

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES

- - - - - X
: House Transportation Committee :
: Public Hearing - Investigating :
: mandatory student driver education :
: program, House Bill 2866. :
: :
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The Harley Hotel
Rodi Road
Pittsburgh, Pennsylvania

Wednesday, September 21, 1994

Met, pursuant to notice, at 10:00 a.m.

BEFORE:

- REPRESENTATIVE JOSEPH A. PETRARCA, Chairman
- REPRESENTATIVE ANTHONY DeLUCA
- REPRESENTATIVE LARRY ROBERTS
- REPRESENTATIVE PAUL PARSELLS
- REPRESENTATIVE PAUL LANDIS

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P R O C E E D I N G S

10:00 a.m.

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REPRESENTATIVE JOSEPH A. PETRARCA: I would call the meeting to order. We have Representative Larry Roberts from Fayette County, and we have Tony DeLuca, who is the prime sponsor of the bill, from the Penn Hills are. We have Paul Parsells, my exec, and we Paul Landis, the minority exec.

I would like to call the meeting to order. We're having a public hearing on House Bill 2866, and the prime sponsor is Tony DeLuca. I would like to introduce him at this time.

REPRESENTATIVE DeLUCA: Thank you, Mr. Chairman. First of all I would like to thank you and the Committee for coming into the district of Penn Hills, and I would like to welcome all the people who are going to testify and thank them for taking the time to come out here to Penn Hills to testify on what I think is an important bill.

Again, I would like to thank the Transportation Committee and it's Chairman, Representative Petrarca, for the opportunity to testify at this hearing on behalf of my bill mandating driver training for young Pennsylvania drivers.

Under House Bill 2866, a driver's license could not be issued to anyone age 16 or 17 unless the person has successfully completed a driver education course. This

1 course would include a comprehensive session on the dangers
2 of drinking and driving.

3 The advantages of this legislation are very many.
4 First, driver education classes would provide new drivers
5 with information to help make sure they drive safely.
6 Second, the classes would present defensive driving
7 principals and other factors which would affect driving
8 behavior. Third, the classes would classify the dangers of
9 driving under the influence of alcohol and drugs as well as
10 the importance of wearing seat belts.

11 This bill also would help young drivers adopt a
12 positive and responsible attitude toward safety. This
13 positive and responsible attitude would help reduce
14 accidents, fatalities and property damage and would mean
15 lower insurance premiums for all Pennsylvania drivers.

16 This legislation would not cause a financial burden
17 to the state. The bill would mandate a maximum fee of \$25 to
18 be paid by the license applicant. Five dollars of that \$25
19 fee would go to PennDot.

20 Some of the comments that I have heard in the past
21 is, "What about the poor people who can't afford the \$25?"
22 My comment to them is the fact that anybody who can't afford
23 \$25 for this training is not going to be able to drive in the
24 first place because as we know driver insurance is mandatory
25 in the State of Pennsylvania, and \$25 is a small amount

1 compared to what insurance premiums are today for young
2 drivers.

3 Presently, several of our neighboring states take
4 part in mandatory driving training programs, namely Maryland,
5 Connecticut and New York State, which has instituted a three-
6 hour course.

7 In 1993, more than 117,000 sixteen and 17 year olds
8 were licensed to drive in Pennsylvania, and according to the
9 United States Center for Health Statistics, an average of 17
10 out of every 1,000 teens and young adult deaths in America
11 are caused by motor vehicle accidents.

12 The New York Times recently reported that the
13 frequency of driver intoxication in fatal crashes has been
14 cut by almost a third due in large part to tougher
15 innovative laws. House Bill 2866 is one of those tough laws
16 that will help insure that young drivers learn to be
17 responsible motorists before they drive even one mile.

18 As legislators, it is imperative that we work
19 diligently to increase additional programs in driver
20 training which will insure safe drivers and reduce premiums
21 for all Pennsylvanians.

22 In closing, let me state that at one time a lot of
23 our school districts did initiate driver education, but
24 because of the cost of education today and the fact that
25 school districts are in dire need of revenue, that was one of

1 the first courses that a lot of our school districts cut out,
2 and if the insurance industry is willing to give discounts on
3 behalf of teenage drivers being educated, then I can see the
4 benefits of this bill if it is passed by the House and
5 Senate.

6 Thank you, Mr. Chairman, that's all I have to say
7 today.

8 REPRESENTATIVE PETRARCA: Moving right along, we
9 have Dr. Richard Hornfeck, Ph.D., Director, Highway Safety
10 Center, Indiana University.

11 Whereupon,

12 RICHARD J. HORNFECK

13 having been called as a witness, testified as follows:

14 DIRECT TESTIMONY

15 WITNESS HORNFECK: I want to thank Representative
16 Petrarca and other members of the House Transportation
17 Committee for giving me the opportunity to offer testimony
18 regarding House Bill 2866.

19 As a professional in the field of driver and
20 traffic safety education, I am not in favor of this bill for
21 the following reasons, and what I have done is stated these
22 reasons.

23 Number one, Pennsylvania currently has a state
24 approved driver education program that requires a minimum of
25 30 hours of classroom instruction and six hours of behind the

1 wheel instruction. This instruction is not required for
2 driver licensure in this state, but it is recognized by
3 insurance companies in Pennsylvania in relation to premium
4 discounts and it is also one of several requirements for
5 obtaining a regular license at 17 years of age.

6 Driver education is a two-phase teaching and
7 learning process, classroom and behind the wheel, and House
8 Bill 2866 only addresses a small part of the classroom phase.

9 Number two, House Bill 2866 identifies a minimum of
10 two hours of alcohol and drug education. Act 211, a
11 comprehensive alcohol and drug education program for our
12 schools and communities, mandates the teaching of alcohol and
13 drug education in every grade, K through 12. Therefore,
14 House Bill 2866 is redundant in relation to requirements that
15 are already in place in our schools as a result of Act 211.

16 Number three, Pennsylvania's Department of
17 Transportation and Education are currently involved in
18 testing an enhanced driver education curriculum. In an
19 attempt to improve the current state approved driver
20 education curriculum, Pennsylvania's Department of
21 Transportation contracted with a private research company to
22 identify ways of improving the state's driver education
23 curriculum.

24 The product delivered to the Department of
25 Transportation was titled Pennsylvania's Enhanced Driver

1 Education Curriculum. The Department of Education has
2 contracted with I.U.P.'s highway safety center to develop,
3 implement and evaluate this experimental curriculum. We are
4 currently in the second year of a three-year study, and there
5 are currently 14 high schools using the curriculum.

6 The four special areas emphasized in this
7 curriculum are number one, or A, parent involvement. In this
8 curriculum, parents are required to assume an active role in
9 the training of their new drivers. This involvement can
10 assume a variety of ways, and what we are doing right now
11 with the treatment schools is having them identify and
12 document the various methods that they are using.

13 Next is B, decision making. It has been documented
14 that most young people do not know how to make decisions.
15 Most young people operate on the wish philosophy when making
16 decisions. The enhanced curriculum teaches young people how
17 to make decisions and then it allows them to practice this
18 decision making model throughout the driver education
19 program.

20 Then C, visual training; all of our decisions in
21 driving are based upon what we see and we predict. The
22 enhanced curriculum teaches the new driver how vision is a
23 skill and how they can practice this skill. It also enables
24 them to take what they learn in the classroom and practice
25 this skill under the supervision of the driver education

1 teacher in the driver education vehicle.

2 Night driving; students are introduced to the
3 complexities of driving at night in the classroom and then
4 shown how to address these complexities. After the classroom
5 instruction, the driver education teacher schedules at least
6 one, and in most cases in the treatment schools, two night
7 lessons for the students in the driver education car. This
8 is rather unusual in the current structure that we have in
9 our state approved driver education programs in the state.

10 As previously indicated, we are hoping to develop a
11 lower risk driver with this enhanced curriculum. Until we
12 can say one way or another that this is the case, then any
13 driver education legislation should be placed on hold until
14 we can determine if, in fact, a lower risk driver can be
15 produced with these experimental or treatment methods.

16 Number four, on May 31st, 1994, the National
17 Highway Traffic Safety Administration submitted a report to
18 Congress titled, Research Agenda for an Improved Novice
19 Driver Education Program. I brought one copy of that and
20 gave that to Julie when coming in, so she will make that copy
21 available to the Committee.

22 This report identifies two critical areas in the
23 teaching/learning process of the new driver. The one area is
24 the graduated licensing system, which identifies a three-tier
25 system. These tiers are learner's permit, intermediate or

1 provisional license and a regular license. There are various
2 components and restrictions associated with each of these
3 tiers.

4 The other area in the report addresses the need for
5 a two-stage driver education program that would be conducted
6 at various times in the graduated licensing process. These
7 stages of education would require both classroom and
8 laboratory learning experiences.

9 It should be noted that the four areas previously
10 identified in Pennsylvania's enhanced driver education
11 curriculum are also identified in this report to Congress.
12 With the National Highway Traffic and Safety Administration
13 recommend a graduated licensing and learning process, it
14 might be better to draft legislation that would reflect their
15 recommendations.

16 I also brought a document from the National
17 Association of Independent Insurers which I also gave to
18 Julie to make available to the Committee. They have also
19 endorsed a similar plan, and they have developed model
20 legislation for states to adopt, so she does have that to
21 give to you.

22 Five, I have always been supportive of requiring
23 mandatory driver education for licensure at 16 and 17 years
24 of age. This is reflective in a position paper that I
25 developed on funding for Pennsylvania's high school driver

1 education programs. This position paper was developed for
2 two House bills in 1987, which were identified.

3 Once again, driver education, driver training, is a
4 combination of both classroom and laboratory learning
5 experiences and we need to do both to insure a safer and more
6 efficient driver. A copy of that position paper is attached
7 under attachment A.

8 In closing, I want to once again thank the House
9 Transportation Committee for giving me the opportunity to
10 present testimony regarding driver education and my position
11 concerning House Bill 2866. I also want to offer the
12 services and resources of the Highway Safety Center in
13 response to any future legislation that addresses the highway
14 safety needs of our users in Pennsylvania.

15 Thank you.

16 REPRESENTATIVE PETRARCA: Tony, do you have any
17 questions?

18 REPRESENTATIVE DeLUCA: Yes, I do. Thank you,
19 Mr. Chairman.

20 I want to thank you, Doctor, for your testimony. I
21 just have a few questions. You allude to the fact, and I
22 don't think that anybody can dispute the fact, that classroom
23 and on the site learning would be the best course of action
24 for any driver training education program, but with the cost,
25 what it would cost us to institute this?

1 You know yourself -- I don't know if you have any
2 statistics that show how many of our 501 school districts
3 have driver education training.

4 WITNESS HORNFECK: I have that data here if you
5 would like it.

6 REPRESENTATIVE DeLUCA: How many do have it,
7 Doctor?

8 WITNESS HORNFECK: Out of the 501 school districts,
9 there are 360 school districts -- this is 1993-1994 -- that
10 had a state approved program. That would be both classroom
11 and behind the wheel. Thirty-nine school districts had
12 classroom only, two school districts had behind the wheel
13 only and according to the person in the Department of
14 Education, they were in the process a building campaign,
15 etcetera, and there were 100 school districts that had no
16 program.

17 REPRESENTATIVE DeLUCA: It's my understanding in
18 talking to some of the educational systems, the people in the
19 education system, that with the reduction of funding for
20 education, with the mandate of our public schools reducing
21 their -- having to reduce different programs, this is going
22 to be one of the programs that they are looking at to reduce
23 because of the cost factor.

24 I mean, if you were going to reduce a program, I'm
25 sure that this is one of the programs you would look at.

1 What does it cost a school district to institute a program
2 like this, to actually have a program like this; do you have
3 a cost factor?

4 WITNESS HORNFECK: I think, in my position paper
5 that I put in on funding and identifying means of funding for
6 driver education, and this was in 1987, I believe I
7 identified at that time, using North Carolina as an example
8 -- in fact I can use North Carolina as an example from the
9 last school year because they have mandatory driver education
10 for licensure at 16 and 17 years of age -- we had met with
11 the representative from their Department of Education, and
12 their budget for last year's driver education program was \$25
13 million, and I believe they were reaching probably about
14 120,000 to 125,000 students.

15 The per-student costs I identified, we're probably
16 looking in the neighborhood -- I would be -- probably in the
17 neighborhood of \$250 per student to teach both classroom and
18 behind the wheel.

19 REPRESENTATIVE DeLUCA: Wouldn't that be higher in
20 Pennsylvania, though?

21 WITNESS HORNFECK: Possibly; it depends on the age
22 of the teacher, how long that teacher has been in the school
23 system. There are ways of reducing costs in regards to --
24 and the most expensive part is the laboratory fee. The
25 classroom part is not the expensive part. The most...

1 REPRESENTATIVE DeLUCA: Not to interrupt you, but
2 you still need a teacher that we pay, that we have to pay, to
3 do this.

4 WITNESS HORNFECK: But, the school districts have
5 identified various means, the use of teacher aids, which has
6 been proven to be successful in Pennsylvania and other
7 states. Contracting with private driver training schools has
8 reduced costs or charging a lab fee for the student.

9 A lot of our school districts charge lab fees for
10 all kinds of activities other than just driver education.
11 They charge lab fees for extracurricular activities and so
12 forth.

13 We realize that the cost is there. It is
14 expensive, but I go back and I'm teaching a skill such as
15 driving. To try to teach a skill such as driving and teach
16 it only with classroom only, without seeing if they are
17 taking what they are learning in the classroom and carrying
18 it over to the on-street or behind the wheel, it is very
19 difficult to say that I'm accomplishing what I want to
20 accomplish. I need parent involvement, and these are things
21 that are identified...

22 REPRESENTATIVE DeLUCA: But, parent involvement,
23 not only in driving education but also in curriculum
24 education, has fallen off.

25 WITNESS HORNFECK: Act 211 that I made mention of

1 in regards to -- you are aware of that. That's a school and
2 community program, and --

3 REPRESENTATIVE DeLUCA: I understand that.

4 WITNESS HORNFECK: -- they must be involved.

5 REPRESENTATIVE DeLUCA: I understand that, but we
6 can't legislate parent involvement no matter what we do. I
7 am just wondering, have you evaluated the New York program to
8 see why they haven't done away with it since it's -- they
9 have had it for a while. If it's not successful, why are
10 they keeping a program that is not successful?

11 WITNESS HORNFECK: Well, I could respond in
12 relation to Pennsylvania. We've had a state approved
13 program. We've had \$35 reimbursement since 1958, in the
14 late 1950's, and I made mention of the enhanced curriculum.

15 Back then, Jack Zogbe, who is the Deputy Secretary
16 for Safety Administration, wanted to do something with driver
17 education in Pennsylvania. He wanted to either keep it as it
18 is, he wanted to improve it or he wanted to do away with it.

19 Ketron did the study. They were the private
20 research company. Ketron came back and they identified the
21 areas that I talked about in the enhanced curriculum as an
22 attempt to improve the current curriculum because our past
23 methods, alluded to in the study I gave you, the report to
24 Congress, indicates that we need to re-evaluate.

25 We need to look at how we're going to train these

1 young drivers because every age group has shown a decrease in
2 accidents on the highway except for the 16 and 17 year olds.

3 One of the things that they get into is the
4 multiple, at least two, learning experiences, giving them
5 minimal experiences to go and practice with their parents on
6 a six-month permit, requiring the student to keep the permit
7 for six months and protecting that young driver during that
8 period of six months.

9 Then, when they have proven, through testing and
10 evaluation, that they can drive, they are then given a
11 provisional license which can be similar to our junior
12 licenses in the state right now.

13 Even on that, there are a lot more restrictions
14 than what we have identified, but one of the other things
15 that was identified is that we've gotten the students'
16 attention, we've given them some experience, they can relate
17 better to what we're trying to teach them and now we will
18 bring them back in for some additional training or teaching.

19 It's a unique approach, and all I'm saying is that,
20 with the current five hours in this bill you have here, it's
21 not much different than perhaps what we have been doing. The
22 only thing that I see as a positive with this bill is that we
23 would get everybody that would be going for licensure at 16
24 and 17 years of age, but my question is, are we having an
25 affect on that driver's needs?

1 REPRESENTATIVE DeLUCA: We wouldn't know until we
2 actually had it and until we did a study on it.

3 WITNESS HORNFECK: But, what the National Highway
4 Transportation Safety is proposing is that the state put the
5 comprehensive program in and evaluate it. NHTSA will be
6 providing funding through the federal government.

7 One of the reasons we've dropped off in driver
8 education in this state and other states is because the
9 federal government backed off verbal support and financial
10 support of driver education and it trickled down to the
11 states, and then it trickled down to the school districts.

12 REPRESENTATIVE DeLUCA: Do you look for that to
13 increase?

14 WITNESS HORNFECK: Do I look for it to increase?

15 REPRESENTATIVE DeLUCA: Do you look for that to
16 increase on the federal level, the funding and the support?

17 WITNESS HORNFECK: With the Danforth bill that was
18 discussed, which was not voted on, which was not taken to
19 the floor...

20 REPRESENTATIVE DeLUCA: There are a lot of bills
21 being discussed.

22 WITNESS HORNFECK: Right, but with the emphasis
23 that NHTSA is discussing, yes, I see federal monies being
24 appropriated once again toward the training of the young
25 driver.

1 When we say driver education, we've got to change
2 our thoughts as far as what our traditional program has been,
3 30 and six. It's got to change. Learning is a -- it's a
4 multiple learning experience, and learning something like
5 driving is truly a multiple learning experience.

6 We can't be expected to reach the needs of that
7 young driver in a one-shot approach, and we've proven that we
8 can't do that.

9 REPRESENTATIVE DeLUCA: I don't think any of us
10 would be naive enough to think that this bill could do that,
11 okay?

12 WITNESS HORNFECK: Okay.

13 REPRESENTATIVE DeLUCA: But, I don't see the harm
14 in it. I mean, we also teach -- we have a program -- you're
15 right, we have the programs in our schools of drug and
16 alcohol abuse, but yet we are redundant no matter where we're
17 at out there with signs, "Say No to Drugs," and we have
18 programs that institute saying no to drugs.

19 Even though we teach it in our schools, we still
20 have the redundancy of continuing it, and I don't see how
21 redundancy can hurt if we can continue to put that in
22 somebody's mind and possibly, maybe, that might catch on.
23 Not everybody is going to catch on, but some of them might
24 catch on.

25 WITNESS HORNFECK: I agree with you because that is

1 multiple learning experiences. One thing I didn't mention as
2 to my concern with the five hours is that we would see it,
3 the general public would see it, as the driver education
4 program, the driver education program that we should support,
5 and we would then be ignoring what we have been doing with
6 the current state approved program of 30 and six. To put
7 that in in place of that, I have some concerns.

8 REPRESENTATIVE DeLUCA: I want to thank you for
9 your testimony.

10 Thank you, Mr. Chairman.

11 REPRESENTATIVE PETRARCA: Representative Roberts?

12 REPRESENTATIVE ROBERTS: Thank you, Mr. Chairman.

13 Thank you, Dr. Hornfeck. I appreciate you being
14 here today, and I might make note that the Highway Safety
15 Center at I.U.P. has done some good work over the years, and
16 you're expertise is certainly recognized.

17 I glanced at your paper, by the way, and it has
18 some good points in here. You mentioned the number of
19 schools that have driver safety education programs. What was
20 the number?

21 WITNESS HORNFECK: Okay. Last year, according to
22 Mr. Seacrist from the Department of Education, there were 300
23 school districts that had a state approved program in their
24 office.

25 REPRESENTATIVE ROBERTS: Okay, so we have 201

1 school districts, then, that don't have a state approved
2 program.

3 WITNESS HORNFECK: Excuse me. We had 100 school
4 districts that had no program whatsoever; two of our largest
5 school districts being Philadelphia and Allegheny County.

6 REPRESENTATIVE ROBERTS: Okay.

7 WITNESS HORNFECK: The two largest counties, I
8 should say.

9 REPRESENTATIVE PARSELLS: Excuse me. They had no
10 program in Philadelphia or Allegheny?

11 WITNESS HORNFECK: Philadelphia is one of the first
12 counties that dropped everything, classroom and behind the
13 wheel. Pittsburgh, I should say -- I said Allegheny County.
14 Pittsburgh dropped their classroom and behind the wheel, was
15 teaching some classroom, ran some summer programs and so
16 forth, and quite a few school districts in Allegheny County
17 perhaps have partial programs and not total programs.

18 REPRESENTATIVE ROBERTS: So, we do recognize the
19 fact that a lot of our school districts don't have programs.

20 WITNESS HORNFECK: There's 100, yes.

21 REPRESENTATIVE ROBERTS: In fact, I have some
22 information that I will pass on to you. I have had a number
23 of my driver education instructors from the schools in my
24 area call me and ask when they are going to get additional
25 money so that they can do something better or do something

1 different in driver education.

2 It has been pointed out to me that over the years
3 their funding has been reduced and that there are people who
4 are trying to eliminate their programs, which I'm not real
5 pleased about, by the way, because I think we need to move in
6 the direction that you're suggesting rather than the
7 direction we are going in.

8 Let me ask you this, Doctor; do you have any
9 figures that will indicate how many students or how many
10 people, how may new licensees, do not receive any kind of
11 training?

12 WITNESS HORNFECK: Again, I'm going to use the
13 figures that Dave Seacrist gave me. Last year there were
14 approximately 146,000 tenth graders, and I realize not all
15 are tenth graders, but we can use that as a base figure.

16 REPRESENTATIVE ROBERTS: Who received no training?

17 WITNESS HORNFECK: I mean total, okay?

18 REPRESENTATIVE ROBERTS: Okay.

19 WITNESS HORNFECK: Last year we had approximately
20 69,000 sixteen and 17 year olds that completed a state
21 approved driver education program. Using the 146,000 as the
22 base line data, we would say that we are reaching 48 percent.
23 We reached 48 percent of the eligible drivers, those people
24 that wanted to be licensed.

25 You used the figure 16 and 17 year olds -- 110,000

1 -- again, using the figure 69,000, then we would be over half
2 of the individuals that completed a state approved program.
3 That can be through the public schools. That can be through
4 the private driver training schools.

5 REPRESENTATIVE ROBERTS: You mentioned in your
6 testimony, or you suggested, that we wait until you complete
7 your study. You're in the third year of your study now?

8 WITNESS HORNFECK: We're in the second year of the
9 study. Starting this school year, we have just started our
10 second year.

11 REPRESENTATIVE ROBERTS: Okay.

12 WITNESS HORNFECK: And, we're evaluating -- could I
13 make a mention about this from the evaluation standpoint?

14 REPRESENTATIVE ROBERTS: Sure.

15 WITNESS HORNFECK: What we're doing is we're giving
16 the students an opportunity, once they've completed both
17 phases with six months of driving experience, to complete an
18 in-depth survey of their driving experience, exposure,
19 violations and accident experience.

20 It's a self-reporting instrument, but it will be
21 much more detailed than what is on file in the Department of
22 Transportation with driver licensing. We will also use that
23 data there, but we will use the other data which would be
24 coming back from the individuals who completed the program
25 and we will be making comparisons.

1 We have 14 treatment schools and we have 14 control
2 schools who offer state approved programs and are doing
3 nothing other than teaching the state approved programs.
4 We're measuring against what is out there right now. The
5 only thing different would be those four areas that I
6 identified under the enhanced curriculum.

7 REPRESENTATIVE ROBERTS: I would be interested to
8 see the results of your completed study. I noticed also in
9 your testimony that you pointed out the fact, or you
10 recognize the fact, that twice before we tried to pass a bill
11 on mandatory driver education.

12 WITNESS HORNFECK: I've seen a bill almost every
13 year, and again the bills never get out of committee.

14 REPRESENTATIVE ROBERTS: It never comes out of
15 committee. I would like to make a comment in that regard,
16 and that is that this particular -- I would hope that you
17 recognize the fact that Representative DeLuca's bill at this
18 point is geared not toward education, or driver education per
19 se, in the same context that your program is designed for
20 education. In fact, we're highlighting alcohol and drug
21 abuse, and it's a mandatory program, but it's also geared at
22 all the young drivers. I would hope that you see the
23 difference there.

24 WITNESS HORNFECK: Yes.

25 REPRESENTATIVE ROBERTS: I certainly wouldn't want

1 this bill to interfere with what you're doing because, of
2 course, you have a much more significant program that you're
3 working on.

4 I did make note of some of the comments that you
5 made. You answered my question as to the figures. I will
6 definitely look at your position paper. I glanced at it very
7 quickly.

8 WITNESS HORNFECK: Thank you.

9 REPRESENTATIVE ROBERTS: Again I thank you for your
10 testimony, Doctor. You gave us some good information.

11 Thank you, Mr. Chairman.

12 REPRESENTATIVE PETRARCA: Thank you, Doctor.

13 WITNESS HORNFECK: Thank you.

14 (Witness excused.)

15 REPRESENTATIVE PETRARCA: Moving right along, we
16 have Dave Aites, Vice President of the Pennsylvania
17 Association of Professional Driving Schools, and his group.

18 MR. PARSELLS: When you all testify, please state
19 your name for the stenographer.

20 Whereupon,

21 DAVE AITES

22 having been called as a witness, testified as follows:

23 DIRECT TESTIMONY

24 WITNESS AITES: I would like to thank the Senate
25 Transportation Committee for taking the time to set up the

1 hearing this morning and allowing us an opportunity to come
2 in and give some opinions and views.

3 As requested, my name is Dave Aites. I am one of
4 the vice presidents of the Pennsylvania Association of
5 Professional Driving Schools.

6 A number of acknowledged experts have already, or
7 will shortly, speak on the many reasons why we feel the House
8 Transportation Committee should approve H. B. 2866, and
9 encourage its passage on the House floor. We also today may
10 hear reasons why the bill shouldn't be passed.

11 In the end we only have one real consideration;
12 should teenage drivers be required to take some level of
13 formal driver education before driving on the highways of the
14 Commonwealth? The answer to that question has to be a
15 resounding yes.

16 A look at all the figures and statistics presented
17 by the speakers will show us how many teens are involved in
18 collisions, how many are killed and injured, how many of
19 those crashes are alcohol-related and how many are as a
20 result of lack of knowledge.

21 H. B. 2866, also known as the five-hour law,
22 specifically addresses those two issues by mandating
23 education on the affect of drug and alcohol on a driver as
24 well as presenting information concerning the basic laws that
25 govern the highways of the Commonwealth.

1 What will H. B. 2866 accomplish? What benefit can
2 be realized by Pennsylvania residents? Why, some may ask, do
3 we need to mandate driver education in any form?

4 One of the critical factors affecting automobile
5 insurance is experience of the driver. Now, under the
6 current program, the 30 and six program that Dr. Hornfeck
7 referred to, teens do get an insurance reduction for
8 completing that program. They would not get such a reduction
9 for this program.

10 However, what we can hope for is that through some
11 minimum education, we can see a reduced number of accidents
12 and we can see a reduced number of violations. I can't say
13 that insurance companies are going to drop -- you know --
14 they're going to drop rates because of this bill being
15 enacted, but I can say that lower insurance rates are a
16 potential benefit. Again, education means fewer violations
17 and fewer collisions.

18 The Committee will hear representatives from other
19 states that have similar laws in place. I would ask that you
20 listen carefully to these persons, and I think we can expect
21 the same kind of results in Pennsylvania.

22 H. B. 2866 is not intended to replace the existing
23 voluntary 30 and six driver education course. Nor, as I
24 said, would a person qualify for a senior license at age 17
25 or the driver education discount on insurance by completing

1 this course. H. B. 2866 is intended to do one thing, insure
2 that all teens who get a license have the basic information
3 they need to drive safely.

4 Additionally, the teens who do complete the 30 and
5 six course would not take this course. The 30 hours of
6 classroom instruction received in the 30 and six course would
7 more than meet the requirements of this law should it be
8 enacted.

9 This course specifically targets those teens would
10 get a license at age 16 or 17 without taking driver ed. It
11 gets them into a formal education setting and presents
12 specific material that may not be available any other way.

13 Driving a vehicle is not the simple task that
14 people think it to be, and it becomes more complex with each
15 passing year. A driver is required to make thousands of
16 decisions each time they get behind the wheel of a car.
17 Right now, new drivers with no concept of defensive driving
18 techniques, such as the Smith system and the S.I.P.D process,
19 drive the same roads as you and I.

20 The car passing you on the turnpike on the way back
21 to Harrisburg at an excessive rate of speed can be driven by
22 a person who received a license yesterday after learning how
23 to drive at home. Is that person fully aware of the
24 potential for a collision and the fact that as speed
25 increases so does the potential for that collision?

1 The passage of H. B. 2866 into law would not be a
2 guarantee that teens will no longer be involved in crashes.
3 It would not be a guarantee that the Pennsylvania State
4 Police will never again write a traffic summons. What it
5 would be is a start in the right direction, teaching the new
6 young driver that with a license to operate a motor vehicle
7 comes responsibility.

8 At the beginning of this statement, I said there is
9 only one consideration; should teenagers be required to take
10 some formal level of driver education before driving on the
11 highways of the Commonwealth? There can only be one answer
12 to that questions, and that answer is yes, and in the form of
13 H. B. 2866, we have given you the tool you need to put that
14 requirement in place.

15 One final thought that I wanted to share with the
16 Committee is when I was first interviewed for the job as an
17 in-car instructor, I was asked a question. That question
18 was, "Why do you want to teach driving?" Without a moment of
19 thought, my response was that because if I could save one
20 life or prevent one major injury, I will have accomplished
21 something in my life. I believe that now, today, as much as
22 I did in 1973.

23 The honorable members of the House Transportation
24 Committee have the ability to do the same thing. If the
25 passage of H. B. 2866 saves one teen from being involved in a

1 collision, prevents one teen from sitting in a wheel chair
2 for the rest of his or her life, then we, you, have all
3 accomplished something. Thank you.

4 REPRESENTATIVE PETRARCA: Thank you.

5 REPRESENTATIVE DeLUCA: We will hold our questions
6 until the end of this group.

7 (Witness excused.)

8 REPRESENTATIVE PETRARCA: Kathy Pavlo.

9 Whereupon,

10 KATHY PAVLO

11 having been called as a witness, testified as follows:

12 DIRECT TESTIMONY

13 WITNESS PAVLO: Members of the Transportation
14 Committee, my name is Kathy Pavlo. I'm Secretary-Treasurer
15 for the Pennsylvania Association of Professional Driving
16 Schools, and I want to address the Committee on a little bit
17 different slant rather than all the statistics and the
18 technicalities of the bill.

19 Dr. Hornfeck referred to the Ketron study, and I
20 had worked on that six years ago, and we had hoped to see
21 something come into affect quickly with that. However, with
22 funding and all the other problems, we felt that at least, at
23 least, the five-hour law would be a start in changing
24 attitudes, and that's what I would like to address today.

25 Eighty-five percent of car accidents are caused by

1 driver error. We blame car manufactures and highway
2 engineers and the other guy. However, The National Safety
3 Council defines defensive driving as driving in a way as to
4 save lives, time and money in spite of the conditions or
5 actions of others.

6 In Pennsylvania, where do our teenagers learn any
7 techniques to offset those conditions or the actions of
8 others? I have a book here written by J. P. Rothe, who is
9 the author of Rethinking Young Drivers, and he points out
10 that most drivers are taught by their family, especially the
11 father.

12 He goes on to say that when you have voluntary
13 reporting to a driver school for driver education, it can be
14 seen as incompetence on the part of the father or as subtle
15 indicator that the parent-child relationship is not what it
16 should be.

17 Ironically, boys often reported that their fathers
18 occasionally drove in ways that showed disregard for the law
19 and canons of safe practice. "Speeding, trying to beat red
20 lights, running stop signs, driving without seat belts and
21 impaired driving" were spoken by most boys as things that
22 their parents do or have done, and those are direct quotes,
23 and I have the pages listed. Clearly parents' demonstrated
24 stance towards the law and canons of safe practice should be
25 a major source of concern for traffic and safety educators.

1 On drinking and driving, Rothe's research dictates
2 that 83 percent of teens feel that it's easy for people their
3 age to get alcohol, 86 percent say that drinking is common
4 for most teens in their community and 69.9 percent say their
5 friends drink alcohol, and only 34.8 percent answered that
6 their parents would be upset if their sons or daughters went
7 to parties where people were drinking alcohol. Yet, in
8 Pennsylvania, without instituting the five-hour law, we
9 continually miss the chance to offer alternative views on
10 alcohol and the affects it has on driving.

11 As an instructor for the last 18 years, I have had
12 students, both in the classroom and in the car, who have a
13 learner's permit or even in some cases a Pennsylvania
14 license. Yet, when asked simple rules of the road, such as
15 the difference between yellow lines and white lines, they
16 can't offer a correct answer.

17 These students have supposedly, on their own,
18 studied the Pennsylvania Drivers' Manual. When you discuss
19 that issue with them, it is clear that they memorized what
20 they thought might be on the test or only remembered it long
21 enough to pass the test. They simply don't understand the
22 highway system, rules of the road or law. To them driving is
23 simply getting from point A to point B, usually for
24 recreational purposes. The seriousness escapes them.

25 In our limited time today, I can't possibly convey

1 Rothe's findings, nor can I relate all my personal teaching
2 experience. However, one premise I would like to close with
3 is that attitude formation and education is necessary.

4 Rothe points out that if children can be provided
5 with materials on sexuality and consumerism well before they
6 become active in either sphere, there is no reason why they
7 should not be given material on driving at an early time as
8 well.

9 He adds that attempts should be made to revise
10 young people's common understanding of driving as easy.
11 Competent driving still involves the interaction of complex
12 motor and perceptual skills. Five hours would not be enough
13 to teach a person how to drive, and we are not trying to
14 replace the 30 and six, but the five-hour law would be a
15 start, a start that is long overdue.

16 It would give driver educators a chance to teach
17 basic rules of the road, educate teens on the affects of
18 alcohol and drugs and most importantly, impress upon them
19 that driving is privilege with responsibilities and that for
20 every action or choice that they make behind the wheel, there
21 is a consequence.

22 To reduce the 85 percent of accidents caused by
23 drivers, we need to educate, and only through education can
24 we begin to change attitudes that will save lives. Thank
25 you.

1 REPRESENTATIVE PETRARCA: Thank you.

2 (Witness excused.)

3 Whereupon,

4 MARK HENNESY

5 having been called as a witness, testified as follows:

6 DIRECT TESTIMONY

7 WITNESS HENNESY: My name is Mark Hennesy. I own
8 and operate Hennesy's Driving School. I am also the current
9 President of the Pennsylvania Association for Professional
10 Driving Schools.

11 For the past 30 years I have worked in driver
12 education. For five of those years I was a teacher Great
13 Valley High School. For the past 28 years I have owned and
14 operated Hennesy Driving School.

15 I am a firm believer in education. There are some
16 individuals in the driving school industry who feel that they
17 are a business person first and an educator second. I feel
18 the opposite. I am an educator first and foremost.

19 The positions that we hold in our life are a direct
20 result of our education, a little luck and a lot of hard
21 work. Education can solve a lot of our nation's problems.
22 On the other hand, lack of education can cause grief,
23 violence and sadness.

24 The proposed five-hour law is education at its
25 best. It will make sure that each young beginning driver has

1 some training on the rules of the road. It will also stress
2 the affects of alcohol and driving.

3 The number one cause of death for 16 to 24 year
4 olds in this country is automobile accidents. Half of these
5 accidents are alcohol or drug related. If, in the United
6 States, we could eliminate all drinking and driving, we could
7 save 20,000 lives per year. Although the five-hour law will
8 not guarantee that we are going to eliminate all the
9 accidents, it will make the young driver better informed and
10 less likely to drink and drive.

11 Most of the youngsters are not aware of even the
12 simplest facts. I have taught classroom work for 30 years.
13 In that period of time, when discussing drinking and driving
14 with the youngsters, they are totally astounded when you
15 bring up the fact that one drink makes you more than five
16 times as likely to have an accident than if you didn't have
17 any drinks.

18 If you have two to three drinks within an hour, you
19 are legally drunk. After that it takes but one drink an hour
20 to keep you there, and something new in the last three or
21 four years, women are affected by alcohol more than men
22 because of their body makeup.

23 Most of the youngsters aren't aware that a 12-ounce
24 can of beer, five ounces of wine or a shot and a half of
25 whiskey, an ounce and a half of whiskey, all contain the same

1 amount of alcohol. Many of the youngsters will tell me, "I
2 only drink beer so I don't have to worry." They just don't
3 understand. The five-hour law will make the youngsters more
4 aware of what's going on.

5 As Representative DeLuca mentioned earlier, driving
6 a car is expensive, and that it is. I've listed some things.
7 If you buy a new car once every ten years, the cost for 50
8 years of driving is \$50,000. I don't know where you're going
9 to find a car for \$10,000, but we're making these figures
10 quite low.

11 Insuring a car, provided you can do it for \$500 a
12 year, and we know down in the Philadelphia area that's
13 impossible, is \$25,000. Gasoline for a car is over \$16,000.
14 State inspection is \$1,500; registration plates, \$1,200;
15 driver's license, \$300; the cost of the five-hour law, \$25.

16 Spread over a lifetime of driving, this figures out
17 to one cent per week. One cent a week may save someone's
18 life. That's a small price to pay.

19 A few weeks ago in the Pittsburgh area Flight 126
20 crashed and killed 132 people. Since that time the Federal
21 Aviation Administration, the National Transportation Board
22 and US Air have spent thousands of hours and millions of
23 dollars to try and find the cause of this accident. When
24 they find the cause, they will do everything in their power
25 to eliminate the problem, be it more education, change the

1 engine design, whatever it takes.

2 In driving, we already know the cause of 20,000
3 deaths a year. It is lack of education on the affects of
4 alcohol and driving. When the five-hour law is passed, it
5 will be a step in the right direction to eliminate these
6 deaths. Thank you very much for your time.

7 REPRESENTATIVE PETRARCA: Thank you.

8 (Witness excused.)

9 Joseph Pauswinski.

10 Whereupon,

11 JOSEPH F. PAUSWINSKI

12 having been called as a witness, testified as follows:

13 DIRECT TESTIMONY

14 WITNESS PAUSWINSKI: Good morning, ladies and
15 gentlemen. My name is Joseph F. Pauswinski. I'm a past
16 president of the Pennsylvania Association of Professional
17 Driving Schools and of the national association which is
18 called the Driving School Association of the Americas.

19 I appear before you this morning to speak in favor
20 of the proposed legislation. Traffic safety and driver
21 evaluation have been a central focus for me over the past 25
22 years. A condensed copy of my curriculum vitae is attached
23 at the end of this presentation.

24 Being recognized as an innovator throughout
25 Pennsylvania, North America and the world is an

1 accomplishment of which I'm very proud. In the last few
2 years, I have been honored by a Dutch delegation which came
3 and spent two days seeing how my school handles the initial
4 training of teen drivers.

5 Last week I spoke at conferences in London, England
6 and Edinboro, Scotland on the topic of introducing
7 theoretical testing as a prerequisite for obtaining a
8 learner's permit. In December, I will be giving a
9 presentation to the Ministry of Transport in London on the
10 topic of teen driver training. Their driving age is
11 currently 17 and a half, but there is no organized theory or
12 high school training.

13 The road test last almost 45 minutes. The average
14 student need 30 hours of in-car training to pass, usually on
15 their third attempt, if they still want to improve their
16 theoretical training.

17 Over the next eight months I will also be working
18 on a program to assist countries in Eastern Europe to develop
19 a sound initial training and evaluation program. This will
20 culminate with a presentation in Prague, Czech Republic.
21 It's not Czechoslovakia any more.

22 That leads me back to the reason for my
23 presentation today. Pennsylvania currently has no
24 requirement for any initial training of its drivers, either
25 teen or adult. It is a well known concept that unfortunately

1 most drivers possess their best driver attitudes on the day
2 when they pass their driver exam. After that, all tends to
3 deteriorate.

4 If we haven't made our impressions for the
5 necessity of safety by that point, we won't have another shot
6 until they show up in a violators' program or until their
7 company has an evaluation course for its drivers. In that
8 case, most drivers in a violator or evaluation program feel
9 that they really don't belong there in the first place.

10 If you ask any group, including this one, how many
11 of us feel we are within the top 50 percent of the drivers
12 present in the room, we will all raise our hands. At least
13 half of us are wrong.

14 Since we are among this group of better drivers, we
15 don't need improvement, and we are not likely to improve
16 unless we happen to be exposed to an excellent speaker in an
17 excellent program. The driver retraining is a topic for
18 another day. Initial training is what we wish to discuss
19 today.

20 Last month I was interviewed by the Philadelphia
21 Inquirer concerning teen drivers. The reporter quoted the
22 statistic that teens make up only five percent of the
23 population and yet they are involved in about 17 percent of
24 the crashes.

25 The question put to me was, "Aren't you horrified

1 by this; what can be done to improve this unacceptable
2 statistic?" I'm sure that my answer was a surprise.

3 Please note the use of the word "crashes" instead
4 of accidents. Accident gives a connotation of an expected
5 and, therefore, forgivable situation such as little brother
6 Rufus spilling milk at the Thanksgiving table. The mom will
7 usually forgive all, stating that, "Well, accidents will
8 happen."

9 When airplanes hit each other or hit the ground,
10 they don't refer to it as an accident; it's a crash. The
11 government investigates and tries to determine why it
12 happened and how it can be avoided in the future. This is
13 what we should also do with car crashes.

14 I'm not at all horrified that teens are involved in
15 such a high percentage of crashes. The error from the
16 general public usually comes in comparing teens with the rest
17 of the driving public. What we should be doing is comparing
18 drivers with less than three years of experience, who also
19 happen to be teens, to new drivers of all ages.

20 Inexperience is one of the leading causes in
21 crashes. When the numbers are crunched, teens are not nearly
22 as high as the percentages show. The inescapable fact is
23 that most new drivers will always be teens.

24 How can we better prepare them for their driving
25 task? That is one of the challenges that we face today. We

1 have all heard that a little knowledge is a dangerous thing.
2 A new driver gets the initial feeling of proficiency when he
3 or she passes the driver exam.

4 In a few weeks PennDot will make the first major
5 improvement in driver testing in over 60 years when all new
6 drivers will be given exams actually on the street instead of
7 on the closed parking lots that most of us experienced.

8 By thus making the exam more difficult for the
9 majority of new drivers, we are at least moving in the right
10 direction. The little bit of knowledge and skill needed for
11 a license is increased, but that only means that the level
12 from which they begin to decrease and decline is set a few
13 notches higher. We can do even better.

14 Most experts in traffic safety recognize that
15 driving abilities are based upon three distinct elements;
16 knowledge, skill and attitude. It is in the third area where
17 most new drivers who are teens fail, but even this isn't just
18 what we term immaturity.

19 There are two most basic of all instincts. The
20 first of these is self preservation. In a near-death
21 situation, such as military combat, the brain releases a
22 chemical called adrenalin through the body.

23 Although the world record for the mile run is about
24 three minutes and 45 seconds for runners in track shoes, you
25 can be sure that a soldier in combat boots and full combat

1 gear has gone much faster when his life was in danger. The
2 same chemical, adrenalin, allows a 98-pound mother to
3 actually lift a car to free her child trapped underneath.

4 We all know that these events happen on a regular
5 basis, but we also know that we can't will our bodies to do
6 them.

7 The second most basic instinct is survival of the
8 species. All Star Trek fans know that Vulcan master of logic
9 over emotion, Mr. Spock. Most also remember the episode when
10 Spock experiences an uncontrollable urge to procreate and
11 steals the ship to return to his home planet. Nature
12 provides all species with the desire to continue.

13 In 1994, we have forgotten that the age for having
14 children as increased over the years. Romeo was 15 and
15 Juliet, 13. Joseph was 16 and Mary, 14. At a time when most
16 people are just beginning their driving careers, Mother
17 Nature is giving them the incredibly strong motivation to
18 attempt procreation to continue the species. As a result,
19 teen drivers often are motivated, not out of concern for
20 safety, but rather out of a genetic call to try to appear
21 worthy of attempting procreation.

22 What can we do to help them? Most of the answer
23 lies before you now in the proposed legislation. If we can
24 get the young drivers before these urges do, we can show them
25 that what they are experiencing is normal, but cannot be

1 tolerated on the road.

2 We can show them that alcohol and drugs are a lot
3 like premarital sex, things only to be done after long and
4 careful consideration of morality and consequences.

5 If you object to my use of physical urges in the
6 context of driving, I ask you to consider this. What are the
7 most alluring things to high schoolers? Driving, drinking,
8 drugs and dating. By the time they reach 16, we can no
9 longer just tell them our opinions. We must be prepared with
10 answers when they ask, "Why?"

11 Some people may feel that there is an added benefit
12 in this program from the fact that most teens will pass their
13 initial permit test. While this may be true, I feel that the
14 greatest benefit will be that we get an opportunity to show
15 these teens that what they are thinking and feeling, even
16 though it may seem a bit bizarre, is normal. What would not
17 be normal, and even dangerous, would be to allow these
18 thoughts and feelings to become part of their driving
19 patterns.

20 As a father of four, the youngest of whom has just
21 turned 16, I'm sure of one thing; we must do everything we
22 can to insure that we really understand, not only the driving
23 skill, but they must also understand themselves. This bill
24 gives us a chance to reach them and get them to this higher
25 level.

1 One final item, note the faces of the people that
2 you see here today. The private driver training school
3 industry in America is a truly professional group of men and
4 women. We travel throughout North America to improve our
5 skills and abilities.

6 This is only one of a number of initiatives that we
7 are pushing. You will see us again on many other topics;
8 initial training of all drivers regardless of age, driver
9 testing by driver schools themselves, driver improvement,
10 retesting and evaluation programs, graduated licensing for
11 new drivers and self sufficiency or self rule for our
12 industry.

13 My wife said she thought there was no way I could
14 put both Star Trek and sex into a presentation on driving
15 before the House of Representatives, but she was wrong.

16 I thank my fellow school owners for being here
17 today. I thank our national officers for attending to offer
18 what the national prospective is, and I thank you for your
19 attention.

20 REPRESENTATIVE PETRARCA: Thank you all for
21 testifying.

22 Any questions, Representative Roberts?

23 REPRESENTATIVE ROBERTS: Yes, just a comment. Joe,
24 you did an excellent job of it too. Thank you.

25 REPRESENTATIVE DeLUCA: Joe, I want to thank all

1 the panel here, but I can see why they want you to testify
2 and give speeches in other groups in other countries. I just
3 want to thank all of you for your excellent testimony. Thank
4 you very much.

5 (Witness excused.)

6 REPRESENTATIVE PETRARCA: Sandra Tomlinson.

7 Whereupon,

8 SANDRA TOMLINSON

9 having been called as a witness, testified as follows:

10 DIRECT TESTIMONY

11 WITNESS TOMLINSON: A sign on a house read,
12 "Attention Encyclopedia Sales Representative, we do not need
13 your product because have teenagers who already know
14 everything." I believe that we treat the subject of driver
15 education with a similar attitude.

16 My name is Sandra Tomlinson, and I am the
17 President-elect of the Pennsylvania Association of Education
18 and Safety Education, otherwise known as P.A.C.E. I'm a
19 comprehensive safety coordinator as well as a certified
20 driving instructor. I'm also the parent of two teenagers and
21 one pre-teen.

22 I'm here today to testify against House Bill 2866
23 as it presently reads. It is my intention to advocate the
24 need for mandatory high school driver education and to
25 address the shortcomings of this bill.

1 I wholeheartedly concur with the proposition of a
2 person not being issued a driver's license unless that person
3 successfully completes an educational program and passes an
4 examination. Motor vehicle crashes are the number one killer
5 of people under the age of 34.

6 Even though fatality rates are the lowest they have
7 been in nearly 30 years, they are still grim. The 1994
8 fatality facts published by the Insurance Institute of
9 Highway Safety reports that 53,717 motor vehicles were
10 involved in 35,747 fatal crashes in 1993. That resulted in
11 40,115 deaths. The motor vehicle death rate per 100,000
12 people is especially high among the 16 to 24 year olds and
13 people 80 years of age and older.

14 At all ages, males have a much higher death rate
15 than females. This fact dispels the notion, to which many
16 prescribe, that males have instinctive capable driving
17 abilities.

18 On the home front, PennDot's crash statistics
19 reflect a similarity to the national scene. In 1993, 133,033
20 people were injured or killed in 134,315 reportable crashes,
21 and 62.7 percent of the drivers in all crashes were males,
22 and 76.7 percent of the drivers in fatal crashes were males.
23 Yet, we feel better knowing that Johnny will be driving when
24 he and Susie go to the mall.

25 On the average in Pennsylvania, 4.2 people were

1 killed every day in traffic crashes. That's one every 5.7
2 hours. Every day 360.3 people were injured, and that's one
3 every four minutes. These incidents cost every man, woman
4 and child in Pennsylvania \$359.68 a year. These alarming
5 statistics are evidence of the need for mandatory driver
6 education taught by trained, certified instructors.

7 The driving task is a complex skill that involves
8 multiple functions. The role of the driver is that of
9 processing information and making decisions. The teaching of
10 these abilities should not be left to amateurs or to
11 instinct.

12 Another argument for compulsory driver training is
13 the conservation of life. The insurance industry supports
14 this stand by giving discounted premiums to students who have
15 completed a certified program.

16 Driver education offers as much behavior
17 modification and crash reduction potential as any other
18 short-term intervention. The National Highway Traffic Safety
19 Administration has taken the position that a quality high
20 school driver education program is capable of a ten to 15
21 percent affect in terms of reducing the probability of crash
22 involvement among persons exposed to it.

23 There is yet another strong argument. The Highway
24 Users Association points out a valuable spinoff benefit of
25 high school driver education not normally associated with

1 traffic safety, fuel conservation. A safe driver is a fuel-
2 efficient driver.

3 An American Automobile Association study found that
4 poor driving habits dropped fuel economy by 23 to 44 percent
5 and concluded that a ten percent reduction in gasoline could
6 be achieved if students practiced safe driving habits taught
7 in high school driver education. Shifting the responsibility
8 for driver education to the parent in the family car uses
9 more gasoline than instruction in the driver education car.

10 High school driver education is designed to prepare
11 young people to be responsible contributing members of
12 society, to teach them skills to obtain employment.

13 Pennsylvania does not require training for one of the most
14 essential, as well as dangerous, job activities, driving.

15 Before my son was permitted to apply for a license
16 to use a weapon to hunt, he had to complete a hunter safety
17 program taught by a certified instructor according to
18 Pennsylvania law. He is not required to receive any formal
19 training to become a licensed driver.

20 It is interesting that the threat of peril
21 associated with hunting in our state is not transferred to
22 the task of operating a motor vehicle on our state roadways.
23 It only makes sense to require mandatory training by a
24 certified instructor before applying for a license to drive.

25 The high school setting is ideal for providing the

1 opportunity for all young people to receive this training.
2 There are those who do not and will not get the means to
3 learn how to drive except in school.

4 Indiana University of Pennsylvania offers a program
5 designed to prepare single parents and displaced homemakers
6 for the job market. They are taught everything from
7 interviewing and computers to fashion tips and applying
8 makeup.

9 I asked the director of this program about the
10 teaching of driving skills, especially since motor vehicle
11 crashes are the number one cause of lost work time and
12 on-the-job fatalities. This was a concept that never before
13 had occurred to her, and yes, there had been cases when women
14 had dropped out because even after the completion of this
15 course, they would not be able to get to a job.

16 Providing driver instruction in the high school
17 would decrease the number of young people being sent into a
18 competitive job market without this vital skill.

19 While House Bill 2866 does promote mandatory
20 training, there are weaknesses. The standards for a safe
21 driving course are already set by the Pennsylvania Department
22 of Education, which require of current certified programs 30
23 hours of classroom instruction and six hours of behind the
24 wheel training. To suggest anything less would produce a
25 substandard program.

1 The contents of the curriculum are undergoing
2 revisions, and Dr. Richard Hornfeck of Indiana University
3 previously presented the enhanced driver education curriculum
4 that is being researched in designated Pennsylvania high
5 schools as well presenting the proposed federal regulations
6 which will have tremendous impact on the content of driver
7 training programs.

8 Another weakness of this bill is seen in the
9 section under Contents which outlines the teaching of the
10 affects of chemical abuse. Any driver education course that
11 includes a minimum of two hours of drug and alcohol
12 impairment is being redundant.

13 Act 211, which is administered through the
14 Department of Education, already requires this subject be
15 taught every year in kindergarten through grade 12. The
16 driver safety program should not be the place for presenting
17 this information as new concepts, rather it should be the
18 forum for practical application.

19 Recommendations for course content were presented
20 during a workshop at the 1993 National Conference of the
21 American Driver and Traffic Safety Education Association.

22 The profession should continue to pursue
23 performance-based instruction versus class time instruction
24 with student performance being the criteria which determines
25 if the student successfully passes the course.

1 This performance should include a driver assessment
2 which challenges the perceptual and decision-making skills of
3 the student, and this was presented by Dr. Daryl Jones,
4 manager of the driver training programs of the traffic and
5 safety engineering department of the American Automobile
6 Association.

7 The other shortsighted issue proposed in this bill
8 is the suggestion that fees should not exceed \$25. The
9 Pennsylvania Department of Education presently reimburses
10 school district a partial cost of the class at a rate of \$35
11 per student. This figure, which has not increased in almost
12 40 years, needs to be assessed at a higher rate.

13 The reimbursement could be supplied by anyone
14 applying for a driver license, a user fee similar to that
15 which funds the motorcycle safety programs in Pennsylvania.
16 The motorcycle safety program also allows the instructor to
17 examine the student and issue a license upon the passing of
18 both the knowledge and skill test. P.A.C.E. backs the idea
19 of the high school driver education teacher being authorized
20 to issue their students a license.

21 In conclusion, I urge you not to pass House Bill
22 2866 until revisions are made. Better yet, wait until the
23 proposed federal regulations and current research are studied
24 and write a new bill that incorporates their models of
25 instruction. Mandatory driver education is long overdue in

1 Pennsylvania.

2 The philosophy of P.A.C.E. is stated in this quote
3 of an unknown source to me. "Unless the child lives, all
4 education is useless." Being an educator and a parent, I do
5 believe in that statement.

6 By the way, do my teenagers know everything? Of
7 course they do. Just ask them. Do we have encyclopedias?
8 Absolutely.

9 Thank you for allowing me this opportunity to speak
10 before you today.

11 REPRESENTATIVE PETRARCA: Thank you, Sandra.

12 Tony?

13 REPRESENTATIVE DeLUCA: Thank you, Sandra. I want
14 to commend you on your testimony, but let me just say that
15 from what I get out of your testimony, you're in favor of
16 mandatory driver education training in our school districts.
17 Am I correct?

18 WITNESS TOMLINSON: Yes.

19 REPRESENTATIVE DeLUCA: As you know, and I'm sure
20 you are aware of it and you've been reading in the papers,
21 the House of Representatives is under fire from all kinds of
22 communities, 2,400 local governments in our state, to do
23 something about our tax structure.

24 School taxes are so high today that people can't
25 afford them any more. To require our school districts to

1 institute mandatory driver education training, we have to be
2 realistic about it. No matter how good it is, it's not going
3 to happen regardless of whether we want it to happen.

4 There's no one on this Committee, and I'm sure
5 there is no one in this audience, who wouldn't like to see
6 that happen. In reality it's not going to happen. Programs
7 are going to be cut because of the fact that the economy is
8 bad. People can't afford more taxes and programs have to be
9 cut, so new programs are not going to be instituted.

10 We also hear from our school districts, "Let's not
11 have the state mandate any more programs on us." I'm sure
12 that if we went to every one of those 501 school districts
13 and asked them if they want us to mandate driver education
14 training, it would not happen.

15 What do we do in a case like that? We try to
16 institute something. At least it's something so that we can
17 train our teenagers to have some knowledge about it.

18 I don't see how -- you say that the \$25 is not
19 enough. When I had a hearing in Harrisburg, one of the
20 things that came out was the question about the poor person
21 who doesn't have the \$25. I mentioned in my opening
22 statement that if you can't afford \$25, you certainly can't
23 afford the insurance part of it.

24 You're not going to see that raised. Even though
25 it hasn't risen, you're not going to see that raised. I

1 doubt if you're going to see the federal government bring in
2 more. We do more studies, not only at the state level, but
3 we do more studies on the federal level. If we used all that
4 money that we put into studies, we probably could have driver
5 education training.

6 If we want to wait until the federal government
7 mandates something as far as driver education, probably my
8 grandchildren would not be able to be in driver education, if
9 we continue to wait for them to act on the federal level in
10 passing that money down to us.

11 Even though I would love to see mandatory driver
12 education, which you allude to, we have to be realistic about
13 what we can do, and it's not going to happen in Pennsylvania,
14 and I doubt it's going to happen -- if it will happen in any
15 other state because the fact is that the economy is very low
16 right now.

17 I know, in this district, in the 33rd Legislative
18 District, if you have a \$7 an hour job, you have a big paying
19 job, and if you have benefits, you have a better paying job,
20 so you tell me how a homeowner can afford to take on more of
21 a tax burden if we mandate these types of programs?

22 There are a lot of programs that we can mandate
23 that are good for the public. We just have to somewhere
24 along the way draw the line. I don't see many of our
25 superintendents, and I don't see Harrisburg, Secretary

1 Carroll, pushing mandatory driver education. If you can tell
2 me something different, I certainly would love to know that.

3 Again, thank you for your testimony.

4 REPRESENTATIVE PETRARCA: Representative Roberts?

5 REPRESENTATIVE ROBERTS: Ms. Tomlinson, thank you
6 very much for your testimony. My children know everything
7 too, by the way. They're the smartest people in the world.

8 Your points are very well taken here. I'm glad
9 that you recognize the fact that compulsory driver education
10 is what we really need. I agree with you. I agree with the
11 program that you talk about. I agree with what Dr. Hornfeck
12 said. I really do.

13 I have to somewhat reiterate what Representative
14 DeLuca said, though. I don't see it coming any time soon. I
15 certainly would support it if we could start moving that
16 direction, and I would be the first one to jump on the
17 bandwagon and try to make this happen.

18 I have people in my district that say to do away
19 with all taxes. Well, that's not workable. Can we get the
20 program implemented that you are asking for? It might be
21 possible, but I don't know that it's possible in the short
22 term.

23 I don't want to make a long speech, but I want to
24 ask you a question. Do you see, even though you're opposed
25 to this particular bill, some benefits coming from -- if

1 this program that Representative DeLuca is asking for -- do
2 you see some benefits coming from it if we were to implement
3 it?

4 WITNESS TOMLINSON: As a driving instructor, I see
5 benefits for -- this is my own personal view. I can't speak
6 on behalf of P.A.C.E. on this. I'm in favor of all people
7 applying for a license receiving some type of formal
8 training.

9 REPRESENTATIVE ROBERTS: In that regard, then, even
10 though you oppose the bill, you do recognize that the bill
11 could have some merit?

12 WITNESS TOMLINSON: Yes.

13 REPRESENTATIVE ROBERTS: Would you also maybe agree
14 -- maybe that's not the right word. Would you agree, maybe,
15 that if we could implement this particular bill, that perhaps
16 that would be the first step towards what you are looking
17 for, and that is a full-blown driver education course across
18 the state; do you think maybe we could step off of this
19 program onto another one that's more inclusive?

20 WITNESS TOMLINSON: I've worked in the past in the
21 education of other bills and acts that have been passed down,
22 with the Seat Belt Safety Law and Child Passenger Safety Act,
23 and when those were passed, that was considered the stepping
24 stone, the jumping off point, at least that we got them on
25 the books.

1 It takes at least ten years for revisions to be
2 made, and I would like to see a quality bill put into place
3 that would reflect the needs and desires of -- well, all is,
4 I guess, a little too inclusive, but most of the needs and
5 desires of all of us here today. I think that the bill can
6 be very much improved.

7 REPRESENTATIVE ROBERTS: I'm new to the
8 Transportation Committee, and I'm certainly new to this
9 particular issue that we're talking about. You are certainly
10 one of the experts in the field, and Dr. Hornfeck mentioned
11 several studies and several pieces, two pieces, of
12 legislation that never made it out of committee in the past.
13 Do you have any -- are you familiar with those other bills
14 that Dr. Hornfeck had mentioned?

15 WITNESS TOMLINSON: No.

16 REPRESENTATIVE ROBERTS: Could you relate to me any
17 specific problems that you and others that support your
18 position of getting mandatory programs in all of our high
19 schools -- can you give me some specific information as to
20 who is opposed to making that move and what the major
21 stumbling blocks are?

22 WITNESS TOMLINSON: I know school districts are
23 absolutely looking at costs, and they're looking at reducing
24 costs within the school district. It concerns me that
25 they're -- they immediately look to the driver education

1 program as a cost because I see that as one of the give-backs
2 to the community.

3 I know, as a single parent of three children, my
4 time limitation -- I have very limited time with each
5 individual child, and for me to personally have to take them
6 out driving -- even though I'm a driving instructor, to take
7 them out personally and teach them to drive -- if I had to
8 teach my children any job-related skill, such as reading,
9 even though I am a certified teacher in Pennsylvania, that
10 takes time and it takes training for me to do that. Like I
11 said, I...

12 REPRESENTATIVE ROBERTS: Let me ask you this; have
13 you been involved in any way in trying to get legislation
14 passed for the programs you're asking for; have you
15 personally been involved?

16 WITNESS TOMLINSON: Not in the legislation because
17 my position does not allow me to do that.

18 REPRESENTATIVE ROBERTS: I asked you that because
19 I'm wondering what you may have run into. That's why I asked
20 that question.

21 WITNESS TOMLINSON: No.

22 REPRESENTATIVE ROBERTS: This program that we're
23 working on here is going to have a lot of stumbling blocks.

24 WITNESS TOMLINSON: Yes.

25 REPRESENTATIVE ROBERTS: It's not going to be easy

1 to get this implemented, if we can in fact do that, but I was
2 just wondering. I do support what you say. You're points
3 are well taken.

4 I agree with you that we need driver education. I
5 believe Representative DeLuca agrees with that. I think he's
6 just trying to -- sometimes we try to chip away at things in
7 Harrisburg, and I believe that's what he's doing.

8 I don't know if you heard, when I was speaking with
9 Dr. Hornfeck, that the teachers in my area are also calling,
10 driver education teachers in our high schools. They're very,
11 very concerned in the Fayette County area.

12 I appreciate your comments today. Thanks for being
13 here.

14 WITNESS TOMLINSON: Thank you.

15 REPRESENTATIVE PETRARCA: Thank you, Sandra.

16 WITNESS TOMLINSON: Thank you, Mr. Chairman.

17 (Witness excused.)

18 REPRESENTATIVE PETRARCA: Jack Sousa.

19 Whereupon,

20 JACK SOUSA

21 having been called as a witness, testified as follows:

22 DIRECT TESTIMONY

23 WITNESS SOUSA: Honorable Chairman, distinguished
24 members of the Committee, my name is Jack Sousa. I am the
25 President of the Driving School Association of the Americas.

1 I operate driving schools in the states of Massachusetts,
2 New York and Connecticut. Two of those three states
3 mentioned presently conduct the mandatory five-hour pre-
4 licensing program.

5 What I would like to do, as opposed to reading the
6 actual testimony that I've submitted in written form, is to
7 highlight it and make some comments on previous speakers'
8 comments in terms of costs.

9 First of all, cost is always a factor, and I wanted
10 to begin by saying that the Driving School Association of the
11 Americas supports what Dr. Hornfeck has presented to you, the
12 concept of a more expanded, detailed program, but we also
13 recognize, as business individuals and educators, that it is
14 unattainable in today's economy. The fact that it is in the
15 position that it is, some training versus zero training has
16 to have a particular point value.

17 Now I would like to continue in regard to costs
18 because there is a study that is being unveiled. In the
19 state of Massachusetts, there is pending legislation that is
20 very similar to this, and they did a cost analysis that has
21 revealed some substantial figures in terms of costs.

22 One of the most revealing things I would like to
23 bring to this Committee is that in many cases, high school
24 driver education programs are taught by high school teachers
25 after hours, on overtime and extended periods that are paid

1 in addition to teacher salaries.

2 The State of Massachusetts, like the State of
3 Connecticut, like the State New York, like the State of
4 Texas, contribute to the pension fund and supplies an actual
5 pension dollar amount to a teacher based on their last three
6 most productive years.

7 Driver educators, because of the additional hours
8 available to them, the cost effectiveness, the actual costs
9 dollars to promote some of these programs, is being
10 determined in amounts of \$1,200 and above, based on not only
11 the salary and all the other expenses, gas, car and other
12 expenses attached to a program, but the hidden expense of
13 pension contribution by the state.

14 I believe that Pennsylvania, and I don't know for a
15 fact -- I provide that to the Committee for food for thought
16 because once that is revealed and comes to the public
17 forefront in your particular state, I think that figure would
18 surprise most of you Committee members, the actual dollar
19 amount.

20 There are some other things that I think are very,
21 very important. The State of California, the State of
22 Colorado -- the law suit has been determined by not only the
23 First Superior Court, the Court of Appeals, but has gone to
24 the Supreme Court in that state, whereby private industry has
25 challenged public education in the right of every and all

1 citizens to have public education guaranteed free, no charge
2 for those who acquire it.

3 Driver education has been challenged, and they had
4 voted in favor that private education, driver education,
5 cannot be offered free of charge unless it's offered free of
6 charge for -- I'm sorry -- cannot be charged for. It must be
7 offered free of charge as guaranteed by that state's
8 Constitution.

9 I will tell you that a similar lawsuit was brought
10 in Connecticut, and the Department of Education settled that
11 particular lawsuit out of court.

12 Okay. Let me talk in specific about what the bill
13 has done for us. There is an underlying advantage to the
14 State of Pennsylvania. Statistically, the State of New York
15 and the State of Pennsylvania can provide statistical
16 information, statistical data, that supports the fact that
17 the pass ratio of first time applicants for a driver's exam
18 increased in the State of Connecticut by 28 percent,
19 therefore reducing the cost to the state for re-examination.

20 The first time applicant comes in, fails the
21 driver's exam on the first attempt, then goes back into the
22 process and time has to be allocated for a motor vehicle
23 examiner. It has reduced the costs in terms of number one,
24 availability of appointments; number two the pass ratio on
25 the first attempt.

1 The other thing that I think is important -- the
2 State of New York has a study compiled, and I can provide
3 that to this Committee. I don't have it with me today, but I
4 can get it to you. It's a full report that does identify a
5 significant difference in the number of automobile crashes,
6 injuries and fatalities in respect to what the five-hour has
7 done for first time applicants.

8 I also would like to make comment that the State of
9 Connecticut now is considering -- we have had the five-hour
10 bill in place for five years -- they are now considering
11 expanding it, such as the State of New York has done, to all
12 drivers, adult drivers and teen drivers alike. I don't think
13 the state would consider doing that if the results had not
14 been positive on the first time entry level, 16 and 17 year
15 old drivers.

16 I would like to say the Representative DeLuca's
17 comments were right on target in terms of federal
18 legislation. Our national association is working very
19 closely with the House and Senate Transportation Committee
20 members in regards to the Danforth legislation, and you are
21 absolutely correct in that the first thing it does is
22 allocate dollars for study. It allocates dollars for study
23 for drivers on an entry level, for state-established programs
24 on an entry level, for entry level drivers, violators and
25 mature drivers.

1 In previous testimony, I believe Dr. Hornfeck
2 alluded to the fact that the teenage category, 16 and 17, was
3 the fastest growing category in terms of accidental deaths
4 and accidental injury as a result of motor vehicle accidents.

5 I provided, in my testimony, statistical
6 information from the National Safety Counsel that directly
7 contradicts that. It is not only the entry level driver, 15
8 to 24 years old, but it's the driver from 65 years old to 75
9 and above. So, the statistical information is there, the
10 data is there, to support that.

11 One thing I would suggest very, very strongly -- I
12 have given you a copy of the state mandated curriculum. It's
13 an outline of the curriculum. It's not the full curriculum,
14 but it's an outline, and it not only talks about the drug and
15 alcohol affect.

16 In our state we also have legislation where every
17 high school student must take a drug and alcohol program, but
18 it's the physiological affects of drugs and alcohol that it
19 talks about. It does not correlate those, or directly relate
20 those, to the driving behavior.

21 I think what is important about this program is
22 that it talks not only about the affects of drugs and
23 alcohol, but what it does to the - how it affects a driver.

24 In addition, I would like to mention that the
25 curriculum does not just allude to drugs and alcohol, it

1 talks about vehicle safety systems and sign identification.
2 There are several categories that it provides instruction
3 for.

4 Another identifying figure I think is important is
5 that many incidents in each state -- in the State of
6 Massachusetts this past month, I testified before their
7 Transportation Committee. Their concern was that it would
8 remove people from the 30 and six program. The teens would
9 say that this was an alternative and they would take this.
10 It is not. In the State of Connecticut, in my testimony
11 before the Massachusetts Transportation Committee, I provided
12 data that distinguished absolute opposite, that it encouraged
13 people. Once they had a taste of formalized training and
14 they realized that there was some value to it, it actually
15 encouraged them.

16 I can tell you statistically in our school, in the
17 State of New York and in Connecticut, without question it
18 encourages people to take additional training if the initial
19 training was worthy and obviously stimulated the learning
20 activity.

21 What I would like to do now is to close. I urge
22 passage of your House Bill 2866 and open myself to questions.

23 REPRESENTATIVE PETRARCA: Thank you. Any
24 questions.

25 REPRESENTATIVE DeLUCA: None.

1 REPRESENTATIVE ROBERTS: No. Thank you for coming.

2 REPRESENTATIVE PETRARCA: Thank you.

3 WITNESS SOUSA: Thank you for allowing me to
4 testify.

(Witness excused.)

6 REPRESENTATIVE PETRARCA: Robert Maxino.

7 Whereupon,

8 ROBERT MAXINO

9 having been called as a witness, testified as follows:

10 DIRECT TESTIMONY

11 WITNESS MAXINO: My name is Bob Maxino, and I
12 appreciate the opportunity to speak to the Committee this
13 morning. I'm from your neighboring state of Maryland. I
14 have no vested interest in being here. I am an officer of
15 our national association and I operate driving schools in
16 Maryland, the District of Columbia and Virginia, so I think I
17 can bring to you information on what is going on there.

18 First of all, I don't think anybody here is opposed
19 to this five-hour bill in spite of some of the testimony I've
20 heard. I think those who are opposed to it want the 30 and
21 six, but it appears as though at this point in time, that is
22 unattainable.

23 We talked about researches, surveys, federal
24 legislation, that maybe the state will find a bonanza of
25 money or federal funding, and you know all of these things

1 take years.

2 I've heard somebody talk about parental
3 involvement. For 30 years I have operated one of the largest
4 driving schools in the country, and I want to tell you that
5 if you believe there is going to be parental involvement, you
6 believe in Santa Claus.

7 Parents want the students to get their driver's
8 license, but usually they want somebody else to do it. I'm
9 not saying that's true in 100 percent of the cases, but
10 again, I really believe, and this is from my work in the real
11 world, that that's a pie in the sky objective.

12 Right now you have nothing in Pennsylvania. I have
13 provided you with a survey of various states that you should
14 have in front of you. The majority of those responding have
15 30 hours of mandatory classroom. Pennsylvania is in the same
16 neighborhood as the District of Columbia because you have
17 nothing.

18 In Maryland, we have a mandated 30 and six. You
19 might be interested to know that, and I have provided you a
20 copy of the bill, an additional piece of legislation that we
21 recently had passed, mandated an additional three-hour drug
22 and alcohol course. If you have never been licensed before
23 and you come to Maryland, regardless of your age, you must
24 take a three-hour drug and alcohol course. That just went on
25 the books two years ago.

1 The idea there, and I see a part of it in your
2 five-hour legislation, is to make the individual aware, not
3 only of the consequences of drugs and alcohol in relationship
4 to driving, but what the individual rules and regulations and
5 laws are in Maryland because they are different from state
6 to state if you are driving under the influence of either
7 one of those types of substances.

8 A person coming from Pennsylvania has to sit
9 through this course and be educated on the involvement, the
10 circumstances and the rules and regulations for Maryland.

11 REPRESENTATIVE PARSELLS: I'm sorry to interrupt
12 you, but I just want to clarify something.

13 WITNESS MAXINO: Yes.

14 REPRESENTATIVE PARSELLS: Reading the law, is that
15 Pennsylvania residents, for example, who have never been
16 licensed?

17 WITNESS MAXINO: Yes, if you've never been
18 licensed, that's correct.

19 REPRESENTATIVE PARSELLS: If you have a current
20 Pennsylvania license, you...

21 WITNESS MAXINO: If you have a license already, you
22 are not required to take that.

23 REPRESENTATIVE PARSELLS: Okay. That's what I
24 thought. Thank you.

25 WITNESS MAXINO: Representative DeLuca referred to

1 the possibility that some people might not have the \$20, and
2 you, as legislators, know -- the \$25, I believe -- you, as
3 legislators know that no matter what you do, you're going to
4 get some objections.

5 Maybe some people are going to say it's
6 inconvenient to take this course, but I submit to you,
7 gentlemen, that your response should be, "I want to help to
8 save lives in Pennsylvania. I want to help save lives in
9 Pennsylvania." We ask you to please favorably consider this
10 bill, and why? Again, something is better than nothing.

11 We talk about research, we talk about studies, but
12 I have a little problem with that. One study is going to
13 take another year; federal legislation, who knows how long.
14 We all know that out there in the streets right now somebody
15 is being injured or killed, and you have nothing in place.

16 Gentlemen, this bill should be passed and it should
17 be passed urgently and with a great sense of urgency. As we
18 sit here -- is there going to be another committee meeting
19 next year on this same bill if it doesn't pass? Will there?
20 Will there be?

21 It should be passed, gentlemen, because as we sit
22 here today, people are being killed. It's not the total
23 answer, but it's a step in the right direction. Thank you
24 very much.

25 REPRESENTATIVE PETRARCA: Thank you. Any

1 questions?

2 REPRESENTATIVE DeLUCA: Thank you, Mr. Chairman.

3 I would just like to say, I would appreciate it if
4 you would turn over the Ohio study to the Chairman, and he
5 will make it available to the Committee.

6 REPRESENTATIVE PARSELLS: Also, Mr. Sousa, is it
7 possible for you to get a copy of the Connecticut law to
8 provide to the Committee?

9 WITNESS MAXINO: Yes, sure.

10 REPRESENTATIVE PARSELLS: If you could see Julie in
11 the back, she will give you an address where to send it.

12 WITNESS MAXINO: Sure.

13 REPRESENTATIVE PARSELLS: Thank you.

14 REPRESENTATIVE DeLUCA: Thank you very much.

15 (Witness excused.)

16 REPRESENTATIVE PETRARCA: The next speaker will be
17 Dr. Arlene Baxter, Executive Director of MADD.

18 Whereupon,

19 ARLENE BAXTER

20 having been called as a witness, testified as follows:

21 DIRECT TESTIMONY

22 WITNESS BAXTER: Hello, my name is Dr. Arlene
23 Baxter and I am Executive Director of Mothers Against Drunk
24 Driving, and we serve southwestern Pennsylvania.

25 I'm here today to talk about several things that

1 I've heard just said and maybe a good follow-up to the
2 gentleman who just spoke.

3 I am in favor of the five-hour law. Each year,
4 approximately 25,000 fatalities and 350,000 injuries occur
5 because of alcohol impaired drivers. These statistics
6 represent a unique and irreplaceable individual with a name,
7 family and a future that goes unfulfilled.

8 Each represents far more than a number to his or
9 her family and friends. They find themselves caught up in a
10 tragic ripple affect set into motion each time there is an
11 alcohol related crash.

12 The mission of Mothers Against Drunk Driving is to
13 stop drunk driving and support victims of this violent crime,
14 and that's one of the reason that I am here today coming
15 before you and urging the passage of the bill, the five-hour
16 bill.

17 Mothers Against Drunk Driving was founded in
18 California in 1980. It is a non-profit grass roots
19 organization with over 400 chapters nationwide. Membership,
20 contrary to the public's conception, is open to men, women
21 and children, any concerned citizen and many businesses, so
22 there is an enormous concern for the public safety in the
23 area of alcohol related crashes. We, then, tend to help
24 those people whose families have been affect by an alcohol
25 related crash.

1 For those injured and killed in drunk driving
2 collision, they are not considered by MADD to be accident
3 victims, and that is why I am here to appeal to you today.
4 The crashes caused by an impaired driver is a violent crime.
5 Drunk driving involves the choice; one, to drink, and then to
6 drive.

7 The deaths and injuries that result from impaired
8 driving can be prevented, and one of the bills, the bill that
9 is before you today, is a way that we hopefully can do some
10 prevention by education.

11 I've been Executive Director of MADD for almost
12 three years. I came to the position with a background of
13 writing and teaching in the areas of family violence. I've
14 had books and texts published in the area of family violence
15 and abuse. My position with MADD has taken me from
16 investigating violence within the family to violence on the
17 highways.

18 I frequently receive calls at the MADD office from
19 the media asking for alcohol related crash statistics. This
20 is particularly true around the holidays, and we are always
21 pleased to be able to provide those numbers because the media
22 is, in effect, doing our job of public relations, public
23 awareness, but to us, those statistics represent families,
24 families that we serve in support groups, families that we go
25 through the court system in.

1 I guess what I'm saying is that you're looking at
2 an issue of alcohol related crashes. We look at that issue
3 from a much more intimate view, and that is from the family's
4 point of view, those families who are thrown into the court
5 system because of an alcohol related crash, and many of these
6 people are non-drinkers.

7 It always brings to mind, when I talk about holiday
8 statistics, an elderly gentleman whose wife was on her way
9 home from church, a non-drinker who was hit by a drunk driver
10 in a pickup truck who crossed the roadway onto her lane,
11 killing her. Obviously, Christmas is not the same for him.
12 His life has never been the same since. Again trying to
13 reiterate that what are statistics to many, are faces and
14 people to us.

15 We're all too familiar with the consequence of
16 young drinkers around graduation or prom time. When what
17 should be a memorable time, it becomes a memorial when an
18 alcohol related crash takes the life of a high school
19 friend.

20 Too often we see the case of a youngster who will
21 say, "I'm can't drive, I've had too much to drink." His
22 friend then says, "Well, in that case, I will drive you
23 home," and it is the friend who didn't know that he had had
24 too much to drink, who had no knowledge of how impaired he
25 was, who ends up killing his friend who knew he was too drunk

1 to drive.

2 Almost half of the 16 to 20 year old deaths in 1993
3 resulted from motor vehicle crashes, and about half of these
4 were alcohol related. Researches have shown that the
5 teenagers drive less than older drivers, yet despite their
6 lower exposure, have a higher number of crashes. This crash
7 risk is greatly increased by the use of alcohol. MADD's work
8 with youth is a vital component of our mission.

9 For the past 14 years MADD has emerged as a leader
10 in drunk driving prevention. Our work with youth in a
11 variety of education and prevention programs is an area in
12 which we see the opportunity for hope.

13 This takes me to the subject more directly of
14 today's hearing. MADD has received a grant to administer a
15 brief alcohol and drinking and driving program. We
16 administer that in the high schools, and we have had just an
17 enormous amount of response. The high schools like it
18 because first of all, it is without cost. Second of all, we
19 provide the material and we train the facilitators.

20 This has made it very apparent to us that there is
21 a tremendous need for something in the high schools at a time
22 when many driver education classes have to be eliminated due
23 to cost and due to computer courses, and it is just taking a
24 back seat, and that scares us.

25 The program that we have offered to the schools is

1 being, you might say, scooped up faster than we can get it
2 out there, so we see the need and know that there is a need
3 for this message.

4 They obviously see a great need for not only a
5 "Just say No" approach to drugs, but a message with specific
6 factual information about drugs, drinking and driving, and
7 our program does that. Again, it's only a drop in the
8 bucket, but it is certainly wanted.

9 We try to reach as many young people as we can, but
10 our efforts are not enough. Each new driver should be
11 exposed to this information in as many ways as possible so
12 that they can be equipped to make an informed choice
13 regarding alcohol and driving.

14 The proposed five-hour legislation, making the
15 inclusion of drugs and alcohol information mandatory, would
16 insure that all licensed drivers would have at least been
17 exposed to this vital information once.

18 The proposed five-day law includes a minimum of two
19 hours of training on medical, biological and psychological
20 affects of alcohol and drugs. It talks about the impact on
21 the operator, and it is vital information.

22 This is particularly important because of the way
23 in which the current law reads. For example, anyone under 21
24 years of age is prohibited from purchasing or consuming
25 alcohol in this state. Yet, if stopped and found to be

1 drinking and driving, they have the same .10 legal standard
2 as an adult, thus they can only be cited for underage
3 drinking, not driving under the influence.

4 In light of this very grey area in the current law,
5 no one under 21 can drink legally, yet they can drink and
6 drive legally up to .10. This makes passage of the five-hour
7 law, which makes drug and alcohol education mandatory, a very
8 necessary step to fill the gap that exists in the current
9 law.

10 Because the current law protects the under-21 from
11 getting a DUI as a consequence of drinking and driving, it is
12 imperative that he be informed about the danger of drinking
13 and driving as a means of prevention. This five-hour bill is
14 certainly not the most affective means of prevention, but it
15 is a beginning to what we hope will eventually lead to a
16 longer and more in-depth mandatory course for new drivers.

17 The need for immediate prevention measures can most
18 easily be seen in the 1993 National Highway Transportation
19 Safety Association statistics on youth as regarding drinking
20 and driving and other drugs. Those figures speak much more
21 loudly than any single voice, and it is my hope that they
22 will be heard. I have included these statistics for your
23 information.

24 Thank you. I will be glad to take any questions.

25 REPRESENTATIVE PETRARCA: Thank you. Tony?

1 REPRESENTATIVE DeLUCA: I just want to thank you
2 for your excellent testimony. You certainly brought
3 something to my attention that I wasn't aware of pertaining
4 to the teenagers who are drinking and only being charged
5 with...

6 WITNESS BAXTER: Please call my office. I would
7 like very much to discuss that further with you.

8 REPRESENTATIVE DeLUCA: But, I am glad you brought
9 it to my attention because I wasn't aware of that.

10 REPRESENTATIVE PETRARCA: Mr. Roberts?

11 REPRESENTATIVE ROBERTS: I wasn't aware of that
12 either. We learn things.

13 WITNESS BAXTER: Please call my office, 373-MADD.

14 REPRESENTATIVE ROBERTS: You gave us some good
15 information. In fact, I learned something else just this
16 week that you may know about it. I didn't know about it
17 until I heard of it. In Harrisburg, we are starting to have
18 a problem where youngsters are buying alcohol drinks with an
19 alcohol content of less than .5 percent.

20 WITNESS BAXTER: Yes.

21 REPRESENTATIVE ROBERTS: We do not control
22 alcoholic beverages under .5 percent. They are selling
23 coolers in Harrisburg with .49 percent, and the youngsters
24 are buying these things and taking them to high school. I
25 just learned that this week when I was in Harrisburg, so you

1 just gave some information to us and you're points are very
2 well taken.

3 WITNESS BAXTER: Thank you. We do a great deal
4 with prevention and education, more so now, perhaps, than
5 when MADD was originally started, maybe because of my
6 background. Any time you need any information on the under-
7 21 problems, and I say plural because there are a couple of
8 them, I would love to talk to you about it.

9 REPRESENTATIVE ROBERTS: This is certainly
10 something we need in order to help this legislation. Thank
11 you, Dr. Baxter.

12 REPRESENTATIVE PETRARCA: Thank you.

13 WITNESS BAXTER: You are welcome.

14 (Witness excused.)

15 REPRESENTATIVE PETRARCA: Ann Rose.

16 Whereupon,

17 ANN ROSE

18 having been called as a witness, testified as follows:

19 DIRECT TESTIMONY

20 WITNESS ROSE: Good morning, gentlemen. I thank
21 you very much for the opportunity to speak here. My name is
22 Ann Rose. I'm editor of the AAA Motors and Public Relations
23 Manager for AAA West Penn/West Virginia. However, today I'm
24 representing the Pennsylvania AAA Federation. The Federation
25 includes all AAA clubs in Pennsylvania, serving more than 2.5

1 million motorists.

2 AAA believes driver education and training are an
3 essential component of a comprehensive safe driving program
4 and supports House Bill 2866 as an important step, and we do
5 say important step, a first step, in promoting safe driving
6 through education and training.

7 Novice drivers between the ages of 15 and 20
8 continue to have the highest collision rates of any age
9 group. They account for 14 percent of all traffic deaths
10 even though they make up only seven percent of the
11 population.

12 It is an absolute tragedy that 5,000 teenagers were
13 killed last year on our nation's highways. Pennsylvania
14 rated 14th in the nation with 142 teenage driving fatalities.

15 There are other statistics that are equally
16 alarming. Thirty-eight percent of all deaths among 16 to 19
17 year olds occurred from vehicle crashes. Forty-five percent
18 of all 16 and 17 year old girls that die do so because of an
19 automobile accident. Among boys of the same age, 36 percent
20 of deaths are due to crashes.

21 Male drivers 18 years old have higher motor vehicle
22 death rates than any other age group, more than twice the
23 rate for males 30 to 64. Drivers age 16 and 17 are three
24 times more likely to be killed in traffic crashes than people
25 age 25 to 64, and more than one quarter of those drivers

1 under 21 killed today on our roadways have a blood alcohol
2 content of .01 or more.

3 Highway safety experts say factors such as general
4 inexperience and lack of adequate driving skills, excessive
5 night time driving, risk taking and overall poor judgement
6 are the main reasons teens are so over-represented in these
7 statistics.

8 These compelling statistics have prompted AAA to
9 take a look for a solution. AAA believes, in addition to the
10 very necessary passage of mandatory driver education laws
11 such as House Bill 2866, a comprehensive evaluation of
12 current driver education programs must be made.

13 The AAA Foundation for Traffic Safety, based in
14 Washington, D. C., is working to develop a new model
15 curriculum outlined to improve the training of young drivers,
16 a program that will provide training and education for
17 teenagers and better prepare them to handle the
18 responsibilities of driving.

19 AAA is most willing to work with Representative
20 DeLuca and with the House Transportation Committee on this
21 very vital issue and will be happy to share with you the
22 results of the AAA Foundation study which should be completed
23 in January of 1995.

24 AAA believes an educated driver is a more
25 effective decision maker. The ever increasing demands of the

1 highway traffic system, more drivers, more vehicles, more
2 stress, underscore the need for better driver education.

3 New drivers particularly need rigorous instruction
4 and training to provide safe driving attitudes and
5 improvement of perceptual abilities in management of time
6 and space in traffic. AAA believes that that can be achieved
7 by building a program that influences motivation as well as
8 maximizing skills.

9 AAA is very concerned at the erosion of funding for
10 driver education programs and believes such programs should
11 be an essential element of the educational function of the
12 public school system from high-tech settings to no-tech
13 settings.

14 We believe that graduated licensing in combination
15 with improved driver education hold promise as a way to
16 provide incentives for new drivers to drive safely. It is
17 indeed unfortunate that driver education opportunities are
18 declining at the very time when the nation's novice incur
19 more fatalities and injuries per vehicle mile driven than any
20 other age group.

21 Therefore, AAA supports the following; driver
22 education re-established as a priority to stimulate schools
23 to implement more and better driver education courses for
24 beginning drivers at all public schools; two, intensified
25 research and development to make driver education more

1 efficient, cost effective, relevant and stimulating.

2 This involves first the redesigning of the
3 instructional program and utilizing state of the art
4 activity and simulation technology and integrating the
5 educational process with the staged licensing system.

6 Number three, adequately financed high school
7 driver education programs; the object should be to increase
8 the number of students receiving high quality instruction
9 both on the road and in the classroom.

10 We believe that today's young people are seeking
11 better training and they are looking to us to provide that.
12 They want us to provide the incentives that will ignite their
13 natural curiosity and their natural ability to become safe
14 and good drivers.

15 We have an obligation to the youth of our country.
16 We have an obligation to make our highways as safe as
17 possible for all travelers, no matter what their age. This
18 is a charge that AAA does not take lightly. We believe it is
19 a challenge that must be meet.

20 We thank you, Mr. Chairman. We thank you,
21 gentlemen, for the opportunity to speak on this most vital
22 subject.

23 REPRESENTATIVE PETRARCA: Thank you. Tony?

24 REPRESENTATIVE DeLUCA: I just want to thank you,
25 Ann, for the excellent testimony. No questions.

1 Administration has studied and statistically documented these
2 problems, so have other nationally known organizations such
3 as the Insurance Institute for Highway Safety, the American
4 Automobile Association and the National Safety Council. All
5 research that has been done points to the need for a good
6 driver education training program for young drivers.

7 Probably to everybody's pleasure, I'm not going to
8 go through a litany of statistics, but they are certainly
9 included in the written remarks in front of you.

10 I will admit that death and accident rates amongst
11 this age group have been declining since the mid-'70s, but
12 there are many reasons for this. Included among them, of
13 course, are safer highways, safer cars and lower speed
14 limits.

15 About the only thing that has not improved, at
16 least in Pennsylvania, is the overall driver education
17 program. As tax dollars for education diminish and school
18 deal with ever-tightening budgets, cuts have to be made, and
19 one of the first usually to go is driver education.

20 When my son reached the driving age of 16, he said
21 to me, "Dad, I want to get my driver's license," and my
22 response to him was, "Come back when you're 17." End of
23 discussion. I was not trying to be mean at that point in
24 time. I just wanted a little more maturation to take place
25 before he got behind the wheel of a car.

1 At 17, he came back and said, "How about now?" I
2 said, "Okay, with a few requirements. You have to go out and
3 find a driver education training program consisting of 30
4 hours of classroom and six hours of behind the wheel, make
5 arrangements to get there and get home, and successfully
6 complete it. Once you've done that, then we will do some
7 more talking." So, he did that, and he completed a course
8 from a private driving school consisting of 30 and six.

9 Now, at that point in time, I said, "Okay, you make
10 arrangements to meet with me to go get your permit, and it
11 has to be at my convenience, not your convenience." So, he
12 was 17 and a half years of age before he got his driver's
13 license.

14 Now, if all parents in this state took that
15 attitude, and I'm not holding myself out to be some kind of
16 more statue here, but at least if every parent took that
17 attitude, we wouldn't be here talking today.

18 I think it's something that's needed and needed
19 desperately. The minimum accepted training by most driver
20 educators across the country is 30 hours of classroom, six
21 hours behind the wheel.

22 I went out with my son many hours before I let him
23 drive. Did he make mistakes? Most assuredly. I also made
24 him complete the National Safety Council's eight-hour
25 defensive course, but that was after he got his driver's

1 license. He's had a lot of training. It didn't solve all
2 the problems, and I ride with him now and I say, "Oh my god,
3 what did you just do?" Then he'll ride with me and he'll
4 say, "Oh my god, what did you just do?"

5 I teach a lot of driver education programs,
6 National Safety Council driver education programs, and even
7 I, with years of experience in traffic safety in particular,
8 make mistakes, and every time I teach that course myself, I
9 learn something myself, and I think that's the important
10 thing here.

11 Education never stops, but what we need is a
12 beginning. In fact, my wife told me just the other day that
13 I'd better teach that course again real soon, and I think
14 that's the point here, that we need to have something to
15 start with because most of these kids that are licensed today
16 never really have an opportunity to get any kind of
17 structured, organized, good training before they get behind
18 the wheel of a car.

19 I would ask the members of the Committee, how did
20 you learn how to drive? Was it in driver education in high
21 school or was it an uncle, and aunt, a father, a mother, a
22 sister or a brother that taught you how to drive? I would
23 say you probably picked up the same bad habits from them, and
24 probably to a large degree still have them today.

25 I think this bill certainly is not perfect, but

1 it's a start. Should it be improved? At some point in time,
2 I think it should. It's the not the begin-all and end-all of
3 driver education minimum requirements, but we need something
4 now, and Pennsylvania, and I'm sure you have statistics
5 before you that already been discussed, does not have what
6 you would call a premier driver education program that's
7 structured state-wide, and I think it's something that's
8 needed.

9 I would like to say in closing that the Western
10 Pennsylvania Safety Council would be more than willing to
11 work with this Committee, or members of the Committee,
12 toward improving our driver education program in the state,
13 and I am available for any questions you may have.

14 REPRESENTATIVE PETRARCA: Tony?

15 REPRESENTATIVE DeLUCA: I just want to thank you
16 for the excellent testimony and I look forward to working
17 with you in the future to try to do a little bit better. I
18 agree with you, House Bill 2866 is not perfect, but it is a
19 start, a start I think that we desperately need in
20 Pennsylvania. It certainly -- like I said, I look forward to
21 working with you in the future.

22 Believe me, I had to learn off a friend because my
23 dad just didn't have the patience to teach me driving. My
24 children, I didn't have the patience to teach them to drive,
25 so you are absolutely right. I, for one on this Committee,

1 didn't go to driver education.

2 REPRESENTATIVE PETRARCA: Representative Roberts?

3 REPRESENTATIVE ROBERTS: Yes, several comments,
4 thank you, Mr. Chairman.

5 Thank you, sir, for being here. You have some
6 different statistics for us. I'm glad you brought that to
7 the Committee. I want to thank you for being here today, but
8 I also want to commend you for your personal approach with
9 your son. I think that's very commendable, and I'm sure he's
10 going to be a much better person; not only a better driver,
11 but I'm sure he'll be a better person for the leadership that
12 you have given him.

13 WITNESS CHRISTANSON: Thank you.

14 REPRESENTATIVE ROBERTS: Thanks for being here
15 today.

16 REPRESENTATIVE PETRARCA: Thank you.

17 WITNESS CHRISTANSON: Thank you for the opportunity
18 to speak here today.

19 (Witness excused.)

20 REPRESENTATIVE PETRARCA: One thing, when my
21 children were growing up and they reached the age 16, when
22 they told me they wanted to drive, that shocked me. I said,
23 "You're too young to drive, too immature," but told them they
24 must take a driver's test. I don't want them to learn the
25 way I learned. I remember driving down the street looking

1 for someone to ride around with me.

2 I had some problems with my health, and I had to
3 ride with my wife, and I've never seen anyone with habits as
4 bad as her. She speeds up to the stop light, slams on the
5 break, the purse goes flying and she can't stand me talking
6 to her. They say that the quickest way to get a divorce is
7 teach your wife to drive, but of course, we're too old to
8 have gone to a drivers' training education program.

9 Our children did go, and I know my daughter buckles
10 up all the time. She reminds me, "Buckle up, Dad," because I
11 was one of the ones that said we shouldn't mandate all these
12 rules, telling people they have to buckle up to save lives.

13 All these mandates come from Washington, D. C.,
14 without funding, you know, and they say, "Well, if you want
15 to save this program, you've got to fund it." The next thing
16 we know, Tony and Roberts and I, we ended up raising taxes.

17 Then the people look at us and say they don't want
18 taxes raised. Then they say to cut drivers' education, that
19 they don't need it in the schools because that's the easiest
20 part in the 501 school districts.

21 So, I introduced the Michigan Bill, which wanted to
22 alleviate the school taxes. They dropped the school taxes,
23 and then they had trouble finding out how they're going to
24 replace the taxes. We looked at income tax. We ended up,
25 like Michigan, with sales tax, but it's going to go on to a

1 referendum, and we don't dare pass that without letting the
2 people decide.

3 So, when you say to save the schools' driver
4 education program, you've got to remember that we are under
5 extreme pressure to lower school taxes. Of course, you know
6 where most of the money is going; it's going to teachers'
7 salaries.

8 We're looking at the fat in Harrisburg. We
9 abolished the Crime Commission. We saved \$7 million. We
10 found out it was redundant. In 1987, the people, in their
11 wisdom, voted for an elected Attorney General. What did the
12 politicians do? They appointed their own legal people and
13 put their fat cat friends in positions. Right, Tony? We
14 were wasting \$7 million.

15 When Allegheny County needed \$1.1 million to keep
16 their crime lab open, we didn't have the money to give them,
17 so we ended up abolishing that because we knew the Attorney
18 General does the same thing, 67 District Attorneys do the
19 same thing, State Police, the Sheriffs, you name them.

20 So, we're trying to cut the fat, we're trying to
21 keep taxes down, but we're trying to keep the safety program
22 going because I think that's the most wonderful thing we've
23 ever had.

24 I want to thank you all for testifying, and Tony,
25 your bill is coming out.

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REPRESENTATIVE DeLUCA: I want to thank you,
Mr. Chairman, for coming to Penn Hills. I also want to thank
everyone who has attended here today and certainly commend
the Chairman for coming to Penn Hills. Thank you very much.

REPRESENTATIVE PETRARCA: Thank you, and that
concludes this meeting.

(Whereupon, at 12:10 p.m., the hearing was
adjourned.)

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C E R T I F I C A T E

I hereby certify, as the stenographic reporter, that the foregoing proceedings were reported by me and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

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