD notes that Page 9, lines 9-10 state that an applicant (child) is not eligible for a provisional

license if the applicant has a pending traffic violation. There is no database for the Motor Vehicle Division (MVD) to check to see if there are any pending citations.

GH/bym:svb