Section 405 Distracted Driving Incentive Grant

Proposed Criteria

All-Driver Texting Ban

Must have all of the following:

- State statute must prohibit all drivers from texting while driving
- State statute must explicitly prohibit reading or manually entering data into a personal wireless communications device
- State statute must not have an explicit exception that allows for texting while stopped in traffic
- State statute must make a violation of the texting ban a primary offense
- State statute must provide for a minimum fine for all violations. Minimum fine amount to be determined by NHTSA rulemaking.

Youth Cell Phone Use Prohibition

Must have all of the following:

- State statute must prohibit one of the following groups from using a personal wireless communications device while driving
    - Novice drivers in the learner's permit and intermediate license stages
    - Drivers under the age of 18
- State statute must not have an explicit exception that allows drivers covered by youth cell phone use prohibition to use a wireless communication device while stopped in traffic
- State statute must make violation of the youth cell phone use prohibition a primary offense
- State statute must provide for a minimum fine for all violations. Minimum fine amount to be determined by NHTSA rulemaking.

Distracted Driving Issue Testing

- States must test for distracted driving issues as part of the driver's license examination process. States that test for distracted driving issues administratively are not required to have testing requirements codified in statute.

Exceptions

Any of the following exceptions should not prohibit a state from qualifying for the incentive grant:

- Drivers who use a personal wireless communications device to contact emergency services
- Emergency services personnel who use a personal wireless communications device while operating an emergency services vehicle and engaged in the performance of their duties as emergency services personnel
- Individuals employed as a commercial motor vehicle driver or a school bus driver who uses a personal wireless communications device within the scope of such individual's employment if such use is permitted under federal regulations
- Any additional exceptions determined by NHTSA in the rulemaking process that implements the incentive grant

Additional Provision

- NHTSA shall issue a study on distracted driving. Study to identify the legal and technical barriers to capturing data on the prevalence of wireless communications devices while driving and provide recommendations on how to address such barriers.

Section 405 GDL Incentive Grant

Proposed Criteria

Learner's Permit

Must have all of the following:

- Applicant must be under the age of 18
- Applicant must pass vision and knowledge test, including rules of the road, signs and signals prior to receiving learner's permit
- Learner's permit stage must last at least 6 months in duration (or until the driver reaches age 18, whichever comes first)
- Learner's permit stage may not end until the driver turns age 18 or until the driver receives an intermediate license
- Learner's permit holder must be supervised by a licensed driver at least 21 years of age at all times
- Learner's permit holder must pass a driving skills test prior to advancing to the intermediate stage
- Learner's permit holder may not use a personal wireless communications devices while driving with primary enforcement
- Learner's permit holder must remain conviction-free of traffic violations for at least 6 months prior to advancing to intermediate stage

Must have one of the following:

- Learner's permit holder must complete 50 hours of behind-the-wheel training with at least 10 hours at night with a licensed driver who is at least 21 years of age
- Learner's permit holder must complete a state certified driver's education or training course

Intermediate Stage

Must have all of the following:

- Last for at least 6 months in duration (or until the driver reaches age 18, whichever comes first)
- Not expire until the driver reaches at least age 17
- Prohibit nighttime driving between the hours of 10 p.m. and 5 a.m. if not supervised by a licensed driver 21 years of age or older (allowing for emergency, work-related, religious and education-related exceptions) for at least the first six months
- Prohibit carrying more than one non-familial passenger under the age of 21, unless a licensed driver at least 21 years of age is also in the vehicle
- Remain conviction-free of traffic violations for at least 6 months prior to advancing to a full license
- Prohibit all use of personal wireless communications devices while driving with primary enforcement

Section 405 Ignition Interlock Incentive Grant

Proposed Criteria

- State statute must require that all individuals convicted of a DUI offense be limited to driving motor vehicles equipped with an ignition interlock
- States allowing for any of the following exceptions are not precluded from qualifying for the incentive grant:
    - Exceptions for those who are medically determined to be unable to breath into an ignition interlock
    - Exceptions that allow those convicted of a DUI to operate an employer-provided vehicle that is not equipped with an ignition interlock. Driving the employer-provided vehicle must be limited to work-related activities only.
    - Exceptions for areas in which the nearest ignition interlock installation facility is more than 200 miles from a driver's home