

## MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 P.M. on January 31, 2006 in Room 519-S of the Capitol.

All members were present except:

Representative Virginia Beamer- excused

Committee staff present:

Hank Avila, Kansas Legislative Research

Bruce Kinzie, Revisor of Statutes Office

Betty Boaz, Committee Secretary

Conferees appearing before the committee:

Representative Tom Burroughs

Romell Cooks, Regional Admin, National Highway Traffic Safety Admin

Terry Heidner, KDOT, Director, Div. of Planning and Development

Cindy Conner,

Jim Hanni, Executive Vice Pres. of AAA

Michelle Voth

Dr. Howard Rodenberg, Dir of Health, KDHE

Debby Cadwell

Terry Holdren, KS Farm Bureau

Lt. John Eichkorn, KHP

Representative Forrest Knox

Representative Doug Gatewood

Michael Gayoso, Attorney, Law Firm of Meeks, Gayoso and Battitori

Eddy Battitori, Attorney, Law Firm of Meeks, Gayoso and Battitori

Others attending:

See attached list.

Chairman Hayzlett opened the committee meeting and called for bill introductions. Chairman Hayzlett said he would like to introduce a bill concerning licensing and registration of antique military vehicles. Representative Hayzlett made a motion to accept this bill, it was seconded by Representative Peck and the motion carried.

Representative Burgess had a bill he wanted to introduce on fuel permits for out-of-state farm trucks. Representative Burgess made a motion to introduce this bill, it was seconded by Representative Olson and the motion carried.

Representative Long requested introduction on a bill for pre-payment at gas stations. Representative Long made a motion to introduce this bill, it was seconded by Representative Treaster and the motion carried.

Chairman Hayzlett opened the first hearing.

### **HB 2218 - Drivers' Licenses, Age Requirements**

Chairman Hayzlett introduced the first proponent, Representative Tom Burroughs. Representative Burroughs said this bill calls for the enactment of a graduated drivers license. (Attachment #1) According to Representative Burroughs the leading cause of death among teenagers, ages 15-19, isn't drugs or shootings, but car wrecks. He said this bill opposes unrestricted teen driving. Representative Burroughs offered an amendment that will be discussed in sub-committee concerning driving times. He discussed several changes he was proposing.

The next proponent was Romell Cooks, Central Region Regional Administrator with the National Highway Traffic Safety Administration, an agency of the U.S. Department of Transportation. (Attachment #2) According to Ms. Cooks, the goal of her agency is to reduce the annual toll of some 42,000 deaths, 3 million injuries and \$230 billion in societal costs due to motor vehicle crashes in America. In 2004, there were fifteen

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drivers ages 15-17 killed in Kansas and of those 15 drivers killed, 12 were on rural roads and three were on roadways classified as urban. In addition two 14-year olds were killed on rural roads. According to Ms. Cooks the economic loss to the State is quite significant when you calculate the costs for medical expense, emergency services, insurance, property damage, funeral costs, legal services and years of productive life lost. These crashes total more than 16.5 million dollars for the seventeen teenagers.

Chairman Hayzlett recognized the next proponent, Terry Heidner, Director of the Division of Planning and Development for KDOT. (Attachment #3) According to Mr. Heidner, this bill will change the age for obtaining a full unrestricted drivers license from age 16 to 18, with one exception and would change the age of eligibility for a restricted license from 15 to 16 and an instruction permit from 14 to 15. He said KDOT believes that passage of this bill will be a step in the right direction in our efforts to make Kansas safer for everyone.

The next proponent was Cindy Conner, the mother of a 16 year old boy who was killed because he was a passenger in a car being recklessly driven by another 16 year old boy. (Attachment #4) It was her hope that by appearing before the Committee they could see that something really needs to be done.

James R. Hanni, AAA Executive Vice President, Kansas Region and Public Affairs was the next proponent. (Attachment #5) According to Mr. Hanni he represents more than 230,000 members in the state of Kansas and wanted to express support for the enhancements and proposed amendments to the Kansas graduated driver license law, **HB 2218**.

The Chairman recognized Michelle Voth who said she was appearing as a parent of three sons and as a professional who has worked in drug prevention for 16 years. (Attachment #6) Ms. Voth said that 40% of 16 year old drivers involved in deadly single-vehicle crashes in 2003 had one or more teen passengers. Also a teen's risk of dying nearly doubles with the addition of one male passenger. It more than doubles with two or more young men in the car.

Dr. Howard Rodenberg, Director of Division of Health, KDHE, said that crash rates among young drivers age 16 - 19 are higher than those for all other age groups and the crash risk among 16 - 17 year old drivers is almost three times as high as among 18 - 19 year olds. He said it seems fair to believe that those even younger than 16 are at even higher risk. (Attachment #7) According to Dr. Rodenberg the top contributing circumstances for fatalities include inattention, speed, driving under the influence, failure to yield, disregard for road signs and markings, all of which are more prominent in younger drivers. He said while teen drivers, ages 15 - 18, account for only 6.7% of all Kansas registered drivers, they represent 20.1% of all crashes.

Chairman Hayzlett introduced Debbie Cadwell. According to Mrs. Cadwell, their son Matt was killed on March 15, 2001 in a car driven by a 16 year old driver. (Attachment #8) There were three 14 year old passengers. She urged the Committee to do something to save young people from such tragedies.

The Chairman drew the Committee's attention to the written testimony submitted by Safe Kids of Kansas. (Attachment #9)

The Chairman asked if there were any other proponents and Representative Forrest Knox came forward. He said he was not for government interfering in people's lives, but licensing of drivers is a privilege not a right. He is from a rural area. He has a son who is 14 and will soon be driving. He said he supported the bill but had some amendments he would like to have considered. These amendments will be considered in the sub-committee.

Chairman Hayzlett asked if there were any other proponents, none came forward so he called for opponents to **HB 2218**.

Chairman Hayzlett recognized Terry Holdren, representing Kansas Farm Bureau. He said Kansas Farm Bureau opposes the changes suggested in **HB 2218**. According to Mr. Holdren, (Attachment #10) referring to a 2004 KDOT report, the Department found that 90% of teen driving fatalities were caused by driver error, however, only 8 of the 51 fatalities reported were among 15 year olds. Also that the data reflected that far

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fewer crashes and injuries were reported among the 15 year old age category, indicating that younger drivers are not necessarily the most dangerous and most likely to be involved in an accident. Mr. Holdren said that the Kansas Farm Bureau has significant concerns about the increased age requirement for both restricted and non-restricted licenses, that this will impact not only farms and ranches, but general businesses that rely on teens as a labor supply for delivery, and other positions that require the ability to drive.

There being no other opponents the Chairman called for anyone who was Neutral on this bill and Lt. John Eichkorn addressed the Committee. According to Lt. Eichkorn (Attachment # 11) the Patrol is aware that statistics show drivers ages 15 to 19 are more frequently involved in injury and fatal crashes than any other age group. Teens rank highest in crashes attributed to speeding, aggressive and reckless driving, and distractions, such as cell phones and electronic devices. Lt. Eichkorn said all these factors could be minimized with education, experience and maturity.

Because of the complexity of this issue the Chairman formed a sub-committee consisting of Representatives Faber, Long, Menghini, Beamer and George and asked them to work with the other interested parties and report back to the Committee.

The Chairman closed the hearing on **HB 2218**.

Chairman Hayzlett opened hearings on **HB 2633**.

### **HB 2633 - PROVIDING FOR A HARDSHIP DRIVER LICENSE**

Chairman Hayzlett introduced Representative Doug Gatewood who introduced Michael Gayoso, attorney in the Law Firm of Meek, Battitori and Gayoso. According to Mr. Gayoso (Attachment #12) **HB 2633** would provide for the Kansas Department of Revenue to issue a hardship driver's license to individuals whose driver's license has been suspended or revoked. This hardship license would only be issued for the period of time remaining after the initial thirty days of the driver's suspension or revocation has expired. Mr. Gayoso said that without a hardship license many Kansas citizens face the danger of losing their jobs and if they lose their jobs, they may lose their housing and face the reality of placing a strain on their family. He said people who have had their license suspended or revoked will find themselves compelled to unlawfully drive in order to maintain their employment and comply with court orders because they have no other recourse. Mr. Gayoso also pointed out that the State would stand to gain \$2,000,000. for issuing hardship licenses

The next proponent was Edward J. Battitori who said his testimony mirrored that of Michael Gayoso. He said that in rural communities they did not have the advantages of public transportation and if someone lost their license they could also lose their employment, housing and possibly prolong the return of their children to the home because of not maintaining regular visits with their children or otherwise complying with court orders seeking to reintegrate the family. He said he had seen the loss of drivers licenses lead to out and out failure of individuals and families. He urged the Committee's support for **HB 2633**.

The Chairman asked if there were any other proponents. Attorney Billy Rork came forward, he said there were too many situations that could come into play to cause suspension of a drivers license. He also said that people were still going to drive to get to work or the doctor or wherever without a license if they needed to get somewhere. He did not present any written testimony.

There being no other proponents, Chairman Hayzlett called for opponents of **HB 2633**. The Chairman introduced Terry Heidner, Director of the Division of Planning and Development, KDOT. Mr. Heidner said their opposition is based on the consequences of what this bill would do to Kansas highway construction funding. (Attachment #13) According to Mr. Heidner, if the bill were enacted, our state would be out of compliance with Federal requirements outlined in 23 USC 164. When a similar bill was introduced last year, KDOT requested a determination from the National Highway Traffic Safety Administration on whether that bill would put Kansas out of compliance and their response was that it would. As a result of being out of compliance, three percent of the state's core highway construction funds for Interstate Maintenance, National Highway System, and Surface Transportation Program would be transferred to safety programs to address alcohol-impaired driving or hazard elimination projects. He concluded by saying that it is vital that Kansas

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remain in compliance with the federal requirements so that we are able to use the federal construction funds.

The next opponent was Lt. John Eichkorn of the Kansas Highway Patrol. According to Lt. Eichkorn, the Legislature routinely examines the State's laws to ensure that laws serve as a deterrent to criminal activity and that violators are adequately punished. (Attachment #14) He said that **HB 2633** would diminish the sanctions currently in place by returning a violator's driving privileges sooner than current law allows. Lt. Eichkorn said that under **HB 2633** an offender would only be required to serve a fraction of his or her license revocation if it were determined that a hardship existed by keeping them from being allowed to drive. Not only would this weaken current law and lessen the penalty, it may result in additional violations. He concluded by saying that the Patrol supports the drivers license suspension and revocation laws currently in effect and that if anything, current laws need to be strengthened.

Chairman Hayzlett drew the Committee's attention to the written testimony (Attachment #15) submitted by Mothers Against Drunk Driving.

There being no other opponents, the Chairman closed the hearing on **HB 2633**.

When Chairman Hayzlett asked if there was anything else to come before the Committee, Representative Menghini introduced her new intern, Jesyca Shores.

There being no further business the Chairman adjourned the meeting. The next meeting will be at 1:30 p.m., February 1, 2006, in Room 519-S.

# HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 1-31-06

NAME	REPRESENTING
Terry Heidner	KDOT
Ken Gudankauf	KDOT
Romell Cooks	NHTSA
Cindy Connor	
Mark Cadwell	
Debbie Cadwell	
Lauren Gumm	
Sharita Parker	
Amber Lewis	
David Hurten Jr	
JIM HANNI	AAA
Ron Coches	AAA & GBA
Terry Mitchell	KDOR
CAEMEN ALDETT	KDOR
JOHN ECKHORN	KHP
TERRY HOLDREN	KFB
Duane Simpson	KGFA
Marcy Balaz	KDOR
Lee Wright	Farmers Ins.

# HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 1-31-06

NAME	REPRESENTING
CHRIS BORTZ	KDOT
Alan Anderson	KOR, D2EX
<del>JESSICA STUBBS</del>	AAA
<del>Yvonne Brown</del>	KOH
LORI HASKETT	KOH
Michelle Koth	KFP
Pat Lehman	Safe Kids KS.
Tabitha Shyrod	Highland Park H.S.
<del>Jessica Casella</del>	Highland park H.S.
SHAUNA FEARNOW	Highland Park H.S.
Joel Niederhofer	Highland Park High School

# HOUSE TRANSPORTATION COMMITTEE

DATE 1-31-06

NAME	REPRESENTING
<i>Ed</i> Eddie Battieri	PROPOSER H.B. 2633
Michael Gayoso, Jr.	PROPOSER H.B. 2633
Billy Rork	PROPOSER H.B. 2633
Dan Hermes	Alcohol safety action projects
Rep. Forrest Knox	
Breck Reed	Age limit on license (2218)
Harry Bhalita	Age 16 to 18. 5' (2218)
Theresa Ashley	age limit on license (2218)
Toscan Wickett	(2218)
Morgan Pickering	(2218)
Sharelle Henderson	(2218)
Sarah L. Hines	(2218)
Michael Robledo	(2218)
Kevin Hubert	(2218)
Anna Turner	(2218)
Randy Rogers, Sheriff	Kansas Sheriff's Assoc
Deann Williams	KS Motor Carriers Assoc.
Tom Whitaker	KS Motor Carriers Assoc.
Jeff Bottenberg	KS Sto. P's Ass'n
Pat Terich	Cerebral Palsy Research Ed.

TOM BURROUGHS  
 REPRESENTATIVE, THIRTY-THIRD DISTRICT  
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TOPEKA

HOUSE OF  
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
 RANKING DEMOCRAT: FEDERAL AND STATE AFFAIRS  
 MEMBER: ECONOMIC DEVELOPMENT  
 FINANCIAL INSTITUTIONS  
 BOARD OF DIRECTORS: KANSAS INC.  
 MEMBER: LEGISLATIVE POST AUDIT

**Summary of Bill #2218 “Cody’s Law”  
 A bill concerning Graduated Drivers Licenses**

Mr. Chairman and members of the committee, Thank you for this opportunity to brief you on House Bill 2218 Cody’s Law which calls for the enactment of a Graduated Drivers License., the Graduated Drivers License Bill.

On the morning of February 21<sup>st</sup> 2003, sixteen-year-old Cody Gumm lost his life in a car wreck. Cody was the passenger in the car of a young, inexperienced driver whose poor decision making contributed to the accident. Unfortunately instances like this are occurring far too often. The leading cause of death among teenagers, ages 15-19, in the United States isn’t drugs or shootings, but car wrecks. In 2002, 5,933 teenagers died in the U.S. from injuries sustained in car wrecks.

Bill #2218 “Cody’s Law” concerning the adoption of a Graduated Drivers License program will save lives and make the roads of Kansas safer for drivers both our youth and seniors..

This issue is about preserving life and preventing and reducing fatalities among teens. My bill does not oppose teen driving. My bill opposes **unrestricted** teen driving.

**Changes:**

- Section 1: Section one implements a mandatory six-month provisional license policy for drivers seeking their first license regardless of age.
- Section 2: Current age for full licensure is 16. Bill #2218 would push this age to 18. Bill #2218 would also allow a person who has graduated from high school to be fully licensed.
- Bill #2218 would prevent provisional license drivers under the age of 17 from transporting non-sibling minor passengers.
- Section 3: An instructional permit under Bill #2218 could be obtained at the age of 15; currently the age is 14 years.
- Section 5: Current law allows for a farm permit to be issued to those who reside or

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work on a farm. Bill #2218 would strike the wording that allows a farm permit to be issued to those not residing on a farm.

This bill is not a punishment of our teens. It is a preservation of our teens. The true punishment is the punishment endured by grieving parents. Our liberal teen driving laws are taking our teens and taxing our economy. This bill is a reasonable and **responsible** change to an **irresponsible** and **outdated** law. Cody's Law correctly calls for reasonable and responsible restrictions. We must provide our teen-children with protective restrictions. These restrictions will benefit them and us.]

Clearly, we love and value our youth. Obviously Kansans value safe roads. Now the question is, will our policy support these values.

In closing, I submit to you, many parents choose not to allow their children around guns, but give little or no thought to throwing them the keys to a **5,000 bullet**.

Mr. Chairman,

It is my hope that this committee will pass out HB2218 "Cody's Law" favorably for passage.

Respectfully Submitted,

Tom Burroughs

# Surviving Driving

Immaturity and inexperience add up to disaster for many teen drivers. Some 6,000 are killed each year and 300,000 injured. But state laws can reduce the risks.

By Melissa Savage

For teens, the license to drive is the key to freedom. The end of humiliating trips in the family van with mom or dad at the wheel. The end of waiting for a ride. The big step toward adulthood.

For parents, it's another kind of freedom. The end of carpooling and chauffeuring headaches. But it also is sleepless nights waiting for a young driver to come home.

Each year 6,000 don't, and their parents live their worst nightmare: receiving the dreaded phone call telling them that their child has been killed in a crash. For 300,000 more parents each year, it means learning that their young driver has been injured.

Teens are more likely to speed and tailgate and less likely to wear seat belts than older drivers. It's no wonder accident rates for this age group are high. The National Safety Council reports that 20 percent of 16-year-old drivers will be involved in a crash at some point during their first year of driving—the accident rate is the highest during the first month. And 16-year-old drivers are three times more likely to end up in a wreck than older teens.

The big step toward adulthood comes with tremendous responsibility—and the need to make mature choices.

But teens are often ill-equipped to make the split-second decisions that can keep them safe on the road. Inexperience and immaturity behind the wheel is the leading cause of death for teens.

Crashes not only cause serious physical and emotional pain, they are costly. In 2001, car wrecks involving teen drivers cost taxpayers \$42.3 billion for emergency services, medical and rehabilitation costs, productivity losses and property damage, according to the National Highway Traffic Safety Administration.

*Melissa Savage tracks traffic safety issues for NCSL.*

## THE FACTS

**5,933**

The number of teen drivers killed in 2002.

**324,000**

The number of teenagers injured in car accidents that year.

**\$42.3 billion**

The annual cost (emergency services, medical and rehabilitation, and property damage) of car wrecks caused by teen drivers.

**20**

The percentage of 16-year-olds involved in an accident during their first year of driving.

**36**

The number of states, plus the District of Columbia, with graduated driver's licensing laws.

**37**

The number of states, plus D.C., that have nighttime restrictions on teen drivers.

**21**

The number of states, and D.C., that limit the number of young passengers in cars driven by teens.

Once teens gain experience, they are safer and less likely to crash, studies show.

### TIMES HAVE CHANGED

Until the mid-1990s, all it took for most teens to get their license was reaching their 16th birthday, a written exam and a road test. Teens were free to drive anywhere, any time with anyone. But times have changed. Now graduated driver's license laws appear to be sav-

ing young lives.

The Insurance Institute for Highway Safety recommends that states implement a learner's phase that begins at age 16, lasts at least six months and includes 30 to 50 hours of supervised driving. The group recommends an intermediate phase that lasts until age 18 and includes a restriction on driving after 9 or 10 p.m. and no teen passengers in the car. Full licensure would be granted at 18.

Graduated driver's license (GDL) laws—even those that may be considered inadequate—do decrease accident rates for teen drivers. In Florida, fatality and injury accidents among 15- to 17-year-old drivers dropped after the law was adopted.

California saw a 23 percent decline in fatal and at-fault injury accidents for 16-year-olds. Teen passenger deaths decreased by 40 percent after its GDL law went into effect.

### CURBING TEEN DEATHS

Traffic safety experts believe that restricting teen nighttime driving during the critical hours of 9 to 11 p.m. and limiting the number of teen passengers to only one, or ideally to none, are the best ways to curb deaths.

Reduced visibility, glare from oncoming traffic and fatigue make nighttime a challenge for all drivers, but especially for teens. The risk of being killed at night is especially high for beginning drivers—nearly three times higher than during the day for 16-year-olds—according to a study in the Journal of Safety Research. Restrictions that allow teens to drive at night with supervision lower the number of crashes during restricted hours by as much as 60 percent, the journal says.

North Carolina teens must be off the roads from 9 p.m. to 5 a.m. Idaho restricts teen drivers from sunset to sunrise. In South Carolina, teen drivers aren't allowed on the roads from 6 p.m. to 6 a.m.



## CORE ELEMENTS OF GRADUATED DRIVER'S LICENSES

### Stage One: Learner's Permit

Minimum age for a permit is 16. Must hold the permit for a minimum of six months. Parents must certify at least 30 to 50 hours of supervised driving.

### Stage Two: Intermediate

This stage lasts until at least age 18. It includes both a night driving restriction starting at 9 or 10 p.m. and a strict teenage passenger restriction allowing none or no more than one.

### Stage Three: Full Licensure

Source: Insurance Institute for Highway Safety, 2003

of their provisional licenses, unless accompanied by a parent or adult over 25. Teens can drive without supervision if the young passengers are family members, and a parent approves.

A 2003 Illinois law prohibits teens under 18 from driving with more than one passen-

ger under age 20. Exceptions to the law include siblings and other family members. "This is a great bill," says Senator John Cullerton who sponsored it. "There was no organized opposition to it. And once suburban moms heard the statistics, they were supportive."

Although the Illinois bill faced little opposition, one in Maryland did. Sponsored by Delegate Adrienne Mandel, the bill would have prohibited drivers under 18 from transporting any teen passengers during the first six months of their provisional licenses. After that, they could drive with only one teen passenger until they turned 18. The bill was designed to restrict the "usual rolling party of seven, eight, nine teens crammed into a vehicle, and it's easy for police to enforce," says Mandel.

Opponents argued that restricting passengers would result in more teen drivers on the road. Others wanted exemptions for teenage family members to ride as passengers.

Delegate Mandel will introduce the bill again this session because "no GDL law is complete without a passenger restriction."

Traffic experts support the kinds of restrictions in graduated driver's license bills.

"Our objective is not to write more tickets, prohibit teens from driving or get in the way of family mobility," says Chuck Hurley, vice president of the National Safety Council. "We know how we can reduce crashes, injuries and fatalities. We know how we can save families and society money. We know how we can spare families, high schools and communities painful and numbing tragedies. And we should do that."

Nighttime driving restrictions are not meant to be curfews, but rather to encourage supervised driving. "Most states already have curfews in place so teens shouldn't be out anyway," says Ashley Connors, Students Against Destructive Decisions student of the year.

She also believes that these laws encourage teens to make better choices, which can be hard when faced with peer pressure. "If a law is in place, it's easier to say no to risky behavior. The law backs them up," she says.

### LIMITING DISTRACTIONS

Maine and New Jersey recognize that young drivers talking on their cell phones are not focused on the road, so they have outlawed it for drivers under age 21.

Traffic safety advocates expect more states to pass similar laws in the future since studies have shown that new drivers are not able to drive safely and talk on the phone simultaneously.

Teen passengers pose another risk. Just one other teen in the car increases the crash risk by 50 percent, according to the Insurance Institute for Highway Safety. Three or more passengers increase the risk of a wreck by four times more than if the teen is driving alone.

California bans teens transporting anyone under the age of 20 for the first six months



SENATOR  
JOHN CULLERTON  
ILLINOIS



DELEGATE  
ADRIENNE MANDEL  
MARYLAND



Vehicle # 2 rotated clockwise approximately 90 degrees and came to a rest in the middle of the roadway. Vehicle # 3 was struck by debris from the collision of Vehicles # 1 and # 2. The damage to Vehicle # 3 was not reported until 02/26/2003.

Vehicle # 1 sustained numerous impacts on both the left and right side. The initial impact appears to have taken place on the front-right side of the vehicle. This area latter sustained a second significant impact when Vehicle # 1 struck a tree.



There was heavy contact and induced damage to the right side of Vehicle #1. The passenger side A-pillar was displaced and the roof was bent upwards. The dashboard was crushed and pushed into the occupant compartment. The windshield, as well as, all the

**Testimony By Romell Cooks  
National Highway Traffic Safety Administration  
Before The House Transportation Committee  
On Graduated Driver License**

**January 30, 2006**

**Chairman Hayzlett and members of the Transportation Committee,** good afternoon. Thank you for inviting me to testify today. My name is Romell Cooks and I am Central Region Regional Administrator with the National Highway Traffic Safety Administration (NHTSA), an agency of the U.S. Department of Transportation. Our goal at NHTSA is to reduce the annual toll of some 42,000 deaths, 3 million injuries and \$230 billion in societal costs due to motor vehicle crashes in America. It is my pleasure to appear before you.

Every State has a young driver safety problem. Traffic crashes that involve passenger vehicles (including pickups and SUVs) are the number one cause of death for young adults ages 15 to 20. More teens are killed in traffic crashes than by drugs, violence, suicide or AIDS. In 2004, 13.6 percent (7,898) of all the drivers involved in fatal crashes (58,080) were young drivers 15 to 20 years old, and 18 percent (1,986,000) of all the drivers involved in law enforcement reported crashes (10,933,000) were young drivers. However, these drivers account for only 6.4 percent of licensed drivers in the U.S.

In 2004, there were fifteen drivers ages 15-17 killed in Kansas. Of those 15 drivers killed, 12 were on rural roads and three were on roadways classified as urban. In addition there were two 14 year old drivers killed, both of them were on rural roads. Seventeen dead 14-17 year olds may not seem like a large number, but the economic loss to the State is quite significant. When

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you calculate the costs for Medical Expense, Emergency Services, Insurance, Property Damage, Funeral Costs, Legal Services, and Years of Productive Life Lost, for these crashes the total is more than 16.5 million dollars.

Sixteen year-old drivers have a higher fatal crash rate than drivers of any other age. Their fatal crash involvement rate is almost three times that of 17 year olds, five times greater than 18 year olds and about twice that of 85 year old drivers. Let me repeat, young novice drivers, 16 years of age, have a higher fatal crash rate than any other age group.

Why do 16-year-old youngsters crash at a higher rate? Immaturity, inexperience and risky behavior are major contributing factors. Sixteen year old drivers are more likely than drivers of all ages to be involved in crashes where speeding is cited (58 vs. 20 percent), that occur at night (43 vs. 21 percent), or that include 3 or more occupants in the vehicle (43 vs. 25 percent). In addition, 63 percent of all teenage passengers (15–20 year old vehicle occupants) who died in traffic crashes in 2003 were not wearing safety belts.

In rural areas the possibility of dying in a car crash is increased due to the fact that emergency service may not be readily available, because of lower traffic volumes, the time may be greatly increased until someone discovers the crash scene and requests emergency assistance.

In more urban areas, roadways are more crowded than ever. And, most vehicles have accessories that can cause young drivers to be distracted such as CD players, satellite radios and cell phones. Other teenage passengers serve as a distraction for young drivers as well.

In order to combat these distractions and create better young drivers, the agency promotes programs known as Graduated Driver Licensing, or GDL. Evaluations of GDL systems show significant crash reduction benefits. For example, Florida had a 9 percent reduction in crashes,

North Carolina had a 25 percent reduction, Michigan had a 26 percent reduction, and in Canada, Ontario had a 31 percent and Nova Scotia had a 24 percent reduction in crashes for those young drivers passing through their GDL systems. A well designed GDL system could reduce the crashes of young drivers in Kansas.

How does graduated driver licensing work? A GDL system gradually introduces the novice driver to the driving environment, easing restrictions as the young driver demonstrates safe driving skills. Driving is an extremely complex task and learning to drive safely is a prolonged process that takes time and effort—far more than most young novice drivers are receiving today.

In the early 1970's, NHTSA developed the framework of a new driver licensing system that formed the basis of current GDL systems. We recommend a GDL system with three stages—learner's permit, intermediate license and regular license. The components of each of the stages are based on crash statistics, research into understanding teenage behavior and the concepts of safe driving. A model GDL system contains the following features:

- Learner's Permit. The applicant must: pass vision and knowledge tests; have an adult in the vehicle at all times; comply with Zero BAC; require all passengers to use occupant protection devices; complete basic driver education; and receive guided practice by a parent or guardian under varying roadway conditions (e.g., night time, during inclement weather) for a minimum of 50 hours, 10 of which are at night. The applicant must remain violation and crash free for this phase, which should last at least six months.
- Intermediate license. An applicant must: pass an on-road skills test; comply with Zero BAC; require all passengers to use occupant protection devices; comply with a nighttime driving restriction (10 p.m. to 5 a.m.); complete advanced driver education; receive driver



improvement actions for moving violations; and comply with restrictions on the number of passengers in the vehicle for trips that are not school, religious or job related. The applicant must remain violation and crash free for this phase, which should last for at least 12 months.

- Full license. Applicant must: have met stage 1 and 2 requirements; comply with Zero BAC (until age 21); and comply with any other restrictions as determined by the State.

The components described reflect the Graduated Driver License Model Legislation in the Uniform Vehicle Code. We view these program attributes as the optimal requirements. No State has a GDL law with all of the recommended components. However, 44 States including the District of Columbia have three distinct stages in a graduated license system.

A GDL system helps young drivers learn in a safer environment. They benefit from parental involvement in the learning process and learn safe behaviors by progressing through the system. We also believe that participation in the GDL system can help establish better driving habits for the novice driver that will last a lifetime.

In January 2003, the National Safety Council printed a series of research papers in the *Journal Of Safety Research* that confirm that there is a compelling safety and economic case for graduated driver licensing. The results confirm that GDL has resulted in substantial reductions in crash injuries and fatalities for novice drivers.

In the Ontario GDL evaluation, it was estimated that the GDL system provided the Province monetary savings of \$34 million dollars (\$28 million in U.S.) in its first year. These benefits came from the reduced costs associated with the need for law enforcement response, crash investigation, emergency medical services and medical care, lost productivity, physical

## Graduated Driver Licensing Model Testimony

therapy, funeral costs, property damage and various immediate and long-term insurance costs. More importantly, GDLs have spared thousands of families the tragedy of dealing with crash related fatalities and disabling injuries. Graduated driver licensing has reduced the number of motor vehicle crashes involving teenagers everywhere that it has been enacted.

Once again, thank you for inviting me today and for the opportunity to share with you information on the benefits of graduated driver licensing. I'll be happy to answer any questions you may have at this time.

Last Updated: January 2006

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# KANSAS

DEPARTMENT OF TRANSPORTATION  
DEB MILLER, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

## TESTIMONY BEFORE HOUSE TRANSPORTATION COMMITTEE

### REGARDING HOUSE BILL 2218 GRADUATED DRIVERS' LICENSE PROVISIONS

January 31, 2006

Mr. Chairman and Committee Members:

I am Terry Heidner, Director of the Division of Planning and Development. On behalf of the Kansas Department of Transportation (KDOT), I am here to provide testimony in support of the graduated drivers' license bill.

This bill will change the age for obtaining a full unrestricted drivers license from age 16 to 18, with an exception for those under 18 who have already graduated from high school or have a GED. It would also change the age of eligibility for a restricted license from 15 to 16, and for an instruction permit from 14 to 15. The bill would also require that someone who is at least 18, but is applying for their first drivers license, to be issued a restricted license for six months before they would be eligible for a full unrestricted license. There is an exception that would allow 14 year olds who live on a farm to obtain a farm permit allowing them to drive to and from school, any type of farm-related work, or with a licensed adult who is sitting beside the driver.

For the five-year period that ended in 2004, 14 through 17 year old drivers were involved in 60,013 crashes in which 26,050 people were injured and 273 people were killed. In 2004, 14 thru 17 year old drivers accounted for 4.9 percent of all licensed drivers, but were involved in 14 percent of crashes.

As more research and data become available, it is clear that teen-agers often engage in risky behaviors. When those behaviors are combined with driving, there can be tragic results. Young people do not always realize the consequences of their actions and they do not have the experiences to draw from. Requiring our youth to wait longer, and gain more experience before obtaining a full unrestricted drivers license will ensure that they are better prepared for the privilege of driving on Kansas roads. This will help them become better drivers and make the roads safer for them and all motorists.

KDOT believes that passage of this bill will be a step in the right direction in our efforts to make Kansas safer for everyone, young and old, on our roads.

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House Transportation  
Date: 1-31-06  
Attachment # 3

# CODY'S LAW

House Transportation  
Date: 1-31-06  
Attachment # 4

FIRST I'D LIKE TO THANK REPRESENTATIVE BURROUGHS FOR HIS COMMITMENT TO CODY'S LAW AND TO THE COMMITTEE FOR GRANTING US A HEARING TODAY.

WHEN I FIRST BEGAN THE PROCESS OF WORKING ON THIS BILL I MET A DRIVER'S EDUCATION TEACHER THAT TOLD ME HE WOULD SEE HIS PREVIOUS STUDENTS ON THE ROAD DRIVING NOTHING LIKE HE HAD TAUGHT THEM.

AS MUCH AS WE WOULD LIKE TO BELIEVE OUR CHILDREN WOULD NEVER DO ANYTHING THEY AREN'T SUPPOSED TO DO WHEN WE ARE NOT AROUND, THAT JUST ISN'T SO. IT'S TIME THAT PARENTS REALIZE THAT OUR CHILDREN ARE NOT ALWAYS GOING TO WEAR THEIR SEAT BELT, DRIVE THE SPEED LIMIT AT ALL TIMES AND POSSIBLY EVEN DRIVE AFTER THEY HAVE BEEN DRINKING. THIS IS A COLD HARD FACT THAT IS KILLING OUR CHILDREN.

THE QUESTION HAS BEEN ASKED WON'T THIS BILL PUNISH THE GOOD KIDS? MY ANSWER TO THAT QUESTION IS NO, IT WON'T PUNISH THEM IT WILL SAVE THEIR LIVES. DEATH DOES NOT DISCRIMINATE.

I'D LIKE TO SHARE WITH YOU SOME STATISTICS I HAVE FOUND ON TEENAGE DRIVING ACCIDENTS AND DEATHS.

- **TEENAGE DRIVERS HAVE THE HIGHEST DEATH RATES PER MILE DRIVEN AMONG ALL AGE GROUPS, FOLLOWED BY ELDERLY DRIVERS AND YOUNG ADULT MALES.**
- **20% OF 16 YEAR OLDS WERE INVOLVED IN AN ACCIDENT DURING THEIR FIRST YEAR OF DRIVING. THE RISK OF CRASH INVOLVEMENT PER MILE DRIVEN AMONG 16-19 YEAR OLDS IS 4 TIMES HIGHER THAN THE RISK AMONG OLDER DRIVERS.**

RISK IS HIGHEST AT AGE 16, IN FACT THE CRASH RATE PER MILE DRIVEN IS ALMOST 3 TIMES AS HIGH AMONG 16 YR OLDS AS IT IS AMONG 18-19 YEAR OLDS.

- 5,933 TEEN DRIVERS WERE KILLED IN 2002.
- 324,000 TEENAGERS WERE INJURED IN CAR ACCIDENTS IN 2002. TEENAGERS ACCOUNTED FOR 10% OF THE US POPULATION IN 2002 AND 14% OF MOTOR VEHICLE DEATHS. THEY REPRESENTED 16% OF PASSENGER VEHICLE OCCUPANT DEATHS IN 2002.
- MOTOR VEHICLE CRASHES ARE THE NUMBER ONE CAUSE OF DEATH AMONG 16 TO 19 YEAR OLDS.
- 61% OF TEENAGE PASSENGER DEATHS IN 2002 OCCURRED IN WHICH ANOTHER TEENAGER WAS DRIVING. AMONG PEOPLE OF ALL AGES, 20% OF PASSENGER DEATHS OCCURRED WHEN A TEENAGER WAS DRIVING.
- 52% OF TEENAGE MOTOR VEHICLE DEATHS IN 2002 OCCURRED ON FRIDAY, SATURDAY AND SUNDAY.
- ABOUT 2 OUT OF 3 TEENAGERS KILLED IN MOTOR VEHICLE CRASHES IN 2002 WERE MALES.
- THE RATE OF NIGHT TIME CRASHES PER 100 MILLION MILES TRAVELED IN 2001 BY MALE DRIVERS 16-19 YEARS OLD WAS ABOUT 5 TIMES THE RATE FOR 30-54 YEAR OLD MALE DRIVERS.

- ABOUT 40% OF TEENAGERS' FATALITIES OCCUR AT NIGHT, ESPECIALLY WEEKEND NIGHTS, AND FOR 16 YEAR OLDS ALL THESE PROBLEMS ARE HEIGHTENED.
- \$42.3 BILLION IS THE ANNUAL COST OF CAR WRECKS CAUSED BY TEEN DRIVERS. (EMERGENCY SERVICES, MEDICAL AND REHABILITATION AND PROPERTY DAMAGE).

ON FEBRUARY 21, 2003 I LIVED EVERY PARENTS NIGHTMARE WHEN MY 16 YEAR OLD SON CODY BECAME ONE OF THESE STATISTICS.

IT WAS A LITTLE BEFORE 7 A.M. WHEN A CLASSMATE CAME TO PICK CODY UP FOR SCHOOL. I HAD MET THIS KID BRIEFLY AT THE BEGINNING OF THE SCHOOL YEAR, BUT HAD NOT SEEN HIM AGAIN UNTIL HE STARTED GIVING CODY A RIDE TO SCHOOL 2 ½ WEEKS PRIOR TO CODY'S DEATH. ONCE CODY STARTED RIDING WITH HIM, HE SPENT A LOT OF TIME AT MY HOUSE DOING HOME WORK, PLAYING BASKETBALL AND JUST HANGING OUT. NOT ONCE IN THIS TIME PERIOD DID HE EVER SPEED UP THE ROAD IN HIS CAR, REV UP THE ENGINE OR PEEL OUT. SINCE I NEVER WITNESSED ANY OF THIS TYPE OF DRIVING FROM HIM I DIDN'T THINK TWICE ABOUT LETTING CODY RIDE WITH HIM TO AND FROM SCHOOL.

THAT MORNING I LEFT SHORTLY AFTER MY SON TO TAKE MY DAUGHTER TO SCHOOL. UPON LEAVING THE HOUSE MY DAUGHTER AND I HEARD ON THE RADIO THAT THERE HAD BEEN AN ACCIDENT AT 57<sup>TH</sup> AND KAW DRIVE. I LOOKED AT MY DAUGHTER AND SAID "I HOPE THAT ISN'T CODY AND TYLER", SHE SAID "ME TOO." AFTER DROPPING HER OFF I TOOK I-70 TO WORK AND AS I APPROACHED THE 57<sup>TH</sup> STREET EXIT THE TRAFFIC ON THE HIGHWAY STARTED TO GET BACKED UP SO I GOT OFF THE HIGHWAY AT 57<sup>TH</sup> STREET AND THEN REALIZED I COULDN'T GO ANYWHERE SO I GOT BACK ON THE HIGHWAY. UPON MERGING I COULD SEE THE ACCIDENT ON THE FRONTAGE ROAD BELOW THE HIGHWAY AND I CAUGHT A GLIMPSE OF A BLUE CAR IN THE TREES. THE CAR MY SON WAS RIDING IN WAS BLUE. I HAD A GUT FEELING THAT THIS WAS THE CAR MY SON WAS RIDING IN. I REMEMBER HITTING THE STEERING WHEEL, SCREAMING AND CRYING ALL THE WAY TO WORK, "PLEASE GOD DON'T LET THIS BE



MY SON". I DECIDED THAT INSTEAD OF GOING TO MY DESK ON THE 5<sup>TH</sup> FLOOR I WOULD STOP AT THE RECEPTION DESK AND CALL MY SON'S SCHOOL AND VERIFY HE WAS THERE. I REACHED MY BUILDING AND PARKED OUT FRONT WAS A KANSAS STATE TROOPER AND A KANSAS CITY, KANSAS POLICE CAR. I PROCEEDED TO THE RECEPTION AREA, BUT DID NOT SEE ANYONE IN THERE EXCEPT FOR THE RECEPTIONIST, FOR A FLEETING SECOND I THOUGHT MAYBE IT WASN'T THE CAR CODY WAS RIDING IN. HOWEVER, THAT MOMENT WAS OVER AS QUICK AS IT ARRIVED AS THE MINUTE I LOOKED AT THE RECEPTIONIST I KNEW THAT WHAT MY GUT TOLD ME WAS TRUE. I CAN REMEMBER FALLING TO THE GROUND AND KEPT SCREAMING NOT MY SON, NOT MY SON AND IN THE BACKGROUND I CAN HEAR HER SAYING "I DON'T KNOW ANYTHING, I DON'T KNOW ANYTHING." THE NEXT THING I KNOW THERE IS A STATE TROOPER AND A MAN I WORK WITH COMING FROM BEHIND A CLOSED DOOR AND CARRYING ME TO THE OTHER SIDE. THEY LEANED ME UP AGAINST A DOOR JAMB AND THE TROOPER LOOKED AT ME AND SAID "THERE HAS BEEN AN ACCIDENT AND YOUR SON WAS KILLED". I IMMEDIATELY ASKED HOW THE DRIVER WAS AND THE TROOPER SAID HE WAS IN SURGERY. THIS I LATER LEARNED WAS NOT CORRECT AS HE HAD ONLY A FEW CUTS AND SCRAPES.

INITIALLY IT WAS THOUGHT THAT THIS WAS AN ACCIDENT BUT AS THE DETAILS UNFOLDED THIS WAS NOT THE CASE. THE DAY CODY DIED SEVERAL OF HIS FRIENDS CAME UP TO ME AND SAID THEY HAD TOLD CODY THEY DIDN'T LIKE HIM RIDING WITH TYLER BECAUSE HE DROVE RECKLESS. I ALSO HEARD FROM FRIENDS OF OTHER PEOPLE, TYLER HAD RUN THEIR RELATIVE OFF THE ROAD IN THE PAST. WHAT I LEARNED OVER THE NEXT TWO DAYS SHOCKED ME AND HAS LEFT ME WITH SO MUCH GUILT AS JUST THE WEEK BEFORE CODY WAS KILLED HE AND I ARGUED BECAUSE I WOULDN'T LET CODY JUST GO RIDING AROUND WITH

FRIENDS. HE SAID IT WAS BECAUSE I DIDN'T TRUST HIM. I TOLD HIM IT WAS THE KIDS HE WOULD BE RIDING WITH I DIDN'T TRUST. I TOLD HIM WHEN HE IS THE PASSENGER IN A CAR HE HAS NO CONTROL OVER WHAT THE DRIVER WILL DO.

SO WHAT I THOUGHT WAS AN ACCIDENT TURNED OUT TO BE RECKLESS DRIVING. WHAT WE LEARNED FROM WITNESSES IS THAT TYLER GOING EAST ON K-32 WHEN IT WENT FROM A 4 LANE ROAD TO A 2 LANE ROAD WAS PASSING A CAR ON THE SHOULDER AT A HIGH RATE OF SPEED. THE WITNESS STATED HE THEN CUT IN FRONT OF HER AND WENT OUT TO PASS THE CAR IN FRONT OF HER, CROSSING A DOUBLE YELLOW LINE AND HITTING AN ON COMING CAR ALMOST HEAD ON. THE SPEEDOMETER ON THE CAR WAS STUCK AT 74 MILES PER HOUR, THIS IS A 45 MILE PER HOUR ZONE. WITNESSES STATED THE CAR WENT AIRBORN AND STARTED SPINNING AROUND COMING TO REST IN SOME TREES ON THE NORTH SIDE OF THE ROAD. FOR SOME REASON ONLY ONE PERSON OUT OF 5 IN THE CARS WAS WEARING A SEAT BELT AND THAT WAS THE DRIVER OF THE OTHER CAR. HERE IS A GOOD EXAMPLE THAT OUR KIDS DO NOT ALWAYS DO WHAT WE TEACH THEM AS CODY ALWAYS WORE HIS SEAT BELT WHEN WE WERE IN THE CAR TOGETHER. TYLER HAD AN AIRBAG WHICH PROBABLY SAVED HIM FROM SERIOUS INJURY. CODY WAS THROWN TO THE BACK OF THE HATCH WHERE I LEARNED HE SUFFERED FRACTURED LEGS, FRACTURED ARMS AND AN OPEN SKULL FRACTURE TO THE LEFT SIDE OF HIS HEAD.

OF THE STATISTICS I GAVE YOU EARLIER, THERE ARE TWO THAT THIS ACCIDENT MEETS, THE DRIVER OF THE CAR MY SON WAS RIDING IN WAS 16 YEARS OLD AND ONLY HAD HIS LICENSE FOR 6 MONTHS. MY SON WAS KILLED WHEN HE WAS THE PASSENGER OF A CAR DRIVEN BY ANOTHER TEEN.

NOTHING I DO WILL CHANGE WHAT HAPPENED THAT TERRIBLE DAY, BUT MAYBE I CAN DO SOMETHING TO HELP SAVE SOMEONE ELSE'S LIFE.

WITH STATISTICS LIKE THE ONES I HAVE STATED, WE CANNOT KEEP LETTING OUR IMMATURE, INEXPERIENCED 16 YEAR OLDS DRIVE WITHOUT MORE EXPERIENCE BEHIND THE WHEEL. WE PROTECT OUR CHILDREN FROM STRANGERS, DRUGS AND GUNS, SO WHY DON'T WE PROTECT THEM FROM 3,000 POUND VEHICLES. VEHICLES THE AUTO INDUSTRY KEEPS DESIGNING AND BUILDING TO BE FASTER AND FASTER. WE CAN'T AFFORD TO KEEP LOSING OUR CHILDREN TO AUTOMOBILE CRASHES. IT'S TIME WE STAND UP AND SHOW OUR CHILDREN WE CARE BY ADOPTING A GRADUATED LICENSING SYSTEM. THERE ARE CURRENTLY 36 STATES THAT HAVE ADOPTED GRADUATED LICENSING LAWS. 37 STATES ALSO HAVE NIGHT TIME RESTRICTIONS ON TEEN DRIVERS AND 21 STATES THAT LIMIT THE NUMBER OF YOUNG PASSENGERS IN CARS DRIVEN BY TEENS. THESE GRADUATED LICENSING LAWS NOW IN PLACE APPEAR TO BE SAVING YOUNG LIVES.

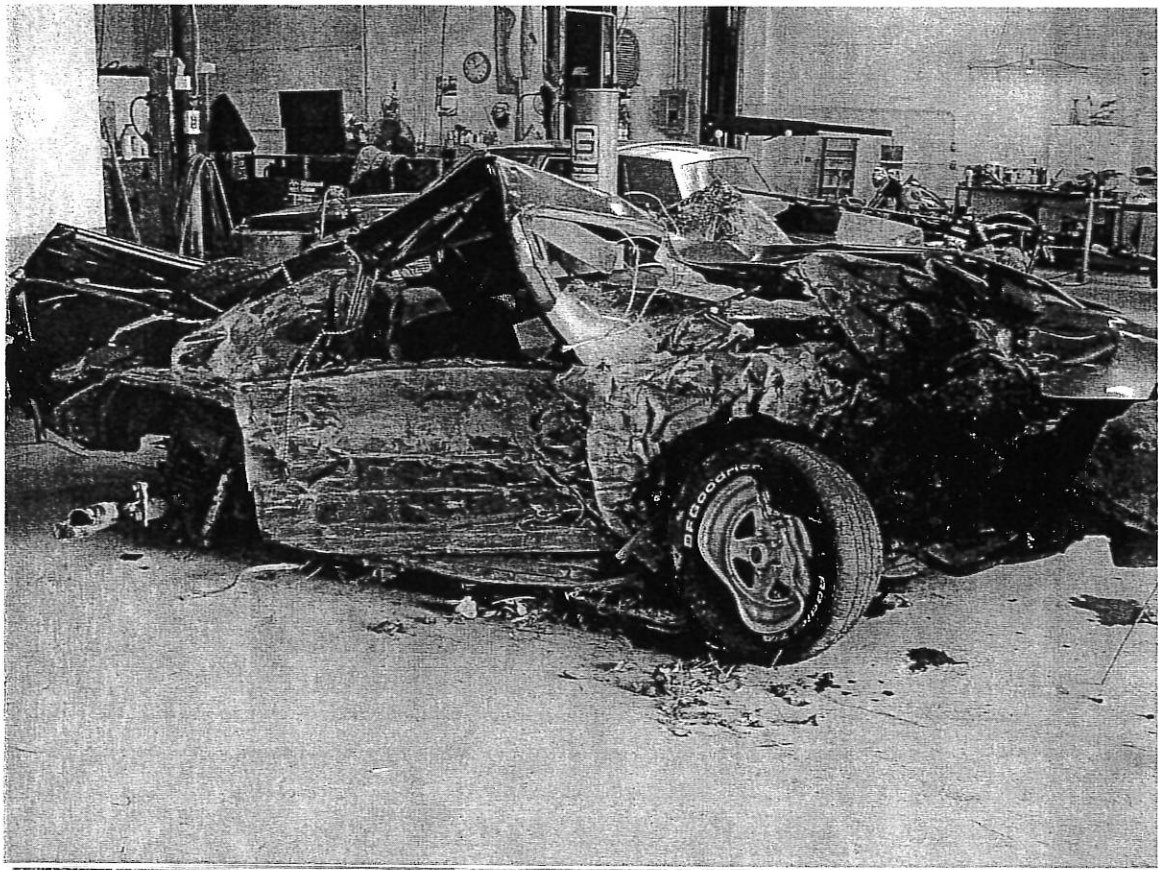
I KNEW FROM THE BEGINNING THAT THIS BILL WOULD BE MET WITH RESISTANCE FROM THE RURAL COMMUNITY, THOUGH I WASN'T EXACTLY SURE WHY. SO, I MET A GENTLEMAN FROM THE RURAL COMMUNITY AND ASKED HIM WHY DOES THE RURAL COMMUNITY OPPOSE THE GRADUATED LICENSING AND I WAS TOLD BECAUSE OF THE INCONVENIENCE. HAVE WE AS PARENTS NO MATTER IF WE LIVE IN THE COUNTRY OR THE CITY BECOME SO LAZY THAT WE WOULD WANT OUR CHILDREN TO RISK THEIR LIVES BECAUSE IT'S CONVENIENT?

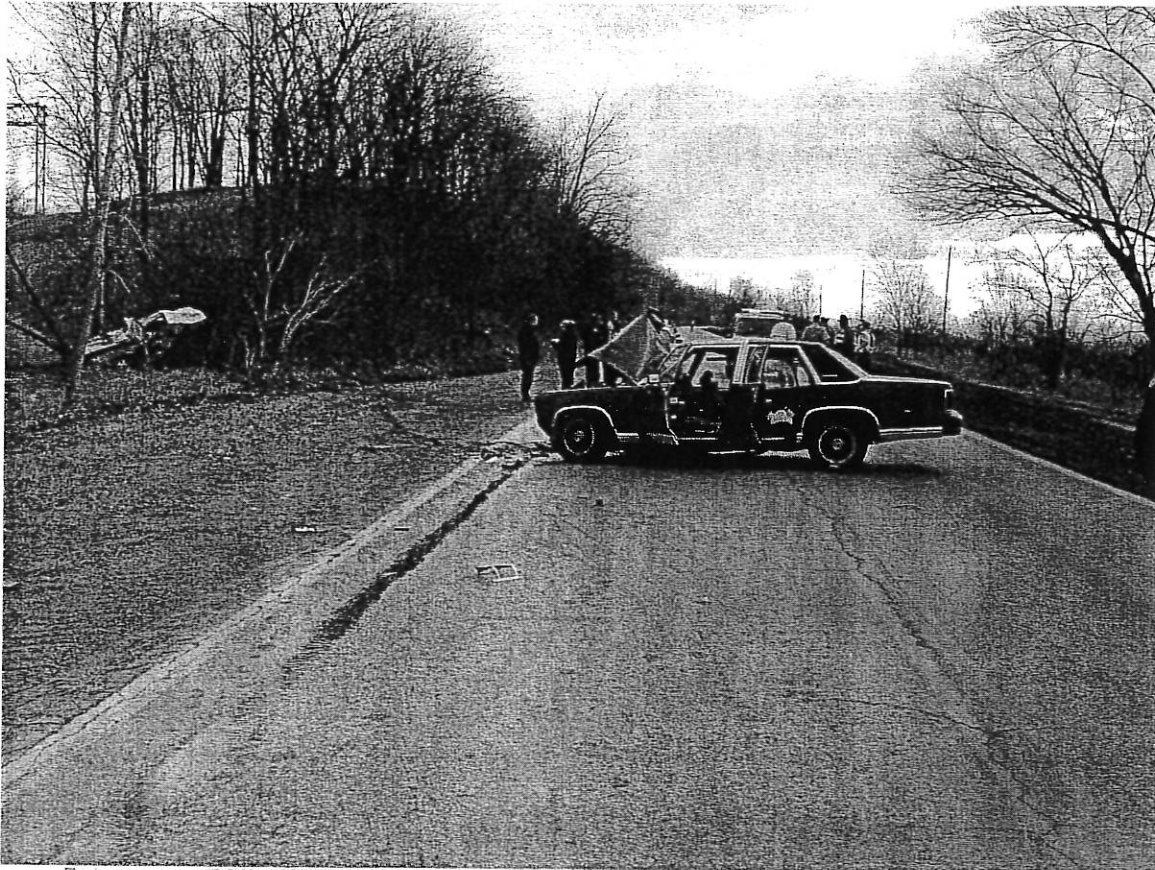
I HOPE BY MY COMING HERE TODAY AND SHARING MY STORY WITH YOU NOT ONLY SHOWS YOU THAT ADOPTING A GRADUATED LICENSING SYSTEM IS SOMETHING THAT DESPERATELY NEEDS TO BE DONE IF WE WANT TO SAVE OUR CHILDREN BUT MAKES YOU ALL THINK ABOUT HOW IMPORTANT YOUR CHILDREN AND YOUR FAMILY ARE TO YOU. WHAT HAPPENED TO MY SON COULD HAPPEN TO ANYONE.

THE QUESTION IS, DOES THE LIVES OF OUR CHILDREN MEAN MORE TO US THAN A LITTLE INCONVENIENCE?

DRIVING RESTRICTIONS MAY NOT BE CONVENIENT FOR PARENTS.....BUT THEY ARE MUCH LESS OF A BURDEN THAN PLANNING A FUNERAL.

THANK YOU





4-12  
w

# Student's death in collision shocks high school

By ROBERT A. CRONKLETON  
The Kansas City Star

Cody S. Gumm had practiced soccer only three times before taking the field in a junior varsity match last fall for Bishop Ward High School.

The 16-year-old junior scored one goal and assisted with two others, and he would have had two more goals if he had understood the rules a little better, recalled Ron Brown, the school's varsity soccer coach.



Gumm

Not bad for a kid who had never played soccer, Brown said.

On his way to school Friday morning, Gumm was killed in a

wreck on Kaw Drive, just east of 57th Street in Kansas City, Kan. He was riding in a Chevrolet Camaro driven by a fellow student, Tyler McDaniel, 16.

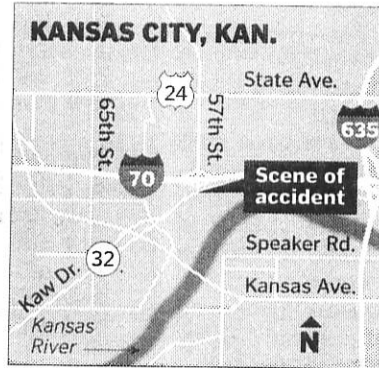
McDaniel's car crashed nearly head-on with a Ford Crown Victoria driven by Eduardo C. Maldonado of Kansas City, Kan.

McDaniel, and two passengers in Maldonado's car were treated at area hospitals and released. Maldonado was unhurt. No one was wearing a seat belt.

The news of Gumm's death shook the students at Bishop Ward in east Kansas City, Kan. Principal Dennis Dorr described Cody as a good student who had a lot of friends.

"Great kid," Dorr said. "Liked by everybody."

Soon after school began, Dorr told students about Gumm's death.



JOHN C. SOPINSKI/The Kansas City Star

Counselors from the Catholic school system went to Bishop Ward.

Classes were held Friday, but Dorr said weekend activities would be canceled. He said the school would be open from 10 to 11:30 a.m. today for a prayer service and as a place for students to meet and

talk about Gumm's death.

"We feel the need to have our kids together with one another so they can comfort one another," Dorr said.

Later in the morning, as students milled about in the halls hugging and crying, the Rev. Brian Klingele said a prayer over the intercom, asking God for comfort.

"We're hurting..." Klingele said. "It really hurts."

The Kansas Highway Patrol was investigating the crash.

Trooper Kris Keberlein said the Camaro was eastbound on Kaw Drive. He said a witness reported that the Camaro passed her by driving on the right shoulder before cutting back into the eastbound lanes.

Another witness, however, told him that the Camaro did not pass another vehicle.

The Camaro crossed the double-

yellow line into the westbound lane and collided with Maldonado's car, Keberlein said. The Camaro landed on an embankment, striking trees.

Keberlein said the Camaro traveled 75 to 100 yards from the point of impact. He said the car did not roll.

There was little or no braking before the crash, he said.

Joey Grimm, a 16-year-old junior at Bishop Ward, stopped at the scene of the crash later Friday to leave flowers.

"He was kind to everyone he met and never judged a book by its cover," Grimm said. "He never let anything get him down, and if he got knocked down, he would get back up again."

*The Star's Mark Wiebe contributed to this report.*

4-14

# Teen guilty of misdemeanor in fatal car crash

By ROBERT A. CRONKLETON  
The Kansas City Star

A Kansas City, Kan., youth was convicted Thursday of vehicular homicide, a misdemeanor, in a fatal crash that killed a fellow high school student last year.

Prosecutors had charged Tyler E. McDaniel, 17, with involuntary manslaughter, a felony, in the death of Cody S. Gumm, 16, of Kansas City, Kan. Prosecutors contended that McDaniel had been speeding and driving recklessly.

Wyandotte County District Judge David Boal said the evidence did not support the felony charge. Instead, he found McDaniel guilty of the lesser charge. Boal also dismissed two charges of aggravated battery for injuries sustained by occu-

pants of another vehicle involved in the wreck on Feb. 21, 2003.

Sentencing was set for 9 a.m. March 2.

Cynthia Connor, Gumm's mother, was upset with the ruling. Prosecutors told her that McDaniel will face only probation.

"I feel that the Wyandotte County justice system failed us today," Connor said outside the courtroom after the ruling. "The judge basically told everyone that it is all right to drive that way and kill somebody."

Fighting back tears, she said the ruling sends the wrong message to young drivers — that they won't face any consequences if they drive recklessly.

Connor said that McDaniel had never shown her any remorse for the death of her son.

## First glance

■ A teenager from Kansas City, Kan., was convicted of a misdemeanor in the death of a fellow student. He had been charged with a felony.

McDaniel's attorney, Roger McLean of Kansas City, Kan., said that while he sympathized with Gumm's parents, it was a mistake to think McDaniel wasn't remorseful.

"That is something he will live with the rest of his life," McLean said. "I understand how they (Gumm's parents) feel. God, who couldn't be full of sympathy for them? But if they think Tyler is not feeling pain, too, they are just

wrong."

McClean said that while McDaniel and his family were hoping for an acquittal, they thought that Boal's ruling was fair.

The wreck occurred on Kaw Drive, just east of 57th Street in Kansas City, Kan. McDaniel, driving a Chevrolet Camaro, was headed to Bishop Ward High School, along with Gumm.

According to testimony at a trial last month, McDaniel was eastbound on Kaw Drive. He was in the right lane, which was ending. McDaniel testified that he sped up because he was taught to never stop at a merge point because of the danger of being rear-ended.

A witness testified that McDaniel passed her by driving on the right shoulder before cutting back into

the eastbound lanes. Another witness said that McDaniel then crossed the double yellow line into the westbound lane and started to pass him.

McDaniel's car crashed nearly head-on with a Ford Crown Victoria in which three persons were riding. The Camaro became airborne and traveled 75 to 100 yards from the point of impact. The car landed on an embankment and struck two trees.

No one in either car was wearing a seat belt.

None of the other people involved in the crash, including McDaniel, was seriously injured.

To reach Robert A. Cronkleton, call (816) 234-5994 or send e-mail to [bcronkleton@kcstar.com](mailto:bcronkleton@kcstar.com).



Sunlight sparkled though the window that Friday morning. Kids wandered into first hour like any other day. But today was different. There was a certain chipper in the atmosphere. Sweetheart activities were planned. Classes were shortened to accommodate an assembly. We were going to play Turner that evening. It was Friday.

The ominous voice that came over the intercom was stuck repeating in my head like a broken record. "Cody Gumm was killed." This is a dream; it has to be some kind of nightmare. But it wasn't a dream, this was reality.

He had a smile that could melt even the coldest heart. That smile is locked in my head. His smile was warm, sincere, caring, youthful and so full of life. And that laugh...

I only knew Cody for about six months. Those mere six months were more special than the 12 years I have known so many other people. After the news came I felt so horrible for his closest friends. I couldn't even imagine what they were going through. I was in so much pain and I wasn't even one of his closer friends. But then the more I thought about it I realized that they were lucky. I began to feel sorry for the people who never got to know Cody. People who knew Cody on any level were lucky to spend the time with him that they did. It's sad that some people never got the chance to know such a genuinely great guy. I just wish I could have gotten to know him better. I thought I had more time...

Through Cody's death I have realized that we are not invincible. Not only this, but you can never know when it is your time to go. I look at this tragedy and I take from it one of life's most important lessons that we so often neglect. Live each day to the fullest, and don't sweat the petty things. I truly believe that Cody did just that. He would turn even the most dreadful situation into a party and he always lit up the room with his witty sense of humor. While it may not seem like it was his time to go, he certainly lived his life the way one should. We should all take this lesson from Cody and don't put off what can be done now. Don't wait to build relationships - start now. Don't hold grudges - apologize and move on.

Sunlight sparkled through the window that Friday morning. That Friday morning that tears poured down like raindrops from the heavens. That Friday morning that became our worst nightmare. That Friday morning that Cody's life was taken so suddenly. That Friday morning that we said goodbye to our friend Cody, and hello to heaven's newest angel. That Friday morning...

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Cody was only 16 years old when he was taken from the world to a better place. A place with no pain, no suffering, no heartache. Someday we will all join Cody once again, but until then we can just close our eyes and remember that fun-loving goofy guy with the heart made of gold. Keep on smiling, Cody.

## Who Supports Graduated Driver Licensing?

- AAA
- Advocates for Highway and Auto Safety
- Allstate Insurance
- American Academy of Family Physicians
- American Association of Motor Vehicle Administrators
- American Automobile Manufacturers Association
- American Coalition for Traffic Safety
- American College of Emergency Physicians
- American Driver and Traffic Safety Education Association
- Beer Institute and its member companies
- Brain Injury Association
- Centers for Disease Control and Prevention
- Century Council
- Distilled Spirits Council of the U.S. and its member companies
- General Federation of Women's Clubs
- Insurance Institute for Highway Safety
- International Association of Chiefs of Police
- Mothers Against Drunk Driving
- National Association of Governors' Highway Safety Representatives
- National Association of Independent Insurers
- National Center on Education in Maternal and Child Health
- National Commission Against Drunk Driving
- National Committee on Uniform Traffic Laws and Ordinances
- National Flight Nurses Association
- National Highway Traffic Safety Administration
- National Safety Council
- National Sheriffs' Association
- National Transportation Safety Board
- Nationwide Insurance
- Police Executive Research Forum
- Students Against Destructive Decisions
- Society of Trauma Nurses
- State Farm Insurance
- USAA Insurance

**TESTIMONY**  
**James R. Hanni,**  
**AAA Executive Vice President, Kansas Region & Public Affairs**  
**January 31, 2006**

Chairman Hayzlett and members of the Committee, my name is Jim Hanni. I am Executive Vice President, Kansas Region and Public Affairs for AAA Allied Group. I represent today more than 230,000 members in the state of Kansas, and I would like to express our support of the enhancements and proposed amendments to the Kansas graduated driver license law into HB 2218.

Since its formation in 1902, AAA has been an advocate for the motorist, as well as for traffic safety.

If you didn't already know that traffic crashes are the No. 1 killer of teen-agers in America and Kansas, you're not alone. In a national survey conducted by AAA, only 22 percent identified traffic crashes as the greatest threat to teens. In fact, traffic crashes account for 40 percent of all deaths among 15-20 year-olds, making traffic crashes the leading cause of death for this age group.

Kansas, although a late adopter, enacted its first graduated driver license in 1999. However today, it is one of the weakest in the nation.

As you consider the merits of HB 2218, which adds passenger restrictions and is being amended to add nighttime driving restrictions, along with raising licensing age minimums, I urge you to consider that *we know much more now* than we did when the graduated driver license law was first passed:

- We know teenagers have the highest crash risk of any age group – about four times higher than for older drivers. In fact:
- The results of a ten-year study, just released by the AAA Foundation for Traffic Safety on January 18, documented for the first time that teen car crash fatalities are not just a teen driver issue. The research quantified that nearly two-thirds of the fatalities in car crashes involving a 15-17 year old driver were SOMEONE OTHER THAN THE TEEN DRIVER.
- Within that same report, from 1995 to 2004 in Kansas, 470 people of all ages were killed in accidents involving a 15-17 year old driver. That's almost one Kansan a week! It's important to emphasize that 278 of those killed...nearly 60%... were someone other than the teen driver! **A copy of the AAA Foundation for Traffic Safety report is attached** to this testimony.
- We know in Kansas teen drivers account for 6.7 percent of all Kansas registered drivers, but 20.1 percent of all car crashes, and 13 percent of all drivers involved in *fatal* crashes.
- We now have concrete medical knowledge that the teen brain is undeveloped at these young ages for judgment and risk-taking, associated with driving decisions.
- We know in a November, 2005 AAA member poll conducted in our magazine, Journeys, that 91 percent of Kansas AAA members responding said they would "favor Kansas upgrading its graduated driver's license law."

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Date: 1-31-06 1  
Attachment # 5

- We know from that same poll, 94 percent responded, “yes,” to the question, “Should restrictions be placed on the number of passengers for new drivers.”
- We know from research conducted by the University of North Carolina on their state, with significant rural area, that also has the provisions of the proposed enhancements in their law that Rep. Burroughs proposes for our law, a lot about the RESULTS from instituting these features and how parents and teens *really* reacted. **A copy of this study is also attached** to this testimony and discussed in detail later in the testimony.
- We also know now that 32 states have BOTH nighttime driving restrictions AND passenger restrictions in their GDL. An additional eleven states have nighttime restrictions only, and one other state has passenger restrictions only. Six states...Arizona, Arkansas, North Dakota, Minnesota, Kentucky and KANSAS are the only states having neither. Neighboring states Colorado and Oklahoma have both passenger restrictions and nighttime driving restrictions and Missouri and Nebraska have only nighttime restrictions in their laws. **A U.S. map of GDL laws is attached.**
- We know now from national research that for 16 year old drivers, the risk of death is 1.39, 1.86 and 2.82 times greater when carrying one, two and three or more passengers, respectively, and for 17 year old drivers, the risk of death is 1.48, 2.58 and 3.07 times greater when carrying one, two and three or more passengers, respectively, compared to no passengers present.
- We know from another study that 16-19 year-old drivers traveling with 2+ peer passengers were 5.22-7.86 times more likely to be involved in a fatal crash than when traveling alone.
- We know from a 47 state study over a ten-year period that curfews for 15-17 year-old drivers were associated with a 28 percent reduction in multiple-vehicle fatal crashes and a 25 percent reduction in single vehicle crashes.
- We know now, among 16 year-olds, that overall nighttime crashes were reduced 47 percent, compared to reduction in daytime crashes in the North Carolina post-GDL implementation study, a net 25 percent reduction attributed to nighttime restrictions. Compared with pre-GDL crashes, 16 year-olds were 43 percent less likely to experience a nighttime crash post-GDL, 20 percent less likely to experience a daytime crash.

We all know the biggest concern on this subject is the perception of hurt placed on rural parents and teens. Maybe most importantly now, we know more about that, too, thanks to the North Carolina study which examined the urban and rural differences in crashes, nighttime restrictions and parent and teen attitudes toward the law a year after it was implemented.

In addition to the significant reductions in nighttime crashes v. daytime crashes, in North Carolina we learned:

- The number of crashes involving 16 year-old drivers decreased by 29 percent. More serious crashes decreased 32 percent and crashes during the curfew period declined by 49 percent. During this same time period, crashes among older drivers over 21 were unchanged.

- Although rural roads are less traveled, the reports says, fatal and serious injury crashes were anywhere from 18-21 percent more likely in the more rural counties. Similarly, KDOT reports 63 percent of all Kansas car crashes occur in urban areas, but 77 percent of all *fatal* crashes occur in rural areas.
- While fatal crashes declined a respectable 24 percent in the most urban counties, they declined 34 percent in the most rural counties. Again, crash rates increased slightly during the same period for drivers older than 21.
- The study also polled parents and teens, and when asked of their experience with the licensing system and its limitations, 77 percent of urban/suburban parents and 67 percent of rural parents highly approved of graduated licensing, and adding those that somewhat approved of GDL, raised BOTH urban and rural approval to 96 percent.
- Eighty-six and eighty three percent, urban and rural, respectively, said the twelve month learner's permit stage one was "about right." About 10 percent of both actually said it was "too short." Forty-four percent of urban parents and Forty-one percent of rural parents "strongly agreed" with the nighttime driving restrictions. About an equal percentage in both urban and rural "agreed" with the restriction.
- 95 percent either found it to be very easy or moderately easy to find time to supervise the teen driver in the first stage, suggesting by "an overwhelming margin parents don't find the additional time required of them by the GDL system to be a particularly large intrusion into a busy schedule." A subsequent focus group study confirmed parents accepted it as "something they should do and, indeed, perhaps enjoy doing," ... "even those who initially were not looking forward to the GDL process."

Mr. Chairman, committee members, we DO KNOW A LOT MORE about the impact of a good graduated driver licensing system on the reduction of injuries, property damage and loss of life on ALL our citizens, not just teens. We make laws for all kinds of reasons that require our citizens to do things they may not want to do, but it's not a matter of protecting one's freedoms, when the decisions and consequences from that freedom and those decisions impact the freedom and lives of everyone else and the quality of life in our state. In the transportation arena alone, all our traffic safety laws, including speed limits, are examples of this.

It is high time to make driving safer for Kansas teens *and all the rest of us around them*, as we encounter them on Kansas roads. AAA supports HB2218 with the amendments made to it and we urge you to recommend it favorably. If enacted, you will courageously have had a hand in saving millions of dollars in property damage, thousands of injuries and hundreds of lives in the years ahead. Thank you.

# The North Carolina Graduated Driver Licensing System:

## Urban - Rural Differences

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February, 2001

## **The North Carolina Graduated Driver Licensing System: Urban - Rural Differences**

As states consider implementing comprehensive graduated driver licensing systems to help reduce the unacceptably high rate of teen driver crashes, injuries and deaths there are relatively few objections. The approach makes good sense to most casual observers as well as to law enforcement officials, public health advocates and injury prevention researchers. However, there is often a concern among legislators representing more rural areas that some of the central elements of GDL may place an undue burden on residents who live outside urban areas.

The critical provision that young beginning drivers must spend an initial period of at least six months driving only with an adult supervisor in the vehicle before they are allowed to drive on their own sometimes causes concern. Depending on the particular configuration of a GDL system, this provision can have the effect of delaying the age at which young persons can begin assisting with family farm work, although it often does not do so. Although exceptions for such driving are often included in GDL systems, the perception may persist that GDL represents a threat to the economic interests of living in more rural areas.

A critical provision of the second stage in the graduated licensing process, which limits young drivers' unsupervised nighttime driving to the early evening hours, also sometimes produces greater concern among legislators representing more rural areas. Finally, provisions that prohibit inexperienced teen drivers from transporting teen passengers or young children until they have amassed several months unsupervised driving experience also produce concern.

There appear to be three main reasons that these restrictions during the initial two phases of a comprehensive GDL system are met with less enthusiasm from rural legislators. In addition to beliefs about the need for young persons to begin driving early in order to contribute economically to families, there is the fact that in rural areas, teens have far fewer alternative modes of transportation than in suburban and urban areas. There is no mass transit, walking or bicycling is rarely feasible, and friends or other alternative drivers may live too far away to provide essential transportation. Hence, in rural areas it is felt that GDL may result in a greater inconvenience for teens and their families than is the case in areas with greater population densities. Either trips have to be foregone completely, or parents and other family members have to continue to transport their children to school, work, and other important activities. Finally, there is a widespread perception that rural roads are safer than those in more urbanized areas. This can give rise to a belief that GDL will force teens in rural areas to endure a more thorough and extensive licensing process that is mainly needed by teens driving in more heavily populated areas with more heavily traveled and more dangerous roads.

This report addresses some of the concerns mentioned above, using data obtained as part of an evaluation of the North Carolina Graduated Driver Licensing System. North Carolina is a largely rural state. Despite having a population of more than 7 million, a substantial proportion of North Carolinians live in small towns and rural areas. According to census data for July, 1999 less than half the population lives in one of the 191 municipalities with 2,500 residents or more. Only six municipalities have a population of 100,000 or more. This affords an ideal opportunity to examine the effects of the NC GDL program in areas that are heavily populated, those that are less so, and those that are quite rural (29 of the states' 100 counties have fewer than 25,000 residents; 14 have fewer than 15,000).

### **The North Carolina Graduated Driver Licensing System**

On December 1, 1997 North Carolina became the second state – following Michigan – to enact a comprehensive Graduated Driver Licensing (GDL) system. The North Carolina GDL program is a three-tier licensing system. The conditions and restrictions for each level are briefly summarized below. The NC system embodies three elements that often cause concern for legislators who represent less populous regions of their states. First, it involves a long initial period (12 months) when only supervised driving is allowed. Second, there is an early nighttime driving restriction that lasts at least until age 16 ½ . Finally the requirement of a completely clean driving record for 6 continuous months at each stage in order to progress to the next level of licensure can delay the age at which unrestricted driving is allowed. There is no explicit passenger restriction although the requirement for all occupants to wear a seat belt limits the number of passengers to 4 in most automobiles and two in pickup trucks. In view of recent research on passenger effects (Chen et al., 2000; Preusser et al., 1998), this is unlikely to produce meaningful safety benefits via a reduction in passenger effects.

#### *Level 1 (Limited Learner permit)*

Minimum age 15

Must have completed Driver Education and passed written, sign and eye tests

Must be supervised by parent, guardian or other approved adult at all times when driving

May only drive between 5 a.m. and 9 p.m. during initial 6 months, any time of day after that

All vehicle occupants must wear seat belts

Number of passengers limited to number of available, working seat belts

Must spend at least 12 months at this level

Final 6 months must be violation-free to advance to Level 2



### *Level 2 (Limited provisional license)*

Minimum age 16

May drive unsupervised between 5 a.m. and 9 p.m.

Must be supervised by parent, guardian or approved adult when driving between 9 p.m. and 5 a.m.

All vehicle occupants must wear seat belts

Number of passengers limited to number of available, working seat belts

Must spend at least 6 months at this level

Final 6 months must be violation-free to advance to Level 3

### *Level 3 (Full provisional license)*

Minimum age 16 ½

All vehicle occupants must wear seat belts

Number of passengers limited to number of available, working seat belts

### **Preliminary Evaluation**

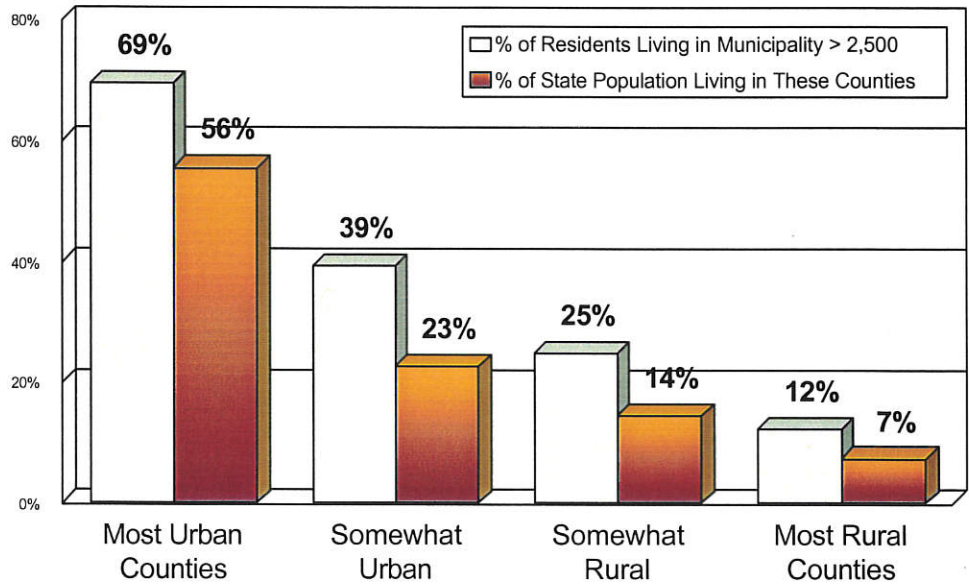
An evaluation of the effects of the NC GDL program on crashes among 16 year-old drivers found dramatic results (Foss, 2000). Adjusting for changes in in population, between 1997 and 1999 the number of crashes involving 16 year-old drivers decreased by 29%. More serious crashes, involving a death or serious injury to the 16 year-old driver, decreased similarly (32%). Finally, in clear response to the nighttime driving restriction, crashes occurring between 9 p.m. and 5 a.m. declined by 49%. During this same period, crashes among older drivers, which would reflect general changes in crashes due to economic factors, greater enforcement efforts or other factors, remained essentially unchanged – crashes increased by 1%, more serious crashes declined by 2%.

### **Urban - Rural differences in the effects of GDL**

The focus of this report is on how the new graduated licensing system affected the crash experience of drivers across the spectrum of driving conditions that are found when moving from more to less urbanized areas. In addition, we will report some findings from a telephone interview survey conducted with nearly 2,000 parents and teens throughout North Carolina to learn their opinions about, and experience with, the graduated licensing system.

To distinguish more and less rural areas, the 100 counties in North Carolina were ranked by the proportion of the county population living in a municipality with 2,500 residents or more. These counties were then grouped into quartiles from most to least urban. We believe this measure captures the 'ruralness' of driving better than simple population, or population density, though these are clearly related. Given that residences outside a municipality will, almost by definition, be geographically dispersed, this measure seems to better reflect whether homes are spread out or more concentrated within a small geographic region than either simple population counts or population density.

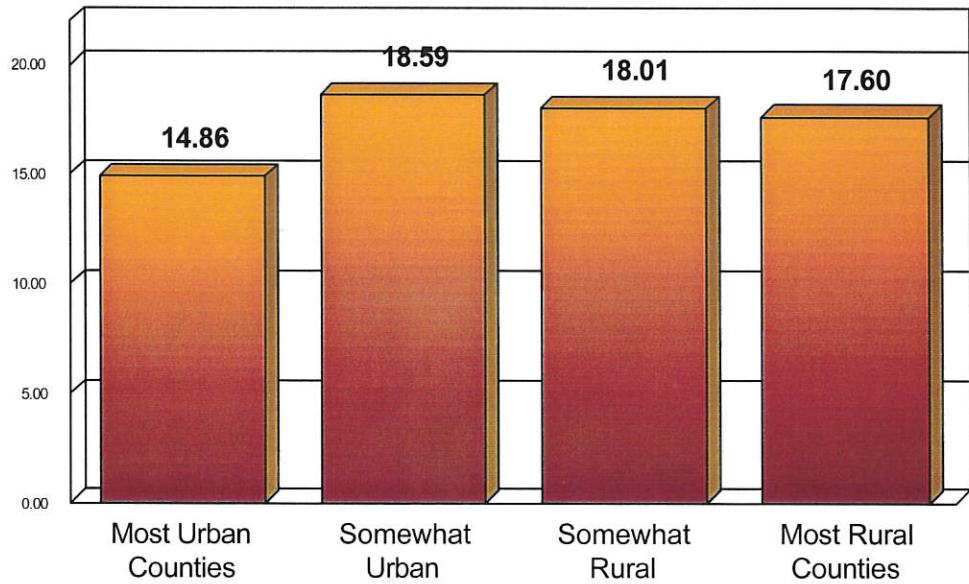
Figure 1 shows both the proportion of the population living in a municipality for each of the four quartiles and the proportion of the state population living in each of the quartiles. Whereas 61% of



**Figure 1** Population distribution in North Carolina counties by degree of urbanization

persons in the most urban counties live in a municipality and, therefore, within relatively close proximity to schools, businesses and one another, only 11% of persons in the most rural quartile live in a municipality. Not surprisingly, a much greater proportion of the state's residents (65%) live in the 25 most urban counties than in the more rural areas.

Figure 2 shows serious crash rates (involving a fatality or incapacitating injury to the driver) per 10,000 residents for each of the county groupings. Although rural roads are less heavily traveled, it is clear that serious crashes are more common in the more rural areas of the state. Fatal and serious injury



**Figure 2** Fatal & serious injury crash rates per 10,000 population by degree of county urbanization, North Carolina - 1999

crashes were anywhere from 18 to 21 percent more likely in the more rural counties than in the most urban counties of North Carolina during 1999. This is an important matter for policy makers to recognize as they debate the possible need for a variety of traffic safety measures, including GDL. A number of studies have documented the greater dangers associated with driving in more rural areas (Baker et al., 1992). There are numerous reasons for the greater rate of more serious crashes in more remote areas. Although the opportunity to collide with another vehicle is less in a rural area, the roads tend to be older, less well-maintained, and less safely designed, travel speeds are generally higher (increasing both the likelihood and seriousness of crashes), lighting is worse at night, emergency rescue services are more widely dispersed and crashes are less likely to be reported immediately after they occur, especially if they involve only one vehicle (which is also more likely in a rural area).

Figure 3 shows the change in crashes for 16 year-old drivers in North Carolina from 1997 to 1999

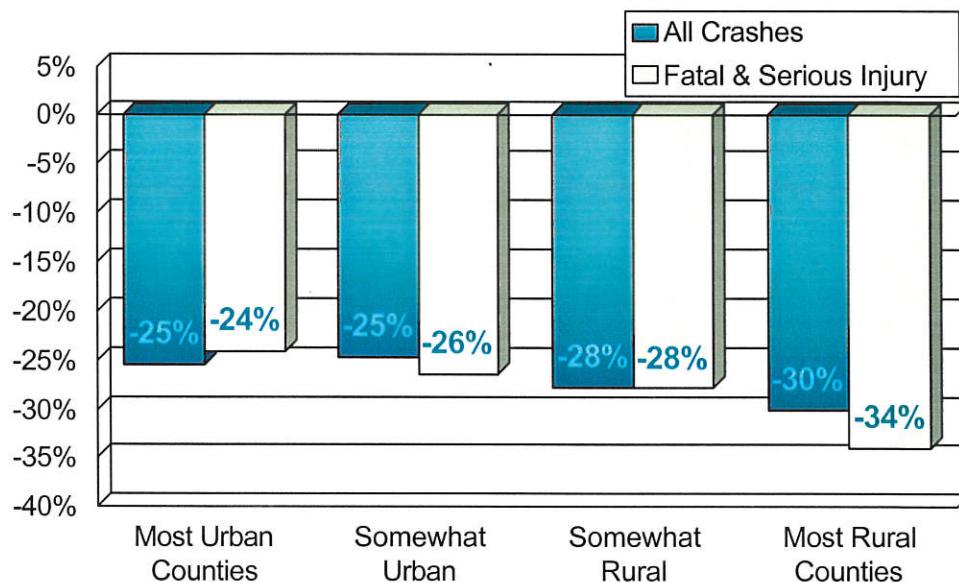


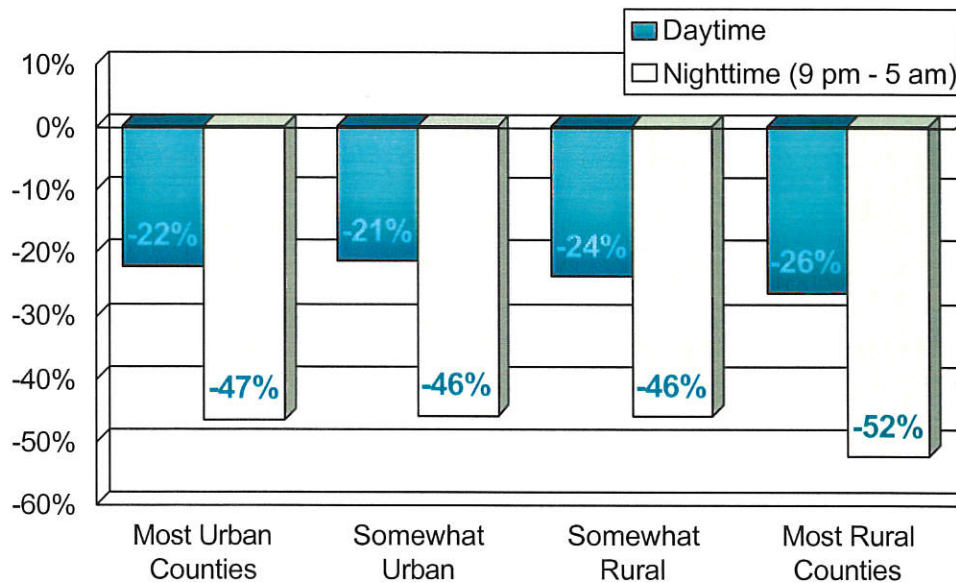
Figure 4 Decrease in 16 year-old driver crashes by severity and degree of urbanization, North Carolina - 1999

for the most to least urban counties. For comparison, crashes declined 29% statewide and serious crashes decreased 32%. It is clear that the overall effects of the NC graduated driver licensing system were quite similar regardless of how urban or rural a county might be. If anything, there were slightly greater safety gains in the most rural counties. Whereas crashes declined by about 25% in the most urban counties, they declined by 30% in the most rural counties; more serious crashes declined by 34% in the more rural counties.

Figure 4 indicates that similar benefits of the nighttime driving restriction were achieved regardless of how urban or rural a county is. Again, if anything, slightly greater benefits were realized in the most rural

counties. The decline in nighttime crashes was about double the decline in daytime crashes across the state. However, whereas nighttime crashes declined by about 46% in most of the state, they declined by 52% in the most rural 25 counties. Comparing changes from 1997 to 1999 for older drivers (21 and above) it is clear that none of the changes reported above are due to general increases in safety or decreases in driving. Regardless of how urban or rural counties were, crash rates increased slightly in for drivers older than 21 while they declined dramatically for 16 year-old drivers.

### Opinions of rural vs. urban residents



**Figure 4** Change in sixteen year-old driver crashes by time of day and degree of urbanization, North Carolina - 1999 vs 1997

During the spring of 1999 we conducted telephone separate interviews with nearly 900 randomly sampled North Carolina teens (ages 15, 16 and 17) and one of their parents to gauge experience with the new licensing system as well as opinions about the new limitations. For the present analysis, results for only those teens (and their parents) who had some experience with the new licensing system are reported. That is, responses were analyzed for only those families where the teen had obtained at least a Level I driving permit. Excluding those who had not yet begun the licensing process leaves a sample of 600 teens and 600 parents.

Parents<sup>1</sup> were asked their opinions about the graduated licensing system as a whole. In addition, they were asked about three specific elements of the GDL system: Whether they thought the initial 12 month supervised driving period was too long, whether they agreed with the 9 p.m. to 5 a.m. driving restriction

<sup>1</sup> Parents included 25 stepparents and 6 grandparents.

for teens in the second level of GDL and whether they approved of the requirement to maintain a clean driving record for six months in order to move to the next level of licensing. For these interviews, individuals were specifically asked whether they lived in an urban, suburban or rural area. For the present analyses, 'urban' and 'suburban' were combined into a single category as there are relatively few truly urban areas in North Carolina. As can be seen in Table 1, there were few differences between parents living in rural and urban/suburban areas. Although overall strong approval of GDL was slightly less in rural areas (67% vs 77%), there were no differences in opinions about the three main elements.<sup>2</sup>

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<sup>2</sup> The slight difference in approval of the night driving restriction is not statistically significant.

**Table 1 Parents' opinions of graduated driver licensing and specific provisions of the North Carolina graduated driver licensing system.**

Question:	Residential Location	
	Urban/Suburban	Rural
<b>Do you approve of graduated licensing? (N = 576)</b>		
Highly approve	77%	67%
Somewhat approve	20	29
Disapprove*	4	4
<b>Is the requirement of 12 months supervised driving too long? (N = 572)</b>		
Too long	6	7
About right	86	83
Too short	9	11
<b>How do you feel about the nighttime driving restriction for the first six months with a Level II driver's license? (N = 570)</b>		
Strongly agree with it	44	41
Agree with it	44	45
Disagree with it*	12	14
<b>How do you feel about the requirement to maintain six months ticket-free driving? (N = 576)</b>		
Strongly agree with it	61	53
Agree with it	36	44
Disagree with it*	3	3

\* Strongly disapprove/strongly disagree were combined with disapprove/disagree; less than 1% expressed strong disapproval/disagreement on any of the four items.

In addition to questions asking directly for opinions about GDL, we also asked parents whose teen was in the first level, requiring their supervision to driver, whether they had difficulty finding time to supervise their son or daughter's driving. Fully 95% found it to be either very easy (44%) or moderately easy (50%) to find time to do this. Although this question does not directly address the issue of needing to continue transporting a child for a longer period of time, it does suggest that by an overwhelming margin parents don't find the additional time required of them by the GDL system to be a particularly large intrusion into a busy schedule. Since this added duty inescapably does increase parents' workload,

we suspect that lack of complaint about the system in general, or its various elements, reflects parents' acceptance that this is something they should do and, indeed, perhaps enjoy doing. Focus group discussions we recently held with parents revealed this sentiment among a number of parents, even those who initially were not looking forward to the GDL process.

Another indication that parents did not feel unduly burdened by their added duties under the GDL system is that those whose teen had progressed completely through level 1 were no less likely to approve of the GDL program than those whose teen was at level 1 and who may have just begun their experience with GDL. This pattern held for both urban/suburban parents and rural parents. Finally, those parents whose teen had progressed to Level 2 and were under the night driving restriction were more likely to strongly agree with it than were parents whose teen had not yet gotten to that stage (46% vs. 38%).

### *Teens*

Teen respondents were asked only two opinion questions: General opinion about GDL and what they thought about the nighttime driving restriction. Table 2 presents the results for urban/suburban and rural teens separately. It is clear that teens have a less positive opinion of GDL and the night driving restriction than parents do. On the other hand it is also apparent that overall, they are favorably disposed to this new licensing program; 80% approve. The difference between teens and their parents is in the degree of approval. Whereas more than 70% of parents highly approve, only about 20% of teens highly approve.

**Table 2 Teens' opinions of the North Carolina graduated driver licensing system and the nighttime driving restriction.**

Question:	Residential Location	
	Urban/Suburban	Rural
<b>Do you approve of graduated licensing? (N = 576)</b>		
Highly approve	19%	22%
Somewhat approve	62	58
Somewhat disapprove	13	15
Highly disapprove	5	4
<b>How do you feel about the nighttime driving restriction for the first six months with a Level II driver's license? (N = 576)</b>		
Strongly agree with it	10	10
Agree with it	46	53
Disagree with it	29	21
Strongly disagree with it	14	14

There is also a slight preponderance of approval for the 6 month night driving restriction among teens, with nearly 60% approving. Finally, it is noteworthy that despite the variety of differences between urban/suburban driving, and life conditions in general, there is no meaningful difference in teens' opinions about GDL or the night restriction. Their responses to GDL in general are almost identical. Those teens living in rural areas appear to be somewhat more favorably disposed to the night driving restriction (63% vs 56%), although this small difference is not statistically meaningful.

### Summary & Conclusions

Although there are clear differences in travel between rural and urban/suburban areas, there do not appear to be many differences in how North Carolinians from these different areas react to the graduated driver licensing system implemented in late 1997. Whether primarily rural or primarily urbanized, counties throughout the state experienced nearly identical declines in 16 year-old driver crashes after the new system had been in effect for about one year. Serious crashes, minor crashes, nighttime crashes and daytime crashes alike all declined similarly among drivers affected by the GDL system. In contrast, crashes increased slightly for drivers age 21 and older, who would not have been affected by the GDL system.



The new system garnered similar reactions from both parents and teens who experienced the effects of the program. Although there is often concern among legislators that families will be inconvenienced by some of the provisions of GDL that are designed to reduce risks to young novice drivers, there is little evidence that any such disruptions were sufficient to provoke negative attitudes toward the system among those persons most likely to be inconvenienced: parents. Moreover, there were virtually no differences in the opinions between urban/suburban and rural residents among either parents or teens. Hence, it appears that the concern that a comprehensive GDL system may result in great inconvenience for rural residents is unfounded. At the same time, it is clear that the crash reductions experienced as a result of GDL benefit rural residents as much, if not more, than those living in more urbanized areas.

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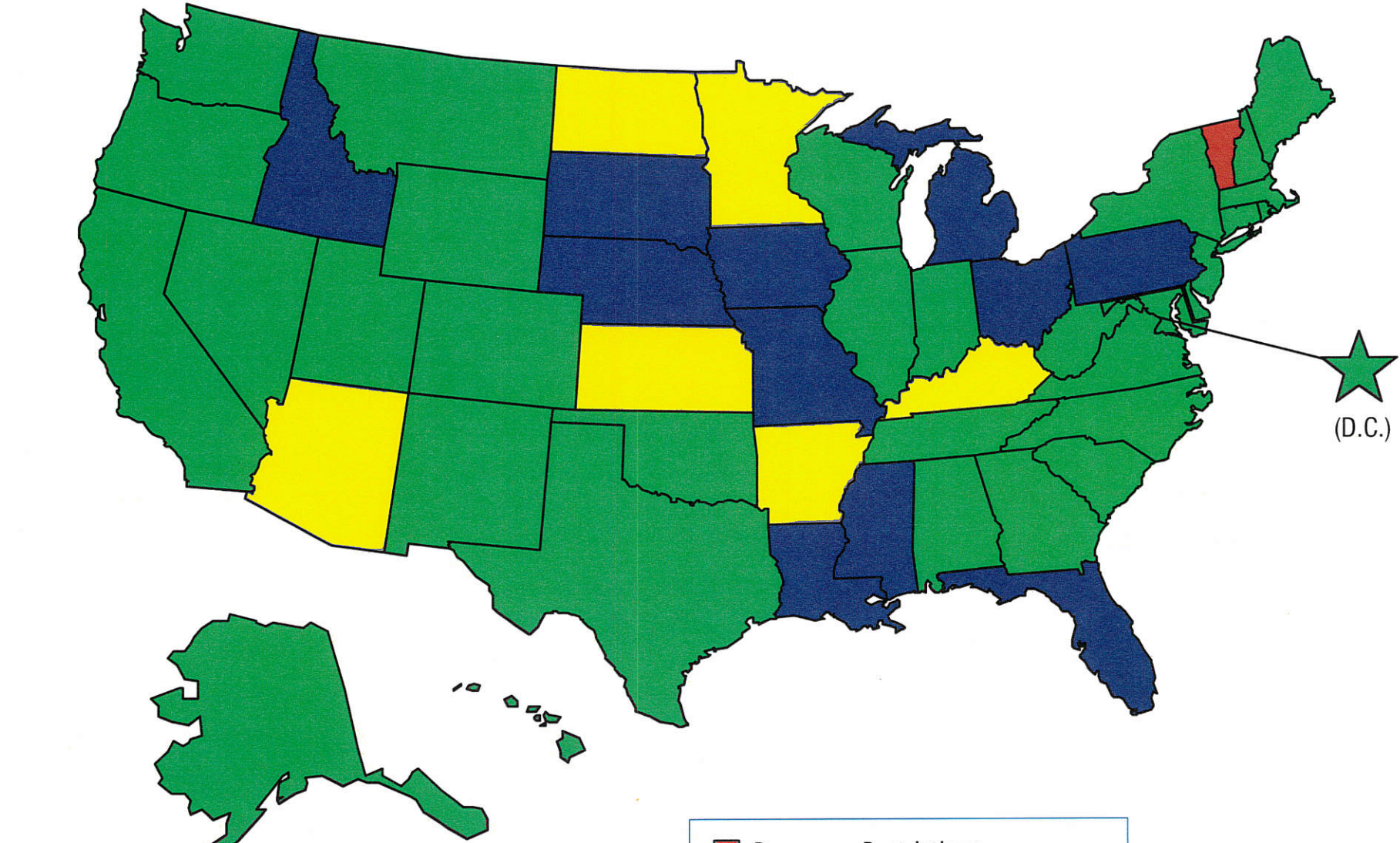
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# GDL Laws in the U.S.

5-16



- Passenger Restrictions
- Night Restrictions
- Passenger & Night Restrictions
- Laws without night and passenger restrictions in the probationary license stage.

State (Study Year)	Data Systems	Results
National Data (1992-1997) <sup>1</sup>	FARS, GES, 1995 NPTS	For drivers age 16, the risk of driver death per 10 million trips was <b>1.39, 1.86 and 2.82 times greater when carrying one, two and three or more passengers</b> , respectively, when compared to no passengers present. For drivers age 17, the <b>risk of driver death per 10 million trips was 1.48, 2.58 and 3.07 times greater when carrying one, two, and three or more passengers</b> , respectively, compared to no passengers present. Increases in number of passengers increased risk of driver death at all times of day, and risk of driver death was increased for males with passengers compared to females with passengers.
National Data (1995) <sup>2</sup>	FARS, NPTS	Compared to having no passenger restrictions in place, implementation of passenger restrictions are estimated to <b>decrease road-user deaths among 16-17 year olds 7-44%</b> . Large estimated range is based upon variables such as proportion of drivers that will ignore the law, or take alternative routes (not go, go with an adult, drive themselves, etc).
San Diego, CA(1997 vs 1999-2000) <sup>3</sup>	California SWITRS	Passenger injuries per licensed 16 year-old driver <b>decreased by 23%</b> after implementation of PRs
National Data(1990-1995) <sup>4</sup>	FARS	<b>16-19 year-old drivers traveling with 2+ peer passengers.were 5.22-7.86 times more likely to be involved in a fatal crash than when traveling alone.</b>
California (1993-1998) <sup>5</sup>	California SWITRS	54% of young drivers age 16-17 years-old involved in an injury crash were carrying passengers at time of crash and more likely to be carrying 2+ passengers than those not involved in crashes. Relative to driving alone, young drivers carrying male passengers were at a higher risk of crash.
Kentucky (1994-1996) <sup>6</sup>	Database including all police-reported accidents in Kentucky during study period.	Passengers were found to have significant effect on young driver crash prevalence. Young drivers have increased propensity for causing single-vehicle crashes when traveling with peers.
Australia (1995-1999) <sup>7</sup>	Literature review, ACT Data Analysis for 1995-1999 and focus groups	Crash Risk of young drivers is elevated further when carrying peers as passengers, but reduced when carrying an adult or child as compared to no passengers. Young male drivers were found to have a higher risk of crash with passengers present than young female drivers. <b>Fatal crash risk was also shown to increase with the presence of 2+ peer passengers. Focus groups showed the presence of young passengers increased risky behaviors among young drivers.</b>

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- <sup>7</sup> Regan MA & Mitsopoulos E. (2001) Understanding passenger influences on driver behaviour: implications for road safety and recommendations for countermeasure development. Monash University Accident Research Centre, Report No. 180

State (Study Year)	Restricted Times	Results
North Carolina (2000 <sup>1</sup> )	9pm-5am	Among 16 year olds, overall night-time crashes were reduced 47%, compared to 22% reduction in daytime crashes ( <b>net 25% reduction attributed to nighttime restrictions</b> ).
North Carolina (2001 <sup>2</sup> )	9pm-5am	Compared with 1996 pre-GDL, 16 year-olds were <b>43% less likely to experience a night-time crash</b> in 1999, 20% less likely to experience a daytime crash.
Florida (2000 <sup>3</sup> )	11pm – 6am	<b>Total crashes among 16 year olds were reduced 17% during nighttime hours</b> and 7% during the daytime.
Michigan (2001 <sup>4</sup> )	Midnight-5am	Overall crash risk for 16 year-olds was reduced by 25% in 1999 compared to 1996. <b>Risk of a night-time crash was 53% lower in 1999 vs. 1996</b> while risk of a crash during daytime hours was 24% lower (net 29% reduction in risk attributed to nighttime restrictions)
PA, NY, MD and LA (1984 <sup>5</sup> )	Varying by locale	Crashes during curfew hours involving 16-year-old drivers <b>dropped 69% in Pennsylvania, 62% in New York, 40% in Maryland, and 25% in Louisiana.</b>
Detroit, Cleveland, and Columbus, were compared to Cincinnati (1990 <sup>6</sup> )	Varying by locale	<b>23% reduction in fatal and non-fatal motor vehicle injuries</b> for 13- to 17-year-olds as passengers, drivers, pedestrians, and bicyclists during the curfew hours.
47 Cities with Curfew, 77 without (1993 <sup>7</sup> )	Varying by locale – fatality/injury rates compared for 9 P.M.- 5:59 A.M	<b>23% reduction in fatal motor-vehicle injuries for 13- to 17-year-olds during curfew hours</b> when they compared cities with and without general curfews.
NJ, PA, Upstate NY, DE and CT (1996 <sup>8</sup> )	Varying by state – comparisons made	States with restrictions on the unsupervised driving of 16-year-old drivers had <b>lower teenage crash rates</b> than did states without such restrictions.
47 States (1996 <sup>9</sup> )	Varying by locale	Studying data from 47 states over a 10-year period, found that <b>curfews for 15- to 17-year-olds were associated with a 28% reduction in multiple-vehicle fatal crashes and a 25% reduction in single-vehicle crashes.</b>

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<sup>5</sup> Preusser, D.F.; Williams, A.F.; Zador, P.L. and Blomberg, R.D. The effect of curfew laws on motor vehicle crashes. *Law and Policy* 1984;6:115-28.

<sup>6</sup> Preusser DF, Williams AF, Lund AK, Zador PL. City curfew ordinances and teenage motor vehicle injury. *Accid Anal Prev* 1990;22(4):391-7.

<sup>7</sup> Preusser, D.F.; Zador, P.L. and Williams, A.F. The effect of city curfew ordinances on teenage motor vehicle fatalities. *Accident Analysis and Prevention* 1993;25:641-45.

<sup>8</sup> Ferguson, S.A.; Leaf, W.A.; Williams, A.F. and Preusser, D.F. Differences in young driver crash involvement in states with varying licensure practices. *Accident Analysis and Prevention* 1996;28:171-80.

<sup>9</sup> Levy, D. T. The effects of driving age, driver education, and curfew laws on traffic fatalities of 15 – 17 year olds. *Risk Analysis* 1988; 8 (4):565– 570.

Testimony on House Bill No. 2218  
January 31, 2005

Michelle Voth

I am here to support House Bill No. 2218, an act related to drivers' licenses that would increase certain age restrictions. I come today as a parent of three sons ages 24, 18 and 14 and as a professional who has worked in drug prevention for 16 years.

Sound state policy should be driven by data and research. I'd like to briefly review areas of data that provide compelling arguments why Kansas must revamp their liberal laws related to teen driving. Consider the following:

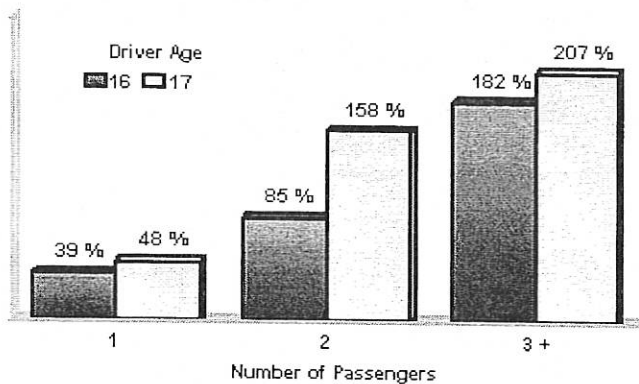
Young Drivers are at Greater Risks for Car Crashes

- Driver error is involved in 77% of fatal crashes involving 16-year-old drivers but in less than 60% of crashes with drivers 20 and older.
- Kansas youth ages 15-19 had the greatest number of accidents than any other age group and the greatest number of injury accidents.
- Teen drivers account for 6.7% of all KS registered drivers but 20.1% of all crashes.
- 13% of all drivers involved in fatal crashes were teen drivers.

Risk Increases with Number of Passengers

- Forty percent of 16-year old drivers involved in deadly single-vehicle crashes in 2003 had one or more teen passengers.
- Teens' risk of dying nearly doubles with the addition of one male passenger. It more than doubles with two or more young men in the car.

**Increased Risk\* of Driver Death by Number of Passengers and Driver Age, U.S., 1992 - 1997**



\* vs. No Passengers

Source: Chen et al., JAMA, 2000.

House Transportation  
Date 1-31-06  
Attachment # 6

## Nighttime Driving

- More than two-thirds of fatal single-vehicle crashes involved nighttime driving and nearly three-fourths of the drivers in those crashes were male.
- Teen drivers are three times as likely as drivers 20 and older to be involved in fatal crashes between 9 p.m. and 6 a.m. and 16 years olds die at night at twice the rate as in the daytime.

## The Young Brain is not Fully Developed

New scientific discoveries as a result of advanced technologies in brain images have put a much different perspective on the understanding of adolescent behavior. Based on the pioneering work of Jay Giedd and colleagues at the National Institute of Mental Health, evidence is accumulating that the brain is not fully formed at puberty as earlier thought. Instead, the brain continues important maturation that is not complete until about age 24.

One of the last areas to mature is the prefrontal cortex. This is the area of the brain responsible for the complex processing of information such as making judgments, controlling impulses, foreseeing consequences, and setting goals.<sup>1</sup> This new information gives additional credence to what car rental and insurance agencies have known for years. Risk declines as age and experience increases.

Kansas' liberal laws related to teen driving are putting our youth at risk. The majority of states have safer laws related to teen driving than Kansas. In fact, 44 states have nighttime restrictions and 35 states have passenger restrictions. House Bill 2218 is a step in the right direction towards giving our youth more experience behind the wheel.

Arguments can be made that this will cause too much inconvenience for parents who depend on their child's ability to drive themselves to school. I challenge you to speak with any of the Kansas parents of the 75 Kansas youth who died in accidents in 2004 or the parents of 5,096 Kansas youth who were injured in the same year. I'll take safety over convenience any day if it will keep my child and my family safer. I hope this Committee will as well.

<sup>1</sup> Ken C. Winters, Ph.D., Department of Psychiatry, University of Minnesota. Article on Adolescent Brain Development, Treatment Research Institute, [www.tresearch.org](http://www.tresearch.org)





# K A N S A S

RODERICK L. BREMBY, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

DEPARTMENT OF HEALTH AND ENVIRONMENT

Testimony on HB2218

To

House Committee on Transportation

By Howard Rodenberg, MD, MPH  
Director, Division of Health

Kansas Department of Health and Environment

Chairman Hayzlett and members of the Committee on Transportation, my name is Dr. Howard Rodenberg. I am the Director of the Division of Health at the Kansas Department of Health and Environment and serve as Kansas State Health Officer. Thank you for the opportunity to appear before you today in support of House Bill 2218, which proposes to strengthen graduated drivers licensing laws in Kansas.

Unintentional injuries kill more young Kansans than any other cause, and motor vehicle crashes result in nearly half of these deaths. In 2002, more than 5,000 teens ages 16 to 19 died of injuries caused by motor vehicle crashes nationally (CDC 2004). Crash rates among young drivers age 16 –19 are higher than those for all other age groups and the crash risk among 16 to 17 year old drivers is almost three times as high as among 18 to 19 year olds (Insurance Institute for Highway Safety). It seems fair to believe that those even younger than 16 are at even higher risk. The top contributing circumstances for fatalities include: inattention, speed, driving under the influence, failure to yield, disregard for road signs and markings, all of which are more prominent in younger drivers.

While teen drivers, ages 15 – 18, account for only 6.7% of all Kansas registered drivers, they represent 20.1% of all crashes. Fifty -one Kansas kids died and 5,993 more were injured as a result of car crashes in our state in 2004 (KDOT). According to KDOT, drivers ages 14 through 19 were involved in 17,978 crashes in 2004 resulting in over 650 million dollars in health care costs.

Graduated driver licensing laws are a prevention strategy highlighted in the United States Centers for Disease Control's *Healthy People 2010* Report, Chapters 15-22. A number of states have responded to the national priority of protecting young drivers by raising their minimum driving ages and this strategy has begun to pay dividends. For example, after Kentucky adopted its Graduated Driver Licensing (GDL) Program for young drivers, 36 fatal crashes and 2600 injury crashes were prevented. There was a 31% reduction in crashes for 16-year-old drivers after the program, and a similar reduction in fatal crashes (31%) and injury crashes (33%). Most remarkably, there was an 83% decrease in crashes for drivers age 16 to 16 ½. Other states show similar results. After passing a graduated drivers licensing law in Michigan the per capita crash rate dropped by 25%,



# K A N S A S

RODERICK L. BREMBY, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

DEPARTMENT OF HEALTH AND ENVIRONMENT

in North Carolina it dropped by 23% and in Ohio it dropped by 60%.<sup>1</sup> And it's worth noting that while these crashes involve teen drivers, people of all ages benefit as crash rates fall. It's not only teens who are within these vehicles, but also children and adults.

Enacting a Graduated Drivers License bill will save lives and reduce injuries not only to Kansas teens, but all Kansans. Thank you again for the opportunity to provide this information to the committee. I will be happy to answer any questions you might have.

<sup>1</sup> Journal of Safety Research 34 (2003) 25 -34 – The evolution and effectiveness of graduated licensing; Herb M Simpson

7-2

# CODY'S LAW

GRADUATED LICENSES

LIMITING PASSENGERS

Our son, Matt Cadwell, was killed on March 15, 2001, in a car driven by a 16 year old driver. There were three 14 year old passengers. This is a culmination of articles and pictures of the car they were riding in as well as other memorabilia that will help you understand the loss families incur at the hands of young drivers. Please review the evidence presented today, not just by us, but by all parties, and please do something to save our young people from such tragedies. We do this in memory of our son, Matt, and Cindy Connor's son, Cody Gumm, for which this law is named.

Thank you for the opportunity to state our case.

Sincerely,

The Cadwells,  
Mark, Debbie, and Samantha

House Transportation  
Date: 1-31-06  
Attachment # 8

# Spring break death toll at six

## Two Shawnee Mission South grads die in South Padre crash

BY LINDA THOMPSON  
SUN STAFF WRITER

The death toll of Johnson County teenagers killed during spring break rose to six early Tuesday morning when two Johnson County Community College freshmen were killed in a car crash in Los Fresnos, Texas.

Alvin Chambers and Kenneth Berry were killed in a one-car crash at about 3:15

a.m. on Highway 100 in Los Fresnos.

Accompanying Chambers and Berry were Scott Thomas See, Jovar King and Leon Terrell Washington, all of Overland Park.

At press time Tuesday, See, King and Washington were hospitalized in Brownsville and Harlingen, and hospital personnel declined to comment on their condition. The Sun learned from a reporter at the *Brownsville Herald* that their

injuries were not thought to be life-threatening.

The Brownsville reporter told The Sun that the five young men had apparently left the Kansas City area Sunday and arrived in the Brownsville area early Monday morning only to learn their hotel room would not be ready until noon.

In the meantime, the group headed to South Padre Island and had called home at about 5 p.m. that Monday to let their fami-

lies know they were fine.

The group reportedly visited several nightclubs, and began driving back to Brownsville at about 3 a.m., taking a route through Los Fresnos.

Police were dispatched to the accident after receiving a 911 call.

According to Los Fresnos police, Chambers, driving a 1992 Pontiac Bonneville, was traveling westbound, and

See TWO SHAWNEE, Page 4



Alvin Chambers  
SM South Class of 2000



Kenneth Berry  
SM South Class of 2000



Grant Gullion  
BV North Class of 2001



Joshua Thurman  
Hocker Grove 8th grader



Kevin Kranker  
Hocker Grove 8th grader



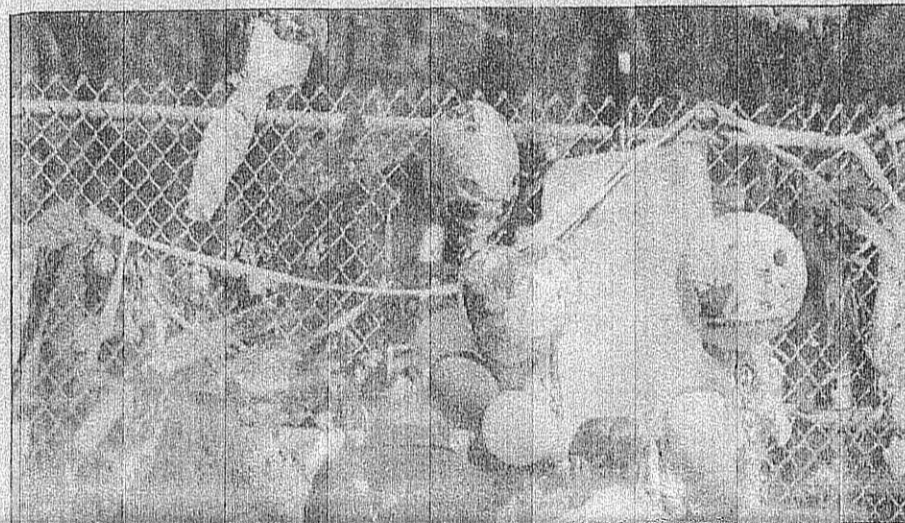
Matthew Cadwell  
Hocker Grove 8th grader

## Funerals held for 3 Hocker Grove students

BY LINDA THOMPSON  
SUN STAFF WRITER

Friends and family members said good-bye for the last time this week as they gathered Monday, Tuesday and today for funeral services for three Hocker Grove Middle School students who were killed in a head-on car crash last Thursday in Harlingen.

On the way to the cemetery Tuesday, the funeral procession for Matthew R. Cadwell



## Crisis team alerted in wake of BV North's loss

BY LINDA THOMPSON  
SUN STAFF WRITER

Crisis management teams will be on hand Monday morning as students at Blue Valley North High School return from spring break and prepare to face the rest of the school

8-2

for crash last Thursday in Shawnee in its way to the cemetery Tuesday, the funeral procession for Matthew R. Cadwell turned right and the circle in front of the school.

Joshua Thurman and Cadwell, both Shawnee, and Kevin L. Kranker, Merriam, were all pronounced dead at the scene of the accident, which occurred at about 5:40 p.m. near the intersection of Johnson Drive and Stearns.

At press time Tuesday, David Thurman, driver of the car in which the three 14-year-olds were killed, was listed in critical condition in neurosurgical intensive care at St. Luke's Hospital in Kansas City, Mo. Funeral services for Kranker were held Monday at the Amos Family Chapel in Shawnee with burial at Pleasant View Cemetery in Shawnee.

Kranker, the son of Kenneth and Cindy Kranker, had played soccer, enjoyed fishing.

**See FUNERALS HELD, Page 4**



Three girls mourned the deaths of three Hocker Grove Middle School students at a memorial in front of the school Tuesday.

BOB JOHNSON/THE SUN

Monday morning to students at Blue Valley North High School return from spring break and prepare to face the rest of the school year without one of their classmates.

Blue Valley North senior Grant Tyler Gullion, who was in Puerto Vallarta for spring break, fell to his death from a hotel balcony at about 9:30 p.m. Saturday evening.

Gullion, 18, was there with his parents and a group of Blue Valley North students and their families who were staying at La Jolla De Mismaloya resort hotel.

Gullion, who was sharing a room with three of his friends, fell to his death after he was apparently locked out of his eighth-floor hotel room and attempted to gain entry by entering an open hotel room and climbing over the walls that separated the room balconies.

Sue Denney, executive director for student services in the Blue Valley School

**See CRISIS TEAM, Page 4**

8-3

## Funerals held for 3 Hocker Grove students

**Continued from Page 1**

ing with his grandfather and liked music, model cars and NASCAR.

Services for Cadwell were Tuesday morning at Amos Family Chapel of Shawnee with burial in Johnson County Memorial Gardens.

He was a straight A student and had played with the Strike Force premier soccer team and the Attack premier soccer team. He is the son of Mark and Debbie Cadwell.

Funeral services for Joshua Thurman will be at 11 a.m. today at Overland Park Christian Church with burial in Shawnee Mission Memory Gardens.

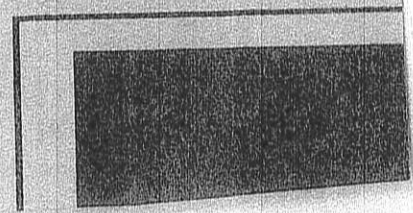
He enjoyed football and wrestling and was an active member of the Shawnee Soccer Club and played baseball on the 3 & 2 League. He is the son of Michelle and David Thurman.

According to police, the accident occurred when David Thurman, eastbound on Johnson Drive in a white 1995 Acura, was reportedly racing another car when he lost control of the car and veered into the westbound lane and crashed into a 1995 Eagle Vision, driven by Dale Rensvold, 36, Lenexa.

Police said Rensvold was treated and released at Shawnee Mission Medical Center for minor head wounds.

Police said the driver of the car that had been reportedly racing with David Thurman came into the police station Thursday night and gave a voluntary statement to police. Police would not elaborate on the nature of the driver's statement.

Police said they would continue to investigate the accident and said reports would be turned over to the Johnson County District Attorney's office for review.



### MATTHEW ROBERT CADWELL



Matt Cadwell, 14, of Shawnee, KS, passed away Thursday, March 15, 2001, in Shawnee. Funeral services will be 11 a.m. Tuesday, March 20, at the Amos Family Chapel of

Shawnee, with burial in Johnson County Memorial Gardens. Visitation will be 6-8 p.m. Monday, at the chapel.

Matt was born in Merriam, KS. He was an eighth grader and straight A student at Hocker Grove Middle School. Matt was an accomplished soccer player, having played with the Strike Force premier soccer team, coached by Matt Ireland, the Comets soccer team, coached by John Swainston and the Attack premier soccer team, coached by Attack player, Fatai Ayode. Matt was an avid sports fan who loved fishing and cars. His warm glowing smile and fair attitude made him a friend to everyone he met. He is survived by his parents, Mark and Debbie Cadwell and his sister, Samantha Cadwell, all of the home; his maternal grandmother, Fern Etiopia; paternal grandparents, Shirley and Harry Richeson; his uncle, Jim Davidson and his wife, Ann and cousins, Rachel and David Davidson; his aunt and uncle, Sherry and Terry Reynolds and cousins, Scott, Petrina and Christopher, and aunt, Jamie Cadwell; and his best friend, Cory Gearin. Matt, we love you and you will live in our hearts forever. (Arrangements: Amos Family Chapel of Shawnee (913) 631-5566)

### MATTHEW ROBERT CADWELL

Matt Cadwell, 14, of Shawnee, KS, passed away Thursday, March 15, 2001, in Shawnee. Funeral services will be 11 a.m. Tuesday, March 20, at the Amos Family Chapel of Shawnee, with burial in Shawnee Mission Memory Gardens. Visitation will be 6-8 p.m. Monday, at the chapel. (Arrangements: Amos Family Chapel of Shawnee (913) 631-5566)

# Car wrecks leading cause of death in young people

BY LINDA THOMPSON

SUN STAFF WRITER

In less than a week, five Johnson County youths have lost their lives in traffic accidents.

As school budgets have been slashed, driver's education is no longer a part of the regular curriculum in most school districts, meaning that fewer student drivers have the advantage of professional driving instruction.

Fred Elliott, owner of Behind the Wheel Driver Education Inc. in Shawnee Mission, said it was important that students had proper instruction in driving techniques.

Elliott, who is a former driver's education teacher at Shawnee Mission East, said 25 to 30 students were enrolled in his school each month for 16 hours of classroom work and six behind-the-wheel hours.

Elliott said he stressed defensive driving and told his students not to trust anyone. He also tries to expose student drivers to situations they might not normally encounter.

It's important to plant the seed and lay the foundation, he said.

Elliott said the biggest problem with student drivers is the lack of experience and

decision making.

"It's driver error," he said, adding that a car does not do things on its own.

Statistics indicate that traffic accidents are the leading cause of death for people from birth to age 34, said Lt. Sam Mills of the Kansas Highway Patrol.

Mills said parents should take a role in their children's lives and make sure they are responsible drivers before they get behind the wheel. "Make sure they are able to make good decisions before they get a car," he said, and the best way to do that is set a good example.

Mills said children's attitudes about driving are formed by the age of 9.

Elliott said much of his time is spent correcting the habits that children have already learned before they ever get behind the wheel.

Nationwide, young drivers between the ages of 15 and 20 years old were involved in 8,175 or 15 percent of fatal crashes in 1999, according to figures from the National Highway Traffic Safety Administration.

For that same year, there were 537 traffic fatalities reported in Kansas, up 9 percent from the previous year. Of that 537, 134 were speed-related.

Figures for the number that involved teen-age drivers were not available.

While young people age 15 to 20 make up 6.7 percent of the total driving population, 14 percent of them are involved in all fatal crashes, and in 1997, nearly 25 percent died in speed-related crashes.

An astounding 65 percent of teen passenger deaths occur when another teen-ager is driving, and two out of three teen-agers killed in motor vehicle crashes are males, according to the National Highway Traffic Safety Administration.

The most common factors that contribute to poor driving performance by young people are inexperience, risk taking behavior and immaturity and greater exposure to risk.

To promote safe driving practices among young people, parents in Marietta, Ga., have formed a Cobb County Teen Driver Awareness Committee that requires students and their parents to enter into a contract that contains certain stipulations that a teen and parent must jointly agree on for the responsibility of driving with the understanding that driving privileges will be expanded as driving skill level increases.

8-4  
June 22, 2001 The Sun Newspapers

# Excessive speed one cause of March crash

BY LINDA THOMPSON

SUN STAFF WRITER

Insufficient tire tread and excessive speed were two of the causes of the March 15 car crash that ultimately claimed the lives of four area teen-agers, according to a report released Wednesday by the Shawnee Police Department.

Three 14-year-old Hocker Grove Middle School students, Joshua Thurman and Matthew R. Cadwell, Shawnee, and Kevin L. Kranker, Merriam, were pronounced dead at the scene when the car they were riding in crossed the center line on Johnson Drive and was struck by another vehicle.

The driver of the car, Joshua Thurman's brother, David Thurman, 16, suffered extensive brain trauma and died eight days later at St. Luke's Hospital, Kansas City, Mo.

Lt. Larry Larimore of the Shawnee Police Department said the investigation determined that Thurman was driving too fast for existing conditions and had made an improper lane change. Larimore said the rain-saturated roadway also contributed to the accident.

The accident occurred at about 5:40 p.m. near the intersection of Johnson Drive and Stearns, when David Thurman, eastbound on Johnson Drive in a

white 1995 Acura, was reported racing with another car which lost control of the car he was driving, veered into the westbound lane, and was struck in the passenger side by a 1995 Ford Vision, driven by Dale Rensvold, 36, Lenexa.

Rensvold was treated and released at Shawnee Mission Medical Center for minor wounds.

Shawnee Police Capt. Morgan said the investigation took more than 90 days to complete because the Kansas Highway Patrol was called to reconstruct the scene, and is only one patrolman in the Kansas City area qualified to perform the reconstruction. "We to take our turn in line," he said.

Morgan said the Lenexa Police Department, which has a special forensic computer mapping system, also assisted in the investigation.

Morgan said the Johnson County District Attorney's office reviewed the accident report and elected not to file any charges in connection with the accident. He said the report would also be reviewed by the Shawnee County prosecutor, but he did not anticipate any charges being filed.


To contact Linda Thompson, call 381-1010, ext. 3098, or e-mail to lthompson@sunnewspapers.com.











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May 1, 2001

May 1, 2001

**Bald Tires Contributed To Fatal Crash, Investigators Say**

[Email story to a friend](#)

MERRIAM, KS -- Investigators on Monday blamed a deadly crash in March on more than speeding alone. They said bald tires combined with roads slick from rain likely also contributed to the wreck.

The accident on Johnson Drive killed four teen-agers. David Thurman was driving. He died a few days after the wreck. His younger brother, Joshua, and two friends, Matthew Cadwell and Kevin Kranker, all died instantly.

Police at the scene of the crash on March 15 initially blamed thrill-seeking. There also were allegations of drag racing. Investigators completed testing on the tires Monday, and said the tire tread was "extremely low" -- something that was most likely a "strong contributor" to the crash.

Highway Patrol crews still were trying Monday to determine exactly how fast the boys were driving. Immediately after that crash, a lot of residents in the area complained that the stretch of road had long been a favorite spot for drag racing.

KCTV5's Dana Wright spoke with officers Monday who told her it was really not a problem. They also said that they stepped up patrol following the wreck, and that since then, it really hadn't been an issue.

As for your car, you always hear about the penny test. Stick a penny in your tire tread. If you can see the top of Lincoln's head, you need new tires.

28

# Families mark a sad anniversary



KEVIN ANDERSON/The Kansas City Star

Parents must keep up with their teen-agers' activities to keep the teen-agers safe, said Debbie Cadwell. Her son, Matt Cadwell, whose picture is in the frame at right, died in a car crash. Matt, 14, was survived by his father, Mark Cadwell, and a sister, Samantha Cadwell. Matt's best friend was Cory Gearin (far left).

## Young victims' parents urge vigilance

By DIANE CARROLL  
The Kansas City Star

Debbie Cadwell was lying in a hospital bed recovering from surgery when she last saw her 14-year-old son, Matt.

Before he left, she asked him to come over and kiss her goodbye.

"Now you be careful," she said.

That memory and thousands of others clashed in Cadwell's mind as she and her family on Friday marked the first anniversary of Matt Cadwell's death.

Matt and three other teen-age boys died as spring break was about to begin, in a car crash in front of Hocker Grove Middle School in Shawnee. The Cadwells asked to speak publicly this year in



David



Joshua

the hope it might spare some other family their pain.

"I just want people to step back and take a look at what they are doing with their kids," Debbie Cadwell said.

She suggested they ask themselves these questions:

Has their teen had enough time behind the wheel to be safe on the road? Does their teen wear a seat

belt? Is the car their teen is driving in good working order? Do they know who their teen is with?

Parents "need to know what's going on," Cadwell said.

In the wreck that took Matt, Michele Thurman lost her only children, David Thurman, 16, and Joshua Thurman, 14. The Kranker family lost 14-year-old Kevin Kranker.

The four teens had been out for Chinese food. David was driving them home on rain-slick Johnson Drive when he lost control at 5:40 p.m. His eastbound Acura Integra veered across the center line and slammed into a westbound Eagle. The driver of that car was treated

See DRIVERS, B-8

## DRIVERS. PARENTS urge caution

Continued from B-1

for minor injuries.

The three 14-year-olds died in front of the school they attended. Matt and Kevin were ejected. David, a Shawnee Mission North High School student, died a week later.

"It didn't appear any of them was wearing a seat belt," Shawnee Police Capt. Larry Larimore said Friday.

Speed and insufficient tire tread contributed to the wreck, police said. Another car was traveling with David's car, Larimore said, but police could not confirm initial reports of drag racing.

A spokeswoman for the Kranker family said they, too, want to urge parents to teach their children that driving is a privilege, that seat belts are important and that anything that can happen to anybody. Beyond that, they asked for privacy.

Michele Thurman said she still had trouble sleeping.

"I wish I could change everything, but I can't," she said. "If I knew then what I know now. But it's late, it's too late."

Thurman said she strongly supports a nationwide move toward restricted licenses for 16-year-olds and 17-year-olds.

Missouri bans those drivers from driving between 1 and 5 a.m. unless accompanied by a parent. Kansas requires its 16-year-old and 17-year-old drivers to gain 50 hours of practice with their parents before getting an unrestricted license at 18.

Thurman thinks the Kansas Legislature should revisit a bill introduced this year that would have added another restriction: limiting the number of minor passengers that 16-year-old and 17-year-old drivers can have in their car. The Judiciary Committee sent the bill to the Senate floor, where it was killed.

"Kids at that age do not have defensive-driving skills," Thurman said. "They may look like an adult, but they still have the mind of a child."

Thurman said David occasionally worked double shifts at a restaurant to make his monthly payments on the Acura. She thought he acted responsibly.

When she heard that he liked to race, she asked about it.

said. For a while, she took his keys.

Matt's dad, Mark Cadwell, said he told Matt he could go for Chinese food that night only if Michele Thurman took them. She said she thought David was going to drop the boys off to eat and that they would call to be picked up. But the boys talked David into staying, she said, and he must have decided to take them home himself.

"I think he thought he was doing everyone a favor," she said.

Like the Cadwells, Thurman prefers to remember the good times.

Her boys loved to wrestle. Once they tackled her on the front lawn and told her they wouldn't let her go unless she smiled. "I smiled and they took off running," she said.

In the Cadwell home, Matt's face smiles from a dozen pictures; his bedroom looks like it did a year ago. And his best friend, 14-year-old Cory Gearin, still stops by.

Does Cory have anything he wants to say?

"Wear your seat belt."

To reach reporter Diane Carroll, call (816) 234-7704 or send e-mail to [dcarroll@kstar.com](mailto:dcarroll@kstar.com).

# Bill seeks to limit minor passengers in teens' cars

Kansas proposal aimed at 16-, 17-year-olds

By DIANE CARROLL  
The Kansas City Star

They planted four Bradford pears last spring outside their school, one for each of the boys who died last March from a horrific car crash on Johnson Drive.

The brick patio and benches went in last summer, and a brass plaque with the boys' names will go up soon.

The memorial garden serves as solace for those at Hocker Grove Middle School in Shawnee, and as a reminder of the dangers of teenage driving.

Perhaps not surprisingly, Principal Gillian Williams supports a bill that advanced to the Senate floor this week in the Kansas Legislature. The bill would restrict the number of minor passengers in a car driven by a 16- or 17-year-old.

"I think the more safety nets we put in place for our kids, the better off we'll be," Williams said Friday.

"The kids won't like it. But if it can save the life of one student or the pain of one person, then it's cer-

tainly worth the effort."

A national study by Johns Hopkins University researchers found that the likelihood of a serious or deadly crash with a teen driver increases with the addition of each minor passenger.

Eighteen states and the District of Columbia have laws restricting passengers, according to the National Conference of State Legislatures in Denver. The Missouri General Assembly rejected the idea several years ago. And some Kansans aren't sure that passing another law is the best way to promote safe driving.

"I certainly understand the concern, but I don't believe that we can make laws based on a few really terrible accidents," said Kansas Rep. Sue Storm of Overland Park, who heard from a constituent this week concerned that her teen-aged baby sitter would no longer be able to drive her children.

"I know kids are irresponsible sometimes when they have a

See TEENS, A-6

# TEENS: Bill seeks to limit riders in cars

Continued from A-1

bunch of kids in a car," Storm said, "but we cannot replace parents' supervision of their children."

Republican Sen. Jim Barnett of Emporia said no single wreck prompted him to introduce the bill. But Barnett, a physician, said he was "sure aware of a lot of accidents from practicing medicine."

The bill, which advanced on a 6-5 vote from the Judiciary Committee, would allow 16- and 17-year-old drivers to transport only one minor.

The bill does have exceptions: More than one minor would be allowed on trips to and from school, school-related activities, work or church. And the law would not apply to a driver's siblings.

In promoting his bill, Barnett cited the Johns Hopkins study, which was published in the *Journal of the American Medical Association* in March 2000.

The study found that a 16-year-old driver carrying one passenger was 39 percent more likely to be killed in a wreck than when driving alone. Two passengers almost doubled the likelihood of a fatal wreck, and three or more passengers tripled it.

Sen. Mark Gilstrap, a Kansas City, Kan., Democrat and committee member who voted against the bill, said he wasn't sure what to make of all the numbers.

"Sometimes I think we make too many laws," he said. "Even when I was a kid, we'd have a bunch of kids jump into a car and drive around. We were able to survive, and we didn't even wear seat belts back then."

Gilstrap said he opposed the bill because he thought the penalty was too harsh.

Conviction would carry a \$60 fine and give the driver a moving violation that could be counted toward suspension of the driver's license.

While some teens complain about the bill, 16-year-old Mark Hays of Overland Park and his friends said it would do little to change their lives: Their parents already limit their passengers to one.

At his next birthday, though, Hays is hoping his parents will reconsider.

"I don't think I'd like it then," he said. "I think once you're 17 you should be able to take more people."

The bill's exception for siblings stumped 16-year-old Amy Borel.

"So what's the difference? Brothers and sisters annoy you more than your friends," said Borel, of Overland Park. "Your friends don't nag you like your brothers and sisters do."

Safety advocates began pushing for restrictions for young teen-age drivers — or graduated driver's licenses — in the mid-1990s. That's when studies began showing dramatic declines in serious injuries in states enforcing restrictions.

Many states have since adopted restrictions of one sort or another.

In 1999, the Missouri General Assembly banned 16- and 17-year-olds from driving between 1 a.m. and 5 a.m. unless accompanied by a parent or guardian.

The AAA Auto Club of Missouri also sought restrictions on the number of passengers those drivers

guidepost for parents on the driving limits they should impose.

Last year's wreck in front of Hocker Grove Middle School killed three 14-year-olds who attended the school and a 16-year-old, who was a former student.

Williams, the principal, said school officials have tried to be sensitive about preaching the dangers of driving to students. "They've lived through it and they know," she said.

The school is planning to mark the crash's one-year anniversary on March 15 with a gathering in the memorial garden. Nothing special is planned, she said, other than giving students some quiet time to reflect.

*The Star's John L. Peterson, Dawn Bormann, Robert Cronkleton and Sarah Gerry contributed to this report.*

To reach Diane Carroll, call (816) 234-7704 or send e-mail to dcarroll@kcstar.com.

quires young drivers to log 50 hours of driving time, including 10 at night, with a parent or guardian before getting an unrestricted license.

The bill has the full support of the AAA Auto Club of Kansas, said spokeswoman Cherie Sage, who testified before the Judiciary Committee this week.

"We're looking at a very high-risk group and that's why we want to protect them," West said. "We've had too many lives cut off too early."

The father of a Blue Valley High School student who died in 1998 said any discussion about ways to prevent teen accidents was a step in the right discussion.

"There is a big march to do something about it," said Doug DeFranco of Shawnee. "And there's just too many teen-agers dying not to take this seriously."

DeFranco's 15-year-old daughter, Jennifer, was one of three Blue Valley High students killed on their way to a softball game. The driver, one of the three who died, was 15.

DeFranco said he didn't know enough about the bill under consideration to take a stand. But he questioned whether police would be able to enforce it, and said that the primary responsibility for teen-age drivers should rest with the parents.

"If I knew then what I know now, I would have taken off work and gotten my daughter," he said. "No matter how the law changes, parents ultimately have a responsibility of their children."

## COMPARING CRASH RATES

Crash rates rise with number of passengers

Number of passengers	Wrecks per 10,000 trips	
	Drivers age 16, 17	Drivers age 18, 19
0	1.6	1.0
1	2.3	1.2
2	3.3	1.8
3 or more	6.3	2.1

Source: Insurance Institute for Highway Safety report, December 2001

## More passengers, more problems

Fatal wrecks involving drivers age 16 or 17 are more likely to involve certain elements, such as driver error or speeding, than are wrecks with older drivers. Adding passengers heightens the likelihood of these factors in fatal wrecks.

Percentage of fatal U.S. wrecks with 16- or 17-year-old drivers, 2000

Factor	Driver alone	Driver and one teen passenger	Driver and two teen passengers	Driver and three teen passengers
Single vehicle	34%	39%	40%	57%
Driver error	76%	79%	79%	88%
Speeding	24%	33%	38%	48%
Alcohol	12%	13%	14%	15%

Source: Insurance Institute for Highway Safety report, December 2001

8-14

# Teens driving: Privilege demands responsibility

By Debbie Cadwell  
Special for the  
Journal Herald

It has been two long years ago since an accident on Johnson Drive took the lives of four innocent young men, our 14-year-old son being one of them. If you had asked us if anything like this would happen to Matt, we would have boldly said NO! He was a fun-loving kid, always smiling, played on three soccer teams, made A's in school, had lots of friends, managed to stay out of trouble... In a split sec-

## Guest columnist

ond, all of our lives changed forever. Matt was gone, and we were left behind to pick up the pieces and try to put some semblance of our former life back together.

Our lives will never be the same again. This is forever — to live without our son. All of us have grieved differently, and that is to be expected. Sometimes expressing the feelings you have stored up over the years helps heal the soul. No

one should have to experience the loss of a child — it is not the normal life cycle. All of the unanswered questions that go along with teen car accidents — the tears of longing to see, touch, speak with them again, what were they thinking as the accident happened, did they die instantly or endure any pain, trying to figure out if we did something wrong in our lives, the what-ifs, etc. — haunt your thoughts as you try to revive yourself.

We, as parents of teen drivers,

must make decisions that affect not only the lives of our children, but those of other families, when we give them the PRIVILEGE of driving and allowing them to transport their friends, brothers, and sisters. Make sure they are prepared to be responsible drivers and are mentally prepared to accept the enormous responsibility of getting behind the wheel of 3500 pounds of metal. For each additional passenger riding with a teen driver, the likelihood of being involved (See DRIVING, page 12)

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## Driving

(Continued from page 1)

in a fatal accident goes up dramatically. Spend time as a passenger with your teen driver. Teach them to drive responsibly. Set up specific guidelines and rules for the car, and take away the keys when rules are broken. If that means you have to take them places yourself, don't ever think of this as a burden, but see it as an opportunity to spend time and talk with them. Enjoy

your children while you have the chance. They grow up fast and are gone before we know it.

There have been several other fatal accidents in this community since that fateful day on March 15, 2001. And with each passing of another one's child, our heart goes out to those families as we once again relive the pain and horror. Please be cautious with our most precious gifts. They can never be replaced.

Seatbelts would not have saved our son, Matt, because of

other factors such as speed and road conditions that day. But seatbelts do save lives. In loving memory of Matt and the other three young men, please wear your seatbelt. And encourage the other members of your family, especially the teen drivers, to do so.

God bless you all, and thanks for all of the support you have given us over the last two years. Sincerely,

*The Cadwells  
Mark, Debbie, Samantha,  
(and Matt)*



8-15

# Limit teen drivers, mother urges

*Editor's note: Debbie Cadwell, the mother of a teen-ager who was killed in a car accident three years ago, sent the following letter with this preface:*

*"Each year, we try to write an article about the tragedy to impress on parents how precious a gift their children are. Teen drivers contribute to a large percent of accidents each year, and if we can save one life, it is worth our efforts to save another family from this pain and sorrow."*

*We agree.*

**To the Editor:**

We had always told our two kids that things can change in the blink of an eye. And that is exactly what happened to our son, Matt. On March 15, 2001, he was killed along with three other boys in a car accident in front of Hocker Grove Middle School. It has been a painful time for our family, and if we can save just one family from suffering this lifelong agony — the loss of a child — then our efforts to change parents' attitudes and state laws would not be in vain.

This is one of the reasons we continue to write on the anniversary every year. No one should have to bury their child. And the anguish is forever. We live without him every day. We miss his great smile, his funny antics and



**Matt Cadwell  
1986-2001**

the wonderful attitude he had towards life and nature. He lived every day to the fullest and brought us more joy and happiness than we ever could have imagined possible.

As we move forward three years later, we reflect on the past, on the accident, and how we can save other families from this terrible fate.

The statistics on fatality accidents for 16-17 year olds tell it all. They are dying in record numbers. Nationally, about 5,900 teen drivers were killed in car accidents in 2002 and 324,000 teens were injured. Twenty percent of 16-year-olds were involved in an accident in the first year of driving. Also, studies have shown that the higher the number of teen passengers in a car driven by a teen, the higher the risk for an accident. And why? Is it because they are allowed to have other passengers, especially siblings, because parents are "too busy" to run the younger ones to their practice, school, etc.? Is it because parents don't teach their children how to be responsible drivers by setting good examples? Is it because they are not told that driving is a privilege and should be respected? It all comes back to the parents becoming more responsible when it comes to turning over a car to a teen driver. We don't want our children exposed to firearms because of the danger. However, we don't think twice about throwing the keys to a 5,000-pound bullet to a child who does not have training and maturity.

Through our support group, we met Cindy Connor, the mother of Cody Gumm. He was killed a year ago in an auto accident near Kansas Highway 32 and 57th Street in Kansas City,

Kan., as a passenger in a car driven by a 16-year-old classmate, who survived the accident. The teen driver was going 29 miles over the speed limit, lost control, hit another car head on, went airborne, and landed in a treed area by the road. This is very similar to what happened to our son, Matt. The car in which he was a passenger with two other 14-year-olds was speeding approximately 20 miles over the limit in a 35 mile zone. It was sleeting that night. The 16-year-old driver lost control, swerved into oncoming traffic, and was hit broadside, causing the three passengers, all with no seatbelts on, to be thrown out. They died instantly. The driver survived for a week before he also passed away.

Here are five young lives that passed at the hands of 16-year-old drivers. What a loss for everyone involved. The memories will haunt all our lives forever.

In an effort to help save teen drivers, Cindy has become involved in "Cody's Bill" to change the Kansas laws allowing 16-year-olds to drive. A bill in the Kansas Legislature introduced by Rep. Tom Burroughs, D-Kansas City, Kan., at Cindy Connor's request, would raise the driving age to 18. Before 18, young drivers would still be able to apply for a permit at 15, and they would have restricted licenses from 16 to 18. The bill would allow students to drive only to the school they attend and to work. The only passengers allowed in vehicles driven by 16-year-olds would be siblings or family members. The bill also has a clause restricting first-time drivers of any age for six months.

Thirty-six states and the District of Columbia now have graduated driver's license laws, and 37 states have nighttime restrictions. Cindy plans to testify in front of the House Transportation Committee in support of the bill as well as bring in a petition signed by supporters. Currently, the Kansas Highway Patrol supports this effort. Nationally, the idea of restricted licenses for 16-year-old drivers has support from law enforcement groups, Mothers Against Drunk Drivers, doctors, and various insurance groups.

Our own addition to the bill is to have parents notified at the time teens are stopped for traffic violations. A simple postcard could be mailed to each passenger in the car, letting the parents know the teen driver was stopped and why. This would at least alert parents to be aware of the teen driver's violations and whether to allow their teens to ride along. It might save someone else's child from this terrible tragedy.

I guess what we want to convey this year is it is time for parents to step up to the plate and accept the responsibility for their teen drivers. Driving is not a right, it is a privilege. Yes, this law could inconvenience some of you, but aren't your children's lives more important than an inconvenience?

Please, wear your seatbelts. Pay attention to your teen's driving habits. Set the example. Stay safe, and keep others around you safe as well. God bless.

**The Cadwell Family — Mark, Debbie  
and Samantha  
Shawnee**

Hey dude, waz up? Me? I'm okay. I sure wish you were here. You and I are just like brothers. I will always cherish your everlasting smile that always appeared in my front window, your unconditional friendship and all the memories you and I have. You will be in my heart forever and I will never forget you.

Your upbeat personality has touched so many lives and your ability to make people laugh will be remembered always.

I'm going to miss laughing together about silly stuff and all the fun things we did together. I will miss going "tee-peeing" and "ding-dong ditching" OOPS----I mean our after dark activities. But most of all, I'll miss spending time with you, my best friend.

Having you as a buddy has made me a better person and I know that in time the horrible pain of you leaving will lessen, but the memory of you and the good times we shared will live in my heart forever. Thank you for just being you.

You have an awesome, caring family that loves you so, so much and is going to miss you dearly. You brought them so much happiness.

As of Thursday, March 15, 2001, my best friend got a promotion to enter the pearly gates of heaven. I know you'll be thinking of me and watching down on me.

Matt, my buddy, my pal, dude, I'm going to miss you, but I'll always be thinking of you and hold you deep in my heart. I LOVE YOU, MATT, today and forever!

Your Best Friend,

Cory

FREEDOM OF SPEECH  
by Matt Cadwell 8th Grade

My most valuable freedom is freedom of speech...  
This freedom allows all of us to speak...  
In all places and on paper,  
In school halls or in all different places...  
It lets me be free,  
And say what I want to say about things I see...  
I can type out what I feel should be said...  
I can state my own opinion,  
And not, in many cases, be sent to prison...  
We can all say what we want just right out in front...  
It's our own freedom to disagree with others during a debate  
We can say yay or nay about what most other say,  
And we can be free about what we think....  
So lets state our own opinion,  
And speak out to help our own union...

MY MOST VALUABLE FREEDOM: THE FREEDOM TO DREAM

Matt won this award in the district  
competition only 2 months before  
the accident.

**TO MY LOVING SON MATT.....**

I catch myself thinking "When Matt gets home I'll tell him the terrible news, and how upset he will be,"

then I remember he's the one that's not coming home, ever again, and it starts all over again...

my heart starts pounding, my head starts throbbing, and my stomach starts churning, as I know our lives have changed forever, nothing will ever be the same again, how can we ever continue on? How can God take someone as good, kind, and smart as my little Matt? His glowing smile and be kind attitude, made him a friend to anyone he met. I know he is in a better place, and we will all meet again. I hope everyone realizes what a special person they have lost. He was my best friend, along with his sister Samantha, and my wife Debbie,

LOVE FOREVER, YOUR DAD .



January 31, 2006

**Testimony Presented to the  
House Transportation Committee  
House Bill 2218**

Safe Kids Kansas, a nonprofit coalition of 67 statewide organizations and businesses is dedicated to preventing accidental injuries to Kansas children ages 0-14. We are pleased to support House Bill 2218.

Motor vehicle crashes are still the leading cause of death for Kansas children ages one through 17. Teen drivers account for over 20% of all the motor vehicle crashes in Kansas. The tragedy of teen-driver crashes goes well beyond the teen drivers. These crashes also kill passengers of teen drivers, pedestrians, and people in other vehicles. The majority of people killed in teen driver motor vehicle crashes are people other than the teen driver themselves – this includes children. In fact, of the 9,847 passengers of 15-to-17 year old drivers who were killed in crashes in the U.S. in the last ten years, 1,615 (16.4%) were younger than 15. Teen drivers killed an additional 969 children younger than 15 who were passengers in other vehicles. **This means that in the last 10 years, teen drivers in this country killed 2, 584 children ages 0-14.**

Graduated drivers licensing laws such as HB 2218 have been shown to decrease fatalities involving teen drivers. Specifically in regard to children riding with teen drivers, HB 2218 would strengthen Kansas' graduated drivers licensing law by further restricting operation of a motor vehicle with non-sibling minor passengers to include drivers under 17 years of age (Section 2 – page 3 lines 24-28).

The member organizations of Safe Kids Kansas and our 36 local coalitions and chapters support the passage of HB 2611. The result will be fewer Kansas children injured and killed in motor vehicle crashes.

Attachment:

Safe Kids Kansas Member Organizations

Safe Kids Kansas, Inc. is a nonprofit Coalition of 67 statewide organizations and businesses dedicated to preventing accidental injuries to Kansas children ages 0-14. Local coalitions and chapters are located in Allen, Anderson, Atchison, Clay, Dickinson, Doniphan, Douglas, Ellis, Ford, Franklin, Geary, Jackson, Jefferson, Johnson, Leavenworth, Marion, Meade, Mitchell, Montgomery, Nemaha, Osage, Pottawatomie, Republic, Rice, Riley, Saline, Smith, Shawnee, Wabaunsee, Wilson and Woodson Counties, as well as the cities of Chanute, Emporia, Leavenworth, Norton, Pittsburg, the Wichita Area and the Metro Kansas City Area. Safe Kids Kansas a member of Safe Kids Worldwide, a global network of organizations whose mission is to prevent accidental childhood injury.

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## Safe Kids Kansas Member Organizations

AAA Kansas  
 American Academy of Pediatrics - KS  
 Attorney General of Kansas  
 Board of Emergency Medical Services  
 Brain Injury Association of Kansas  
 Children's Mercy Hospital  
 Cusick Jost Consulting, LLC  
 Dillon Stores  
 Fire Education Association of Kansas  
 Fire Marshal's Association of Kansas  
 Kansas Academy of Family Practice Physicians  
 Kansas Action for Children  
 Kansas Association of Counties  
 Kansas Assoc. of Local Health Dept.  
 Kansas Assoc. of Osteopathic Medicine  
 Kansas Association of School Boards  
 Kansas Chapter International Assoc.  
     of Arson Investigators  
 Kansas Children's Cabinet & Trust Fund  
 Kansas Chiropractic Association  
 Kansas Cooperative Extension 4-H  
 Kansas Dental Association  
 Kansas Dept. of Health & Environment  
 Kansas Dept. of Human Resources  
 Kansas Dept. of Transportation  
 Kansas District of Kiwanis International  
 Kansas EMS Association  
 Kansas Emergency Nurses Association  
 Kansas Farm Bureau  
 Kansas Foundation For Medical Care  
 Kansas Head Start Association  
 Kansas Healthy Start Home Visitors  
 Kansas Highway Patrol  
 Kansas Hospital Association  
 Kansas Insurance Department  
 Kansas MADD  
 Kansas Medical Society  
 Kansas Motor Carriers Association  
 Kansas Operation Lifesaver  
 Kansas Parent Teacher Association  
 Kansas Public Health Association

Kansas Recreation & Park Association  
 Kansas Rehabilitation Hospital  
 Kansas SADD  
 Kansas Safety Belt Education Office  
 Kansas School Nurse Organization  
 Kansas State Association of Fire Chiefs  
 Kansas State Board of Education  
 Kansas State Fire Marshal's Office  
 Kansas State Firefighters Association  
 Kansas State Nurses Association  
 Kansas Trial Lawyers Association  
 KIDS AND CARS  
 KNEA  
 KUMC Burn Center  
 KUMC Trauma Program  
 NHTSA Regional Office  
 Mid-America Poison Control Center  
 Office of the Governor  
 Safety & Health Council Western MO & KS  
 State Farm Insurance Companies  
 State Capitol Area Fire Fighters Association  
 Stormont-Vail Regional Medical Center  
 United School Administrators of Kansas  
 Via Christi - St. Francis Burn Center  
 Via Christi - Trauma Center  
 Wesley Medical Center

\*Membership also includes Local Coalitions and Chapters located in Allen, Anderson, Atchison, Clay, Dickinson, Doniphan, Douglas, Ellis, Ford, Franklin, Geary, Jackson, Jefferson, Johnson, Leavenworth, Marion, Meade, Mitchell, Montgomery, Nemaha, Osage, Pottawatomie, Republic, Rice, Riley, Saline, Shawnee, Smith, Wabaunsee, Wilson and Woodson Counties; as well as the cities of Chanute, Emporia, Leavenworth, Norton, Pittsburg, Wichita Area, and Metro Kansas City.

Safe Kids Kansas is a member of Safe Kids Worldwide.

1/06



*PUBLIC POLICY STATEMENT*

**HOUSE COMMITTEE ON TRANSPORTATION**

**Re: HB 2218; Drivers License Age Restrictions.**

**January 31, 2006**  
**Topeka, Kansas**

**Testimony Provided by:**  
**Terry D. Holdren**  
**KFB Governmental Relations**

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Chairman Hayzlett and members of the House Committee on Transportation, thank you for the opportunity to appear before you today to discuss the potential impacts of HB 2218 on farmers, ranchers, small businesses, and communities across the state.

I am Terry Holdren and I serve as the Local Policy Director for Governmental Relations at Kansas Farm Bureau. KFB is the state's largest general farm organization representing more than 40,000 farm and ranch families through our 105 County Farm Bureau Associations.

The impacts of teen driving are serious. In 2004 the Kansas Department of Transportation reported 51 fatalities among drivers ages 15-18. The state as a whole experienced 459 fatalities during the same year. The Department found that 99% of teen driving fatalities were caused by driver error including inattention, speeding, driving under the influence of drugs or alcohol, failure to yield, or disregard for road signs and markings. However, the same data reflects that only 8 of the 51 fatalities reported were among 15 year olds. The data also reflects that far fewer crashes and injuries were reported among the 15 year old age category, yielding the conclusion that younger drivers are not necessarily the most dangerous and most likely to be involved in an accident.

As recently as 1998, Kansas considered and rejected attempts to convert our system for licensing drivers to a graduated system, one with increasing requirements and higher age limits for each level of driver certification. At that time a representative of the

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division of motor vehicles testified that Kansas laws met the safety needs of its citizens, were administratively efficient, and were supported by the general public.<sup>1</sup> It is our belief that the same is true in 2006.

KFB has significant concerns about the proposal before you today. The increased age requirements for both restricted and non restricted licenses will impact not only farms and ranches, but general businesses that rely on teens as a labor supply for delivery, and other positions that require the ability to drive.

Additionally, the bill significantly changes the farm permit sections of the statute making it impossible for a teen whose parent's farm, but reside in the city to qualify for the permit. Also, the bill removes entirely the ability of non-farm youths who work on the farm to obtain the permit under any circumstances.

KFB policy developed and adopted after input and discussion in all 105 counties of the state, supports the current age restrictions and requirements for obtaining all levels of driver licenses and permits. We oppose the changes suggested by the bill before you and respectfully ask that you take appropriate action to ensure opportunities for young people across the state to earn the privilege of operating a motor vehicle.

Thank you for the opportunity to appear today and share the thoughts of our membership. We stand ready to assist as you consider this issue.

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<sup>1</sup> Sneed, William, Graduated Driver Licensing Legislation: A Kansas Case Study, Quarterly Journal of Insurance Law & Regulation (1998).

*Kansas Farm Bureau represents grass roots agriculture. Established in 1919, this non-profit advocacy organization supports farm families who earn their living in a changing industry.*





# K A N S A S

WILLIAM R. SECK, SUPERINTENDENT

KANSAS HIGHWAY PATROL

KATHLEEN SEBELIUS, GOVERNOR

## Testimony on HB 2218 to House Transportation Committee

Presented by  
LT John Eichkorn  
Superintendent, Kansas Highway Patrol

January 31, 2006

Good morning, Mr. Chairman and members of the committee. My name is Lieutenant John Eichkorn and on behalf of Colonel William Seck, and the Kansas Highway Patrol, it is a pleasure to appear before you today to comment on House Bill 2218.

The Patrol is dedicated to the promotion of traffic safety and education, and we firmly believe that education and experience are key elements in developing safe driving habits, especially with teens. We recognize that experience and maturity are two significant factors in the large number of crashes involving young drivers. Patrol troopers see the horrors of what happens when teens try to "show off" for their friends or when their peers negatively influence their driving habits. Teens also lack practical knowledge of driving in adverse weather conditions, such as heavy rain, dense fog, snow and ice.

The Patrol is aware that statistics show drivers ages 15 to 19 are more frequently involved in injury and fatal crashes than any other age group. Teens rank highest in crashes attributed to speeding, aggressive and reckless driving, and distractions, such as cell phones and electronic devices. All these factors could be minimized with education, experience and maturity.

Troopers frequently work fatal crashes that involve teen drivers, many of which could have been avoided with safe, positive driving habits. Because the Patrol sees the heartaches caused by these crashes, we applaud the efforts of groups attempting to make a difference in promoting traffic safety among teens.

The Patrol recognizes the challenges that exist when considering a bill, such as HB 2218, that would bring about a dramatic change in the way of life for young Kansans and significantly change Kansas statutes. And while there are many positions on this subject, the Patrol will continue to serve as a resource for legislators and staff needing information. Thank you for recognizing the need for discussion on this topic. At this time, I will stand for questions.

###

**Testimony of Michael Gayoso, Jr. and Edward J. Battitori before  
the House Committee on Transportation  
Regarding House Bill No. 2633  
January 31, 2006**

Good Afternoon. My name is Michael Gayoso, Jr. and I am a lawyer in the law firm of Meek, Battitori & Gayoso. Allow me to express my gratitude and appreciation to Chairperson Hayslett, Vice-chairperson Faber and all House Committee on Transportation Members in being allowed to speak before you regarding House Bill No. 2633 providing for the issuance of a hardship license in the State of Kansas. We have offices in Baxter Springs and Girard, Kansas which is comprised of the Eleventh Judicial District and the counties of Crawford, Cherokee, and Labette.

The pertinent part of House Bill No. 2633 would provide for the Kansas Department of Revenue to issue a hardship driver's license to individuals whose driver's license has been suspended or revoked. The license would be issued only for the period of time remaining after the initial thirty (30) days of the driver's suspension or revocation has expired. Further restrictions may apply depending on the driver's prior convictions, if any. A hardship license would not be issued to any person whose suspension or revocation involved death or serious injury to a person other than the driver whose privileges were suspended or revoked; individuals who have previously been granted a hardship license within the immediately preceding five (5) years; individuals who were convicted of any felony while using a motor vehicle to commit such felony; and individuals who have been issued a commercial drivers' license. Moreover, a nonrefundable fee of \$200.00 shall accompany any hardship license application submitted to the Kansas Department of Revenue. I respectfully request that this Committee unanimously recommend for approval House Bill No. 2633.

As all of you know Southeast Kansas is a rural community. None of the three counties in our Judicial District provide public transportation, unlike the larger cities in Kansas. If Kansas adopts a hardship license it would benefit all Kansas citizens living in rural communities.

Almost every week, our law firm counsels individuals on their driver's license suspension or revocation. Many of our clients ask us whether Kansas has a hardship license like the State of Missouri. They ask how they can be expected to maintain employment and follow court orders.

The reality is that without a hardship license, many Kansas citizens face the danger of losing their jobs. If they lose their jobs, they may lose their housing, and if this occurs they face the reality of placing a strain on their family and seeking the assistance of the Kansas Department of Social and Rehabilitative Services and charitable organizations. I have also had the opportunity to represent hundreds of parents in child in need of care proceedings and if a parent does not have a license, it inevitably prolongs the return of their children to the home because the parent has trouble maintaining regular visits with their children or otherwise complying with court orders seeking to reintegrate the family.

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People who have had their license suspended or revoked will find themselves compelled to unlawfully drive in order to maintain their employment and comply with court orders because they have no other recourse. This in turn subjects them to potentially further arrests for illegally driving which then results in longer periods of suspension, additional fines and penalties, and possible imprisonment. In effect, it becomes a vicious cycle. Although this action must not be condoned, it is a reality; a reality that can be easily overcome by Kansas providing for a hardship license.

One cannot overlook the fact that providing for a hardship license would provide the State with additional cash revenue. On January 20, 2005, House Bill 2089 was introduced by Representative Bethell which is extremely similar to House Bill No. 2633. Duane Goossen, Director of Budget for the State of Kansas performed a fiscal note for House Bill No. 2089 which estimated additional cash revenue of approximately \$2,000,000.00. Although my limited research was unable to discover a fiscal note for House Bill No. 2633, I suspect that the numbers would be similar.

It is the duty of the Kansas legislature to provide for the safety and well being for the citizens of this great State not to thwart it. House Bill No. 2633 would provide, on a restricted basis, a hardship license for those that need it the most. In this vein, I encourage this Committee to favorably consider House Bill No. 2633. Thank you, once again, for your time and attention, and I welcome any questions from this Committee.

# KANSAS

DEPARTMENT OF TRANSPORTATION  
DEB MILLER, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

## TESTIMONY BEFORE HOUSE TRANSPORTATION COMMITTEE

### REGARDING HOUSE BILL 2633 HARDSHIP LICENSES

January 31, 2006

Mr. Chairman and Committee Members:

I am Terry Heidner, Director of the Division of Planning and Development. On behalf of the Kansas Department of Transportation (KDOT), I am here to provide testimony in opposition to the proposed bill regarding hardship licenses (House Bill 2633).

Our opposition is based on the consequences of what this bill would do to Kansas highway construction funding. If the bill were enacted, our state would be out of compliance with Federal requirements outlined in 23 USC 164. That federal provision mandates minimum penalties for repeat offenders who drive under the influence of alcohol. Our State laws currently conform to these requirements. When a similar bill was introduced last year, we requested a determination from the National Highway Traffic Safety Administration (NHTSA) on whether that bill would put Kansas out of compliance and their response was that it would. As stated in the NHTSA response concerning repeat offenders, "The federal statute mandates a hard one-year suspension period with no exception for hardship." The NHTSA response would also be applicable to this bill.

As a result of being out of compliance, three percent of the state's core highway construction funds for Interstate Maintenance, National Highway System, and Surface Transportation Program would be transferred to safety programs to address alcohol-impaired driving, or hazard elimination projects. Based on current federal funding levels in SAFETEA-LU, Kansas would have to transfer \$7.3 million in 2006, increasing slightly each year of the current program to \$7.7 million in 2009. This would total approximately \$30 million over the life of current federal highway legislation (SAFETEA-LU). This transfer would continue in perpetuity as long as this exception for hardship remained in Kansas law and as long as federal statutes remain the same.

It is vital that Kansas remain in compliance with these federal requirements so that we are able to use the federal construction funds for completing the Comprehensive Transportation Program projects as promised.

OFFICE OF THE SECRETARY OF TRANSPORTATION  
DWIGHT D. EISENHOWER STATE OFFICE BUILDING  
700 S.W. HARRISON STREET, TOPEKA, KS 66603-3754  
PUBLIC ACCESS AT NORTH ENTRANCE OF BUILDING  
VOICE 785-296-3461 TTY 785-296-3585 FAX 785-296-1095 <http://www.ksdot.org>

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# KANSAS

WILLIAM R. SECK, SUPERINTENDENT

KANSAS HIGHWAY PATROL

KATHLEEN SEBELIUS, GOVERNOR

**Testimony on HB 2633  
to  
House Transportation Committee**

**Presented by  
Lieutenant John Eichkorn  
Kansas Highway Patrol**

**January 31, 2006**

Good afternoon, Mr. Chairman and members of the committee. My name is Lieutenant John Eichkorn and on behalf of Colonel William Seck and the Kansas Highway Patrol, it is a pleasure to appear before you today to comment on House Bill 2633.

The Patrol is committed to traffic safety, and traffic safety hinges primarily on voluntary compliance with our State's laws. Laws enacted by the Kansas Legislature govern what drivers may or may not do, and the laws establish penalties when drivers chose not to comply. The Legislature routinely examines the state's laws to ensure that laws serve a deterrent to criminal activity and that violators are adequately punished. HB 2633 would diminish the sanctions currently in place by returning a violator's driving privileges sooner than current law allows.

Under HB 2633, an offender would only be required to serve a fraction of his or her license revocation if it were determined that a hardship existed by keeping them from being allowed to drive. Not only would this weaken current law and lessen the penalty, it may result further violations. For example, law enforcement officers may see an increase in evidentiary test refusals in DUI cases, which essentially make it more challenging to build a court case against offenders. In addition, it would be difficult for law enforcement officers to enforce the restrictions in HB 2633 because drivers often lie to officers about where they have been or where they are going.

The Patrol supports the driver's license suspension and revocation laws already on record. If anything, existing laws need to be strengthened. The Patrol recommends the committee take a closer look at this bill to ensure we aren't diluting the punishment for traffic violations. I appreciate the opportunity to address you today, and I will be happy to answer any questions you may have.

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House Transportation  
Date: 1-31-06  
Attachment # 14



# MADD

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1/27/06

Representative Gary Hayzlett, Chairman  
House Committee on Transportation  
State Capitol  
300 SW 10th St., Rm. 115-2  
Topeka, Kansas 66612

Dear Representative Hayzlett and Committee Members:

MADD would like to submit written testimony for your consideration regarding H.B. 2633. MADD opposed this legislation last year and continues to oppose it this year. MADD opposes H.B. 2633 based on the following facts:

- Kansas already has the ability to provide a restricted license following a 30 day suspension on the first DUI offense.
- Thus, the bill only applies to repeat offenders who should know better.
- The bill is open ended in that anyone who has a job might be considered to need a car to get to their employment.
- Studies show that revocation of the driver's license has no new impact on job stability or functions.
- H.B. 2633 will take Kansas out of compliance with the federal 164 standard, meaning the transfer of a few million dollars out of the general fund.

This is a bad bill. MADD would ask that you oppose H.B. 2633.

Sincerely,

Sandi Raines, State Chairman  
Kansas MADD

House Transportation  
1-31-06  
Attachment 15