

103^D CONGRESS
1ST SESSION

S. 738

AN ACT

To promote the implementation of programs to improve the traffic safety performance of high risk drivers.

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To promote the implementation of programs to improve the
traffic safety performance of high risk drivers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “High Risk Drivers Act
5 of 1993”.



1 **SEC. 2. FINDINGS.**

2 The Congress makes the following findings:

3 (1) The Nation's traffic fatality rate has de-
4 clined from 5.5 deaths per 100 million vehicle miles
5 traveled in 1966 to an historic low of an estimated
6 1.8 deaths per 100 million vehicle miles traveled
7 during 1992. In order to further this desired trend,
8 the safety programs and policies implemented by the
9 Department of Transportation must be continued,
10 and at the same time, the focus of these efforts as
11 they pertain to high risk drivers of all ages must be
12 strengthened.

13 (2) Motor vehicle crashes are the leading cause
14 of death among teenagers, and teenage drivers tend
15 to be at fault for their fatal crashes more often than
16 older drivers. Drivers who are 16 to 20 years old
17 comprised 7.4 percent of the United States popu-
18 lation in 1991 but were involved in 15.4 percent of
19 fatal motor vehicle crashes. Also, on the basis of
20 crashes per 100,000 licensed drivers, young drivers
21 are the highest risk group of drivers.

22 (3) During 1991, 6,630 teenagers from age 15
23 through 20 died in motor vehicle crashes. This trag-
24 ic loss demands that the Federal Government inten-
25 sify its efforts to promote highway safety among
26 members of this high risk group.

1 (4) The consumption of alcohol, speeding over
2 allowable limits or too fast for road conditions, inad-
3 equately use of occupant restraints, and other high
4 risk behaviors are several of the key causes for this
5 tragic loss of young drivers and passengers. The De-
6 partment of Transportation, working cooperatively
7 with the States, student groups, and other organiza-
8 tions, must reinvigorate its current programs and
9 policies to address more effectively these pressing
10 problems of teenage drivers.

11 (5) In 1991 individuals aged 70 years and
12 older, who are particularly susceptible to injury,
13 were involved in 12 percent of all motor vehicle traf-
14 fic crash fatalities. These deaths accounted for 4,828
15 fatalities out of 41,462 total traffic fatalities.

16 (6) The number of older Americans who drive
17 is expected to increase dramatically during the next
18 30 years. Unfortunately, during the last 15 years,
19 the Department of Transportation has supported an
20 extremely limited program concerning older drivers.
21 Research on older driver behavior and licensing has
22 suffered from intermittent funding at amounts that
23 were insufficient to address the scope and nature of
24 the challenges ahead.

1 (7) A major objective of United States trans-
2 portation policy must be to promote the mobility of
3 older Americans while at the same time ensuring
4 public safety on our Nation's highways. In order to
5 accomplish these two objectives simultaneously, the
6 Department of Transportation must support a vigor-
7 ous and sustained program of research, technical as-
8 sistance, evaluation, and other appropriate activities
9 that are designed to reduce the fatality and crash
10 rate of older drivers who have identifiable risk char-
11 acteristics.

12 **SEC. 3. DEFINITIONS.**

13 In this Act, the following definitions apply:

14 (1) The term "high risk driver" means a motor
15 vehicle driver who belongs to a class of drivers that,
16 based on vehicle crash rates, fatality rates, traffic
17 safety violation rates, and other factors specified by
18 the Secretary, presents a risk of injury to the driver
19 and other individuals that is higher than the risk
20 presented by the average driver.

21 (2) The term "Secretary" means the Secretary
22 of Transportation.

23 **SEC. 4. POLICY AND PROGRAM DIRECTION.**

24 (a) GENERAL RESPONSIBILITY OF SECRETARY.—
25 The Secretary shall develop and implement effective and

1 comprehensive policies and programs to promote safe driv-
2 ing behavior by young drivers, older drivers, and repeat
3 violators of traffic safety regulations and laws.

4 (b) SAFETY PROMOTION ACTIVITIES.—The Secretary
5 shall promote or engage in activities that seek to ensure
6 that—

7 (1) cost effective and scientifically-based guide-
8 lines and technologies for the nondiscriminatory
9 evaluation and licensing of high risk drivers are ad-
10 vanced;

11 (2) model driver training, screening, licensing,
12 control, and evaluation programs are improved;

13 (3) uniform or compatible State driver point
14 systems and other licensing and driver record infor-
15 mation systems are advanced as a means of identify-
16 ing and initially evaluating high risk drivers; and

17 (4) driver training programs and the delivery of
18 such programs are advanced.

19 (c) DRIVER TRAINING RESEARCH.—The Secretary
20 shall explore the feasibility and advisability of using cost
21 efficient simulation and other technologies as a means of
22 enhancing driver training; shall advance knowledge re-
23 garding the perceptual, cognitive, and decision making
24 skills needed for safe driving and to improve driver train-
25 ing; and shall investigate the most effective means of inte-

1 grating licensing, training, and other techniques for pre-
2 paring novice drivers for the safe use of highway systems.

3 **TITLE I—YOUNG DRIVER PROGRAMS**

4 **SEC. 101. STATE GRANTS FOR YOUNG DRIVER PROGRAMS.**

5 (a) ESTABLISHMENT OF GRANT PROGRAM.—Chapter
6 4 of title 23, United States Code, is amended by adding
7 at the end the following new section:

8 **“§ 411. Programs for young drivers**

9 “(a) GENERAL AUTHORITY.—Subject to the provi-
10 sions of this section, the Secretary shall make basic and
11 supplemental grants to those States which adopt and im-
12 plement programs for young drivers which include meas-
13 ures, described in this section, to reduce traffic safety
14 problems resulting from the driving performance of young
15 drivers. Such grants may only be used by recipient States
16 to implement and enforce such measures.

17 “(b) MAINTENANCE OF EFFORT.—No grant may be
18 made to a State under this section in any fiscal year unless
19 such State enters into such agreements with the Secretary
20 as the Secretary may require to ensure that such State
21 will maintain its aggregate estimated expenditures from
22 all other sources for programs for young drivers at or
23 above the average level of such expenditures in its 2 fiscal
24 years preceding the fiscal year in which this section is en-
25 acted.

1 “(c) FEDERAL SHARE.—No State may receive grants
2 under this section in more than 5 fiscal years. The Federal
3 share payable for any grant under this section shall not
4 exceed—

5 “(1) in the first fiscal year a State receives a
6 grant under this section, 75 percent of the cost of
7 implementing and enforcing in such fiscal year the
8 young driver program adopted by the State pursuant
9 to subsection (a);

10 “(2) in the second fiscal year the State receives
11 a grant under this section, 50 percent of the cost of
12 implementing and enforcing in such fiscal year such
13 program; and

14 “(3) in the third, fourth, and fifth fiscal years
15 the State receives a grant under this section, 25 per-
16 cent of the cost of implementing and enforcing in
17 such fiscal year such program.

18 “(d) MAXIMUM AMOUNT OF BASIC GRANTS.—Sub-
19 ject to subsection (c), the amount of a basic grant made
20 under this section for any fiscal year to any State which
21 is eligible for such a grant under subsection (e) shall equal
22 30 percent of the amount apportioned to such State for
23 fiscal year 1989 under section 402 of this title. A grant
24 to a State under this section shall be in addition to the
25 State’s apportionment under section 402, and basic grants

1 during any fiscal year may be proportionately reduced to
2 accommodate an applicable statutory obligation limitation
3 for that fiscal year.

4 “(e) ELIGIBILITY FOR BASIC GRANTS.—

5 “(1) GENERAL.—For purposes of this section, a
6 State is eligible for a basic grant if such State—

7 “(A) establishes and maintains a grad-
8 uated licensing program for drivers under 18
9 years of age that meets the requirements of
10 paragraph (2); and

11 “(B)(i) in the first year of receiving grants
12 under this section, meets four of the nine cri-
13 teria specified in paragraph (3);

14 “(ii) in the second year of receiving such
15 grants, meets five of such criteria;

16 “(iii) in the third year of receiving such
17 grants, meets six of such criteria;

18 “(iv) in the fourth year of receiving such
19 grants, meets seven of such criteria; and

20 “(v) in fifth year of receiving such grants,
21 meets seven of such criteria.

22 “(2) GRADUATED LICENSING PROGRAM.—(A) A
23 State receiving a grant under this section shall es-
24 tablish and maintain a graduated licensing program

1 consisting of the following licensing stages for any
2 driver under 18 years of age:

3 “(i) An instructional license, valid for a
4 minimum period determined by the Secretary,
5 under which the licensee shall not operate a
6 motor vehicle unless accompanied in the front
7 passenger seat by the holder of a full driver’s
8 license.

9 “(ii) A provisional driver’s license which
10 shall not be issued unless the driver has passed
11 a written examination on traffic safety and has
12 passed a roadtest administered by the driver li-
13 censing agency of the State.

14 “(iii) A full driver’s license which shall not
15 be issued until the driver has held a provisional
16 license for at least 1 year with a clean driving
17 record.

18 “(B) For purposes of subparagraph (A)(iii),
19 subsection (f)(1), and subsection (f)(6)(B), a provi-
20 sional licensee has a clean driving record if the li-
21 censee—

22 “(i) has not been found, by civil or crimi-
23 nal process, to have committed a moving traffic
24 violation during the applicable period;

1 “(ii) has not been assessed points against
2 the license because of safety violations during
3 such period; and

4 “(iii) has satisfied such other requirements
5 as the Secretary may prescribe by regulation.

6 “(C) The Secretary shall determine the condi-
7 tions under which a State shall suspend provisional
8 driver’s licenses in order to be eligible for a basic
9 grant. At a minimum, the holder of a provisional li-
10 cense shall be subject to driver control actions that
11 are stricter than those applicable to the holder of a
12 full driver’s license, including warning letters and
13 suspension at a lower point threshold.

14 “(D) For a State’s first 2 years of receiving a
15 grant under this section, the Secretary may waive
16 the clean driving record requirement of subpara-
17 graph (A)(iii) if the State submits satisfactory evi-
18 dence of its efforts to establish such a requirement.

19 “(3) CRITERIA FOR BASIC GRANT.—The nine
20 criteria referred to in paragraph (1)(B) are as fol-
21 lows:

22 “(A) The State requires that any driver
23 under 21 years of age with a blood alcohol con-
24 centration of 0.02 percent or greater when driv-
25 ing a motor vehicle shall be deemed to be driv-

1 ing while intoxicated for the purpose of (i) ad-
2 ministrative or judicial sanctions or (ii) a law or
3 regulation that prohibits any individual under
4 21 years of age with a blood alcohol concentra-
5 tion of 0.02 percent or greater from driving a
6 motor vehicle.

7 “(B) The State has a law or regulation
8 that provides a mandatory minimum penalty of
9 at least \$500 for anyone who in violation of
10 State law or regulation knowingly, or without
11 checking for proper identification, provides or
12 sells alcohol to any individual under age 21
13 years of age.

14 “(C) The State requires that all front seat
15 and rear seat occupants of any motor vehicle
16 shall use safety belts.

17 “(D) The State requires that the license of
18 a driver under 21 years of age be suspended for
19 a period specified by the State if such driver is
20 convicted of the unlawful purchase or public
21 possession of alcohol. The period of suspension
22 shall be at least 6 months for a first conviction
23 and at least 12 months for a subsequent convic-
24 tion; except that specific license restrictions
25 may be imposed as an alternative to such mini-

1 mum periods of suspension where necessary to
2 avoid undue hardship on any individual.

3 “(E) The State conducts youth-oriented
4 traffic safety enforcement activities, and edu-
5 cation and training programs—

6 “(i) with the participation of judges
7 and prosecutors, that are designed to en-
8 sure enforcement of traffic safety laws and
9 regulations including those that prohibit
10 drivers under 21 years of age from driving
11 while intoxicated, restrict the unauthorized
12 use of a motor vehicle, and establish other
13 moving violations; and

14 “(ii) with the participation of student
15 and youth groups, that are designed to en-
16 sure compliance with such traffic safety
17 laws and regulations.

18 “(F) The State is a member of and sub-
19 stantially complies with the interstate agree-
20 ment known as the Driver License Compact,
21 promptly and reliably transmits and receives
22 through electronic means interstate driver
23 record information (including information on
24 commercial drivers) in cooperation with the
25 Secretary and other States, and develops and

1 achieves demonstrable annual progress in imple-
2 menting a plan to ensure that (i) each court of
3 the State report expeditiously to the State driv-
4 er licensing agency all traffic safety convictions,
5 license suspensions, license revocations, or other
6 license restrictions, and driver improvement ef-
7 forts sanctioned or ordered by the court, and
8 that (ii) such records be available electronically
9 to appropriate government officials (including
10 enforcement, officers, judges, and prosecutors)
11 upon request at all times.

12 “(G) The State prohibits the possession of
13 any open alcoholic beverage container, or the
14 consumption of any alcoholic beverage, in the
15 passenger area of any motor vehicle located on
16 a public highway or the right-of-way of a public
17 highway; except as allowed in the passenger
18 area, by persons (other than the driver), of a
19 motor vehicle designed to transport more than
20 10 passengers (including the driver) while being
21 used to provide charter transportation of pas-
22 sengers.

23 “(H) The State has a law or regulation
24 that provides a minimum penalty of at least
25 \$100 for anyone who in violation of State law

1 or regulation drives any vehicle through,
2 around, or under any crossing, gate, or barrier
3 at a railroad crossing while such gate or barrier
4 is closed or being opened or closed.

5 “(I) The State has a law or regulation
6 that—

7 “(i) mandates seizure by the State or
8 any political subdivision thereof of any ve-
9 hicle driven by an individual in violation of
10 an alcohol-related traffic safety law, if such
11 violator has been convicted on more than
12 one occasion of an alcohol-related traffic
13 offense within any 5-year period beginning
14 after the date of enactment of this section,
15 or has been convicted of driving while his
16 or her driver’s license is suspended or re-
17 voked by reason of a conviction for such an
18 offense;

19 “(ii) mandates that the vehicle be for-
20 feited to the State or a political subdivision
21 thereof if the vehicle was solely owned by
22 such violator at the time of the violation;

23 “(iii) requires that the vehicle be re-
24 turned to the owner if the vehicle was a

1 stolen vehicle at the time of the violation;
2 and

3 “(iv) authorizes the vehicle to be re-
4 leased to a member of such violator’s fam-
5 ily, the co-owner, or the owner, if the vehi-
6 cle was not a stolen vehicle and was not
7 solely owned by such violator at the time
8 of the violation, and if the family member,
9 co-owner, or owner, prior to such release,
10 executes a binding agreement that the
11 family member, co-owner, or owner will not
12 permit such violator to drive the vehicle
13 and that the vehicle shall be forfeited to
14 the State or a political subdivision thereof
15 in the event such violator drives the vehicle
16 with the permission of the family member,
17 co-owner, or owner.

18 “(f) SUPPLEMENTAL GRANT PROGRAM.—

19 “(1) EXTENDED APPLICATION OF PROVISIONAL
20 LICENSE REQUIREMENT.—For purposes of this sec-
21 tion, a State is eligible for a supplemental grant for
22 a fiscal year in an amount, subject to subsection (c),
23 not to exceed 10 percent of the amount apportioned
24 to such State for fiscal year 1989 under section 402
25 of this title if such State is eligible for a basic grant

1 and in addition such State requires that a driver
2 under 21 years of age shall not be issued a full driv-
3 er's license until the driver has held a provisional li-
4 cense for at least one year with a clean driving
5 record as described in subsection (e)(2)(B).

6 “(2) PROVISION OF INSURANCE INFORMA-
7 TION.—For purposes of this section, a State is eligi-
8 ble for a supplemental grant for a fiscal year in an
9 amount, subject to subsection (c), not to exceed 5
10 percent of the amount apportioned to such State for
11 fiscal year 1989 under section 402 of this title if
12 such State is eligible for a basic grant and in addi-
13 tion such State provides, to a parent or legal guard-
14 ian of any provisional licensee, general information
15 prepared with the assistance of the insurance indus-
16 try on the effect of traffic safety convictions and at-
17 fault accidents on insurance rates for young drivers.

18 “(3) READILY DISTINGUISHABLE LICENSES FOR
19 YOUNG DRIVERS.—For purposes of this section, a
20 State is eligible for a supplemental grant for a fiscal
21 year in an amount, subject to subsection (c), not to
22 exceed 5 percent of the amount apportioned to such
23 State for fiscal year 1989 under section 402 of this
24 title if such State is eligible for a basic grant and
25 in addition such State—

1 “(A) requires that the provisional driver’s
2 license, or full driver’s license, of any driver
3 under 21 years of age be readily distinguishable
4 from the licenses of drivers who are 21 years of
5 age or older, through the use of special back-
6 ground, marking, profile, or any other features,
7 consistent with any guidelines developed by the
8 Secretary in cooperation with the American As-
9 sociation of Motor Vehicle Administrators; and

10 “(B) employs the Social Security number
11 as a common identifier on every driver’s license
12 so as to facilitate the transfer of traffic records
13 among States.

14 “(4) DRIVER TRAINING PREREQUISITE.—For
15 purposes of this section, a State is eligible for a sup-
16 plemental grant in an amount, subject to subsection
17 (c), not to exceed 5 percent of the amount appor-
18 tioned to such State for fiscal year 1989 under sec-
19 tion 402 of this title if such State is eligible for a
20 basic grant and in addition such State requires that
21 a provisional driver’s license may be issued only to
22 a driver who has satisfactorily completed a State-ac-
23 cepted driver education and training program that
24 meets Department of Transportation guidelines and
25 includes information on the interaction of alcohol

1 and controlled substances and the effect of such
2 interaction on driver performance, and information
3 on the importance of motorcycle helmet use and
4 safety belt use.

5 “(5) REMEDIAL DRIVER EDUCATION.—For pur-
6 poses of this section, a State is eligible for a supple-
7 mental grant for a fiscal year in an amount, subject
8 to subsection (c), not to exceed 5 percent of the
9 amount apportioned to such State for fiscal year
10 1989 under section 402 of this title if such State is
11 eligible for a basic grant and in addition such State
12 requires, at a lower point threshold than for other
13 drivers, remedial driver improvement instruction for
14 drivers under 21 years of age and requires such re-
15 medial instruction for any driver under 21 years of
16 age who is convicted of reckless driving, excessive
17 speeding, driving under the influence of alcohol, or
18 driving while intoxicated.

19 “(6) PROVISIONAL LICENSE REQUIREMENT
20 AFTER LICENSE SUSPENSION OR REVOCATION.—For
21 purposes of this section, a State is eligible for a sup-
22 plemental grant for a fiscal year in an amount, sub-
23 ject to subsection (c), not to exceed 5 percent of the
24 amount apportioned to such State for fiscal year
25 1989 under section 402 of this title if such State is

1 eligible for a basic grant and in addition such State
2 requires that any driver whose driving privilege is
3 restored after license suspension or revocation re-
4 sulting from a traffic safety violation shall for at
5 least 1 year be subject to the following:

6 “(A) The restored license shall be imme-
7 diately suspended, for a period to be determined
8 by the Secretary, upon the driver’s conviction of
9 any moving traffic safety violation, except that
10 the Secretary may by regulation define limited
11 circumstances under which the State may waive
12 this immediate suspension requirement.

13 “(B) A full driver’s license shall be issued
14 only after the driver has held a provisional li-
15 cense for at least 1 year with a clean driving
16 record, as described in subsection (e)(2)(B).

17 “(C) The driver shall be—

18 “(i) deemed to be driving while intoxi-
19 cated if the driver has a blood alcohol con-
20 centration of .02 percent or greater; or

21 “(ii) prohibited from operating a
22 motor vehicle with such a blood alcohol
23 concentration.

24 “(7) RECORD OF SERIOUS CONVICTIONS; HA-
25 BITUAL OR REPEAT OFFENDER SANCTIONS.—For

1 purposes of this section, a State is eligible for a sup-
2 plemental grant for a fiscal year in an amount, sub-
3 ject to subsection (c), not to exceed 5 percent of the
4 amount apportioned to such State for fiscal year
5 1989 under section 402 of this title if such State is
6 eligible for a basic grant and in addition such
7 State—

8 “(A) requires that a notation of any seri-
9 ous traffic safety conviction of a driver be main-
10 tained on the driver’s permanent traffic record
11 for at least ten years after the date of the con-
12 viction; and

13 “(B) provides additional sanctions for any
14 driver who, following conviction of a serious
15 traffic safety violation, is convicted during the
16 next 10 years of one or more subsequent seri-
17 ous traffic safety violations.

18 “(8) OVERSIGHT OF ALCOHOL SALES TO UN-
19 DERAGE DRINKERS.—For purposes of this section, a
20 State is eligible for a supplemental grant for a fiscal
21 year in an amount, subject to subsection (c), not to
22 exceed 5 percent of the amount appropriated to such
23 State for fiscal year 1989 under section 402 of this
24 title if such State is eligible for a basic grant and
25 in addition such State exercises effective oversight of

1 colleges and universities to ensure that colleges and
2 universities do not provide, and do not allow the sell-
3 ing of, alcohol to individuals under 21 years of age.

4 “(g) APPLICABILITY OF CHAPTER 1.—

5 “(1) IN GENERAL.—Except as otherwise pro-
6 vided in this subsection, all provisions of chapter 1
7 of this title that are applicable to National Highway
8 System funds, other than provisions relating to the
9 apportionment formula and provisions limiting the
10 expenditure of such funds to the Federal-aid sys-
11 tems, shall apply to the funds authorized to be ap-
12 propriated to carry out this section.

13 “(2) INCONSISTENT PROVISIONS.—If the Sec-
14 retary determines that a provision of chapter 1 of
15 this title is inconsistent with this section, such provi-
16 sion shall not apply to funds authorized to be appro-
17 priated to carry out this section.

18 “(3) CREDIT FOR STATE AND LOCAL EXPENDI-
19 TURES.—The aggregate of all expenditures made
20 during any fiscal year by a State and its political
21 subdivisions (exclusive of Federal funds) for carrying
22 out the State highway safety program (other than
23 planning and administration) shall be available for
24 the purpose of crediting such State during such fis-
25 cal year for the non-Federal share of the cost of any

1 project under this section (other than one for plan-
2 ning or administration) without regard to whether
3 such expenditures were actually made in connection
4 with such project.

5 “(4) INCREASED FEDERAL SHARE FOR CERTAIN
6 INDIAN TRIBE PROGRAMS.—In the case of a local
7 highway safety program carried out by an Indian
8 tribe, if the Secretary is satisfied that an Indian
9 tribe does not have sufficient funds available to meet
10 the non-Federal share of the cost of such program,
11 the Secretary may increase the Federal share of the
12 cost thereof payable under this title to the extent
13 necessary.

14 “(5) TREATMENT OF TERM ‘STATE HIGHWAY
15 DEPARTMENT’.—In applying provisions of chapter 1
16 in carrying out this section, the term ‘State highway
17 department’ as used in such provisions shall mean
18 the Governor of a State and, in the case of an In-
19 dian tribe program, the Secretary of the Interior.

20 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to carry out this section,
22 \$18,000,000 for each of the fiscal years ending September
23 30, 1994, and September 30, 1995, \$20,000,000 for the
24 fiscal year ending September 30, 1996, and \$22,000,000

1 for each of the fiscal years ending September 30, 1997,
2 and September 30, 1998.”.

3 (b) CONFORMING AMENDMENT.—The analysis of
4 chapter 4 of title 23, United States Code, is amended by
5 inserting immediately after the item relating to section
6 410 the following new item:

“411. Programs for young drivers.”.

7 (c) DEADLINES FOR ISSUANCE OF REGULATIONS.—
8 The Secretary shall issue and publish in the Federal Reg-
9 ister proposed regulations to implement section 411 of
10 title 23, United States Code (as added by this section),
11 not later than 6 months after the date of enactment of
12 this Act. The final regulations for such implementation
13 shall be issued, published in the Federal Register, and
14 transmitted to Congress not later than 12 months after
15 such date of enactment.

16 **SEC. 102. PROGRAM EVALUATION.**

17 (a) EVALUATION BY SECRETARY.—The Secretary
18 shall, under section 403 of title 23, United States Code,
19 conduct an evaluation of the effectiveness of State provi-
20 sional driver’s licensing programs and the grant program
21 authorized by section 411 of title 23, United States Code
22 (as added by section 101 of this Act).

23 (b) REPORT TO CONGRESS.—By January 1, 1997,
24 the Secretary shall transmit a report on the results of the
25 evaluation conducted under subsection (a) and any related

1 research to the Committee on Commerce, Science, and
2 Transportation of the Senate and the Committee on Pub-
3 lic Works and Transportation of the House of Representa-
4 tives. The report shall include any related recommenda-
5 tions by the Secretary for legislative changes.

6 **TITLE II—OLDER DRIVER PROGRAMS**

7 **SEC. 201. OLDER DRIVER SAFETY RESEARCH.**

8 (a) RESEARCH ON PREDICTABILITY OF HIGH RISK
9 DRIVING.—(1) The Secretary shall conduct a program
10 that funds, within budgetary limitations, the research
11 challenges presented in the Transportation Research
12 Board's report entitled "Research and Development Needs
13 for Maintaining the Safety and Mobility of Older Drivers"
14 and the research challenges pertaining to older drivers
15 presented in a report to Congress by the National High-
16 way Traffic Safety Administration entitled "Addressing
17 the Safety Issues Related to Younger and Older Drivers".

18 (2) To the extent technically feasible, the Secretary
19 shall consider the feasibility and further the development
20 of cost efficient, reliable tests capable of predicting in-
21 creased risk of accident involvement or hazardous driving
22 by older high risk drivers.

23 (b) SPECIALIZED TRAINING FOR LICENSE EXAMIN-
24 ERS.—The Secretary shall encourage and conduct re-
25 search and demonstration activities to support the special-

1 ized training of license examiners or other certified exam-
2 iners to increase their knowledge and sensitivity to the
3 transportation needs and physical limitations of older driv-
4 ers, including knowledge of functional disabilities related
5 to driving, and to be cognizant of possible counter-
6 measures to deal with the challenges to safe driving that
7 may be associated with increasing age.

8 (c) COUNSELING PROCEDURES AND CONSULTATION
9 METHODS.—The Secretary shall encourage and conduct
10 research and disseminate information to support and en-
11 courage the development of appropriate counseling proce-
12 dures and consultation methods with relatives, physicians,
13 the traffic safety enforcement and the motor vehicle licens-
14 ing communities, and other concerned parties. Such proce-
15 dures and methods shall include the promotion of vol-
16 untary action by older high risk drivers to restrict or limit
17 their driving when medical or other conditions indicate
18 such action is advisable. The Secretary shall consult exten-
19 sively with the American Association of Retired Persons,
20 the American Association of Motor Vehicle Administra-
21 tors, the American Occupational Therapy Association, the
22 American Automobile Association, the Department of
23 Health and Human Services, the American Public Health
24 Association, and other interested parties in developing

1 educational materials on the interrelationship of the aging
2 process, driver safety, and the driver licensing process.

3 (d) ALTERNATIVE TRANSPORTATION MEANS.—The
4 Secretary shall ensure that the agencies of the Depart-
5 ment of Transportation overseeing the various modes of
6 surface transportation coordinate their policies and pro-
7 grams to ensure that funds authorized under the Inter-
8 modal Surface Transportation Efficiency Act of 1991
9 (Public Law 102–240; 105 Stat. 1914) and implementing
10 Department of Transportation and Related Agencies Ap-
11 propriation Acts take into account the transportation
12 needs of older Americans by promoting alternative trans-
13 portation means whenever practical and feasible.

14 (e) STATE LICENSING PRACTICES.—The Secretary
15 shall encourage State licensing agencies to use restricted
16 licenses instead of canceling a license whenever such ac-
17 tion is appropriate and if the interests of public safety
18 would be served, and to closely monitor the driving per-
19 formance of older drivers with such licenses. The Sec-
20 retary shall encourage States to provide educational mate-
21 rials of benefit to older drivers and concerned family mem-
22 bers and physicians. The Secretary shall promote licensing
23 and relicensing programs in which the applicant appears
24 in person and shall promote the development and use of
25 cost effective screening processes and testing of physio-

1 logical, cognitive, and perception factors as appropriate
2 and necessary. Not less than one model State program
3 shall be evaluated in light of this subsection during each
4 of the fiscal years 1996 through 1998. Of the sums au-
5 thorized under subsection (i), \$250,000 is authorized for
6 each such fiscal year for such evaluation.

7 (f) IMPROVEMENT OF MEDICAL SCREENING.—The
8 Secretary shall conduct research and other activities de-
9 signed to support and encourage the States to establish
10 and maintain medical review or advisory groups to work
11 with State licensing agencies to improve and provide cur-
12 rent information on the screening and licensing of older
13 drivers. The Secretary shall encourage the participation
14 of the public in these groups to ensure fairness and con-
15 cern for the safety and mobility needs of older drivers.

16 (g) INTELLIGENT VEHICLE-HIGHWAY SYSTEMS.—In
17 implementing the Intelligent Vehicle-Highway Systems
18 Act of 1991 (23 U.S.C. 307 note), the Secretary shall en-
19 sure that the National Intelligent Vehicle-Highway Sys-
20 tems Program devotes sufficient attention to the use of
21 intelligent vehicle-highway systems to aid older drivers in
22 safely performing driver functions. Federally-sponsored
23 research, development, and operational testing shall en-
24 sure the advancement of night vision improvement sys-
25 tems, technology to reduce the involvement of older drivers

1 in accidents occurring at intersections, and other tech-
 2 nologies of particular benefit to older drivers.

3 (h) TECHNICAL EVALUATIONS UNDER INTERMODAL
 4 SURFACE TRANSPORTATION EFFICIENCY ACT.—In con-
 5 ducting the technical evaluations required under section
 6 6055 of the Intermodal Surface Transportation Efficiency
 7 Act of 1991 (Public Law 102–240; 105 Stat. 2192), the
 8 Secretary shall ensure that the safety impacts on older
 9 drivers are considered, with special attention being de-
 10 voted to ensuring adequate and effective exchange of infor-
 11 mation between the Department of Transportation and
 12 older drivers or their representatives.

13 (i) AUTHORIZATION OF APPROPRIATIONS.—Of the
 14 funds authorized under section 403 of title 23, United
 15 States Code, \$1,250,000 is authorized for each of the fis-
 16 cal years 1995 through 2000, and \$1,500,000 is author-
 17 ized for each of the fiscal years 2001 through 2005, to
 18 support older driver programs described in subsections
 19 (a), (b), (c), (e), and (f).

20 **TITLE III—HIGH RISK DRIVERS**

21 **SEC. 301. STUDY ON WAYS TO IMPROVE TRAFFIC RECORDS** 22 **OF ALL HIGH RISK DRIVERS.**

23 (a) IN GENERAL.—Within 1 year after the date of
 24 enactment of this Act, the Secretary shall complete a
 25 study to determine whether additional or strengthened

1 Federal activities, authority, or regulatory actions are de-
2 sirable or necessary to improve or strengthen the driver
3 record and control systems of the States to identify high
4 risk drivers more rapidly and ensure prompt intervention
5 in the licensing of high risk drivers. The study, which shall
6 be based in part on analysis obtained from a request for
7 information published in the Federal Register, shall con-
8 sider steps necessary to ensure that State traffic record
9 systems are unambiguous, accurate, current, accessible,
10 complete, and (to the extent useful) uniform among the
11 States.

12 (b) SPECIFIC MATTERS FOR CONSIDERATION.—Such
13 study shall at a minimum consider—

14 (1) whether specific legislative action is nec-
15 essary to improve State traffic record systems;

16 (2) the feasibility and practicality of further en-
17 couraging and establishing a uniform traffic ticket
18 citation and control system;

19 (3) the need for a uniform driver violation point
20 system to be adopted by the States;

21 (4) the need for all the States to participate in
22 the Driver License Reciprocity Program conducted
23 by the American Association of Motor Vehicle Ad-
24 ministrators;

1 (5) ways to encourage the State to cross-ref-
2 erence driver license files and motor vehicle files to
3 facilitate the identification of individuals who may
4 not be in compliance with driver licensing laws; and

5 (6) the feasibility of establishing a national pro-
6 gram that would limit each driver to one driver's li-
7 cense from only one State at any time.

8 (c) EVALUATION OF NATIONAL INFORMATION SYS-
9 TEMS.—As part of the study required by this section, the
10 Secretary shall consider and evaluate the future of the na-
11 tional information systems that support driver licensing.
12 In particular, the Secretary shall examine whether the
13 Commercial Driver's License Information System, the Na-
14 tional Driver Register, and the Driver License Reciprocity
15 program should be more closely linked or continue to exist
16 as separate information systems and which entities are
17 best suited to operate such systems effectively at the least
18 cost. The Secretary shall cooperate with the American As-
19 sociation of Motor Vehicle Administrators in carrying out
20 this evaluation.

21 **SEC. 302. STATE PROGRAMS FOR HIGH RISK DRIVERS.**

22 The Secretary shall encourage and promote State
23 driver evaluation, assistance, or control programs for high
24 risk drivers. These programs may include in-person license
25 reexaminations, driver education or training courses, li-

1 cense restrictions or suspensions, and other actions de-
2 signed to improve the operating performance of high risk
3 drivers.

Passed the Senate November 20 (legislative day, November 2), 1993.

Attest:

Secretary.

S 738 ES——2

S 738 ES——3

S 738 ES——4

S 738 ES——5