

COMMONWEALTH OF PENNSYLVANIA  
HOUSE OF REPRESENTATIVES  
TRANSPORTATION COMMITTEE

JUNIOR DRIVER'S LICENSES

MAIN CAPITOL  
MAJORITY CAUCUS ROOM 140  
HARRISBURG, PENNSYLVANIA

MONDAY, JANUARY 23, 2006  
1:08 P.M.

BEFORE :

HONORABLE RICHARD ALLEN GEIST, CHAIRMAN  
HONORABLE KEITH R. McCALL  
HONORABLE KATHARINE M. WATSON  
HONORABLE ROY E. BALDWIN  
HONORABLE GIBSON C. ARMSTRONG  
HONORABLE JOHN R. EVANS  
HONORABLE RONALD S. MARSICO  
HONORABLE ROD E. WILT  
HONORABLE DICK LEE HESS  
HONORABLE EUGENE F. McGILL  
HONORABLE MARIO M. SCAVELLO  
HONORABLE JESS M. STAIRS  
HONORABLE DANTE SANTONI, JR.  
HONORABLE TIMOTHY J. SOLOBAY  
HONORABLE MICHAEL GERBER  
HONORABLE GARY HALUSKA  
HONORABLE ANTHONY MELIO

SHERRI A. REITANO, RPR  
NOTARY PUBLIC

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1           CHAIRMAN GEIST: Now that everybody is here  
2 on time, I'd like to apologize. First of all, I had  
3 to go upstairs and open the House before we could get  
4 started. So let's get underway.

5           The Teenage Driving Bill, Junior Driver's  
6 License came about after many years of very bad  
7 statistical evidence that came our way.

8           And after a bunch of hearings that we held  
9 and information that we gathered, we felt that we  
10 wrote a very good piece of legislation. And based  
11 upon the early numbers, I think that proved to be  
12 correct.

13           Since that time now that we've had the  
14 experience of the legislation, we felt that it was  
15 time to hold this hearing today to gather more  
16 information hopefully to make a good bill even better  
17 if we need to do that.

18           So before I turn this over to Keith and  
19 Representative Watson, I'd like to have the roll call.

20           MS. TROSTLE: Representative Geist.

21           CHAIRMAN GEIST: Present.

22           MS. TROSTLE: Representative Armstrong.

23           REPRESENTATIVE ARMSTRONG: Present.

24           MS. TROSTLE: Representative Baldwin.

25           REPRESENTATIVE BALDWIN: Present.

1 MS. TROSTLE: Representative Evans.

2 REPRESENTATIVE EVANS: Here.

3 MS. TROSTLE: Representative Forcier,  
4 Representative Good. Representative Harper is on  
5 leave. Representative Hess, Representative Maher,  
6 Representative Marsico, Representative McGill.

7 REPRESENTATIVE MCGILL: Here.

8 MS. TROSTLE: Representative Saylor is on  
9 leave. Representative Scavello.

10 REPRESENTATIVE SCAVELLO: Present.

11 MS. TROSTLE: Representative Stairs.

12 REPRESENTATIVE STAIRS: Present.

13 MS. TROSTLE: Representative Watson.

14 REPRESENTATIVE WATSON: Present.

15 MS. TROSTLE: Representative Wilt,  
16 Representative McCall.

17 REPRESENTATIVE MCCALL: Here.

18 MS. TROSTLE: Representative Dermody,  
19 Representative Gerber, Representative Haluska.

20 REPRESENTATIVE HALUSKA: Here.

21 MS. TROSTLE: Representative Melio.

22 REPRESENTATIVE MELIO: Here.

23 MS. TROSTLE: Representative Petrarca.

24 REPRESENTATIVE MCCALL: On leave.

25 MS. TROSTLE: Representative Roberts,

1 Representative Ruffing, Representative Santoni.

2 REPRESENTATIVE SANTONI: Here.

3 MS. TROSTLE: Representative Solobay.

4 REPRESENTATIVE SOLOBAY: Here.

5 MS. TROSTLE: Representative Siptroth.

6 REPRESENTATIVE McCALL: On leave.

7 MS. TROSTLE: And Representative Wojnaroski.

8 REPRESENTATIVE McCALL: On leave. One more  
9 correction, Frank Dermody, Representative Dermody is  
10 also on leave.

11 MS. TROSTLE: Thank you.

12 CHAIRMAN GEIST: Representative Hess is here.

13 MS. TROSTLE: Got it.

14 CHAIRMAN GEIST: At this time I'd like to  
15 turn it over to Keith McCall for a few remarks.

16 REPRESENTATIVE McCALL: Thank you, Mr.

17 Chairman. Mr. Chairman, the time has come for the  
18 Commonwealth and this legislature to take the next  
19 step.

20 This hearing and the statistics that all of  
21 us will hear today should strengthen this  
22 legislature's resolve to get something done.

23 As a state, we have been a leader in many  
24 areas when it comes to driving and licensing. We have  
25 instituted a graduated driver's license which includes

1 50 hours of supervised driving with an adult in the  
2 automobile and also restricts the time of day when a  
3 beginning driver can use a vehicle.

4           It used to be midnight to five in the  
5 morning. We changed that to 11:00 to five in the  
6 morning.

7           Distractions and risks grow sharply for teen  
8 drivers, especially when they are driving at night and  
9 especially when they travel with friends. And it  
10 grows exponentially when the number of friends  
11 increase in that automobile.

12           I think when all of us were teenagers -- and  
13 I think all of us could liken back to those days --  
14 they are days that have gone by too quickly as a  
15 matter of fact. But I think we all think that we are  
16 invincible, that nothing could happen to us and we are  
17 almost immortal at times.

18           And I think part of the problem today is that  
19 when you look at the statistics -- and I think the  
20 statistics will clearly show -- that teen drivers when  
21 they add friends to the car, the fatality rates  
22 increase and again increase exponentially.

23           But the problems that I see with the  
24 statistics and the new AAA report that was issued,  
25 we're not only talking about the lives of those

1 individuals driving the cars anymore but the impacts  
2 are just as great to innocent bystanders, to  
3 pedestrians, and to friends that are in the cars --  
4 that are traveling in those cars.

5 I think one of the numbers that I saw from  
6 the AAA study -- and they use the age group 15 to 17,  
7 and there were 31,000 fatalities.

8 My staff did the numbers from the ages of 15  
9 to 20, and the fatalities in that age group is 64,000  
10 fatalities. And to me that number is outrageous that  
11 we haven't acted as a legislature.

12 Again, we have done the graduated license;  
13 and I think we've seen a reduction of fatalities. But  
14 I also remember in the early '90s when we did the  
15 underage drinking law. And when I go around to the  
16 school districts and talk about underage drinking, one  
17 of the things that I tell kids, you know, understand  
18 why the legislature reacted. Because, number one,  
19 there are so many fatalities in that age category; and  
20 we felt the legislature should do something.

21 And when you take the 15- to 20-year-old  
22 category and then go five years up to 90 to 95 years  
23 old, imagine 90 to 95 and even 95 to a hundred years  
24 old, all of the life expectancies of those age  
25 categories are increasing except for one. And that's

1 the 15 -- it is actually the 16- to 24-year-old  
2 category. Life expectancy was decreasing.

3 I think that tells a very, very poignant  
4 story and one that I think as a legislature it is  
5 incumbent upon us to act. And there are a number of  
6 pieces of legislation that will reduce the number of  
7 teen drivers that will be allowed to be in a moving  
8 motor vehicle with another teen driver.

9 And I think it is important that this  
10 legislature do, in fact, act. And I hope that we can  
11 use this hearing as an impetus to really get that  
12 message out.

13 The Morning Call did a great story in  
14 Sunday's paper. And they personalized it by showing  
15 the three young men that were killed in an automobile  
16 accident and went on to tell about a number more.

17 And I think it is these kinds of stories that  
18 will help build the public opinion to really get us to  
19 move on this very, very trying issue. And I know that  
20 this Chairman, Chairman Geist, has been committed to  
21 bring up a bill and doing something and that is why we  
22 are having this hearing. And I think we need to have  
23 hearings here and in Philadelphia and in Pittsburgh  
24 to really get the message out and to get public  
25 support for an issue that I think for way too long has



1       been overlooked. Thank you, Mr. Chairman.

2                   CHAIRMAN GEIST: The driving force in our  
3       committee to work on this legislation and to make  
4       improvements to our bill is Representative Katharine  
5       Watson, and I would like her to make a few remarks.

6                   REPRESENTATIVE WATSON: Thank you, Mr.  
7       Chairman. Thank you also to Representative McCall.  
8       And thank you very much to listening when I begged and  
9       said, please, can we have hearings on this issue.  
10      Because much like Representative McCall said, I truly  
11      believe that it is an issue whose time is perhaps  
12      passed time. For sure it is here now.

13                   I know firsthand because as was referred to  
14      in Bucks County recently where I come from there were  
15      two terrible accidents, one in the upper part of the  
16      county in my district where three young men died. And  
17      the driver had only had his license for a day.

18                   And then one accident in Lower Bucks County  
19      where several of the young people in the car died.  
20      Fortunately, several survived.

21                   So I particularly am interested in the issue,  
22      and I think that there is a lot to be done. I'm aware  
23      though that having only joined the legislature  
24      starting in 2001, I've seen us work on the revising of  
25      the driving under the influence law and even the

1 booster seat law. And both times what we did, we did  
2 it in a very concerted way. We gathered -- first of  
3 all, we did education so everybody understood and also  
4 gathered support. But we also were meticulous in that  
5 we grounded what we wanted to do in statistical data.

6           It is my hope and the reason for asking for  
7 the hearing today is that from those of you who have  
8 come to present the data, you will give us the  
9 information and that statistical grounding that we  
10 need so that we then go out and talk to our colleagues  
11 throughout the House and the Senate to gain support.  
12 And most importantly, we gain the support and the  
13 understanding of the folks back home.

14           There is no substitute in what we do here for  
15 good parenting. And we have lots of good parenting  
16 across the Commonwealth of Pennsylvania. And in no  
17 way would there be any law that we would create to  
18 take the place of good parents who watch.

19           But sometimes even good parents need the  
20 backstop as I call it of the Pennsylvania legislature  
21 to just say, no, this isn't a good thing to do perhaps  
22 to have a number of people in the car as they are  
23 allowed right now.

24           And why is that so? Well, because we're  
25 going to give parents the information that they need

1 to understand why it is not so. And what -- having a  
2 number of people and being distracted when you are a  
3 young, inexperienced driver can do and can cause to  
4 otherwise very good young people who normally make  
5 wonderful decisions, who hold jobs, and play sports,  
6 and get good grades, and all of the things that we all  
7 hope our children will do. And yet sometimes,  
8 together in a vehicle, two, three, four of them, they  
9 do very foolish things and very dangerous things. And  
10 the sad part is, they end their lives or the lives of  
11 someone else.

12 And I guess all of us as adults, many of us  
13 as parents, that is something and that's a statistic  
14 that we just can't live with. And so our purpose  
15 today is to learn to see -- and my purpose in asking  
16 for the hearing, what can we do to make it better?  
17 What can we do to protect more and more of our young  
18 people?

19 Thank you all to those who are presenting and  
20 those who are here. Thank you to the press who is  
21 here because with you, then you'll get the word out.  
22 And thank you to both Chairmen for kindly having this  
23 hearing.

24 CHAIRMAN GEIST: I have one request to make  
25 to those testifying. If it is all possible for you to

1 give your testimony verbally without reading it, we  
2 would certainly appreciate it.

3 The information will be all gathered and  
4 used. But we have found it is much better to have you  
5 speak than read to us.

6 Our first presenter is Betty Serian, Deputy  
7 Secretary for Safety Administration. And the fellow  
8 over here to the right is Larry King. It is not Larry  
9 King that is married to Betty. I wanted to make that  
10 clear before we moved on.

11 Betty, the chair is yours.

12 MS. SERIAN: Thank you, Mr. Chairman. I  
13 really do appreciate the opportunity to be here today  
14 and talk about young driver safety.

15 On behalf of the Secretary of Transportation,  
16 Al Biehler, I will bring the best of what we know in  
17 terms of statistics today and certainly some  
18 recommendations and some observations on what we might  
19 do to make young drivers safer for all of us.

20 As many of you know, I have spent the  
21 majority of my career in PennDot as a Deputy Secretary  
22 here for the Safety Administration. And I've been  
23 very much involved in young driver safety in our prior  
24 attempts to improve the law in which we certainly did.

25 And I'm certainly very concerned about all

1 types of safety including those of our young drivers.  
2 So as I present my testimony to the committee today,  
3 you have my written testimony. As you suggest,  
4 Chairman Geist, I will try not to read mine verbatim  
5 and try to highlight some of those things that I think  
6 are important.

7 If I had one wish for one silver bullet, it  
8 would be a silver bullet that would save young lives.  
9 Just one thing that we all could do that would save  
10 the lives of those young 16 and 17 year olds and their  
11 passengers who indeed meet a terrible fate in terms of  
12 traffic crashes. It is just horrible.

13 But we don't have that silver bullet. The  
14 only thing that potentially could be there is that we  
15 had a driving age that was out of teenage years. And  
16 we know that certainly is not going to happen.

17 It certainly is unrealistic and certainly  
18 something that we know most likely will not occur. So  
19 what we have done and what we need to continue to do  
20 is find ways in which we can mitigate the risk. And  
21 that is what the laws I think so far have addressed  
22 and what we'll address as we move forward, and we find  
23 ourselves today looking for ways to mitigate that  
24 risk.

25 PennDOT, with the support in the General

1 Assembly, in 1999, it was an outstanding effort I  
2 believe to put into place all of those improvements to  
3 save young lives. It was an effort that was a lot  
4 about discussion and data.

5 We didn't just suggest here is the right way,  
6 here is the wrong way. We looked at all aspects and  
7 looked at the data in crashes of 1999.

8 We worked with many safety advocacy groups  
9 around the state including AAA, educators, including  
10 law enforcement, including the National Highway  
11 Traffic Safety Administration, the National  
12 Transportation Safety Board. We worked with many,  
13 many different players to bring into play the  
14 improvements that we put into place in 1999.

15 Some background. We have 116,000 16- and  
16 17-year-old drivers in Pennsylvania. That's about 1  
17 percent of our overall driving population. And that  
18 group though makes up 6.2 percent of our overall  
19 fatalities. That is a sad statistic, 1 percent making  
20 up 6.2 percent of our fatalities.

21 Overall though last year when we looked at  
22 the fatality rate, we had 1490 fatalities across the  
23 entire state. And that was one of the lowest fatality  
24 rates that we had in any year.

25 But nationally the trends for young drivers

1 have consistently gone down when states put GDL laws  
2 into play. And then you kind of see somewhat of a  
3 trend moving upwards.

4 And let me talk a little bit about what has  
5 happened and what we've done. First of all, let me  
6 talk provisions that Representative McCall pointed out  
7 because I think they are still very viable today and  
8 they are working as well.

9 In 1999 we put a requirement in there be 50  
10 hours of behind-the-wheel training. There was no  
11 requirement before, so skill building requirement in  
12 terms of training.

13 We also put in place a six month waiting  
14 period from the time you get your permit until the  
15 time that you could take the driver's test. Prior to  
16 that, probably when I got my license or even before  
17 that maybe, it was a 30 day waiting period. Not a  
18 very long time at all.

19 There was a requirement that there be a  
20 supervising adult in the car with a young driver who  
21 is at least 21. Before that it was 18. The nighttime  
22 driving curfew as Representative McCall pointed out  
23 was pushed back to 11:00 versus midnight. That has  
24 been very successful as I'll talk about in a minute.

25 And we also on the sanctioning side put in

1 place stiffer sanctioning for young drivers. That  
2 means that if you have a high speed over the speed  
3 limit 26 miles -- if you're traveling 26 miles over  
4 the speed limit or if you have six points in terms of  
5 citations, you'll have a mandatory suspension for 90  
6 days. That was a good deterrent and continues to be.

7 So stricter sanctioning does work. And prior  
8 to that, there was no mandatory sanctioning for young  
9 drivers 16 to 18 years old.

10 And we also have a requirement in place that  
11 there would be no more passengers in a vehicle than  
12 there are seat belts. Now are they using them, that's  
13 a different story which I will talk a little bit about  
14 as well.

15 So we had some great leadership I believe on  
16 behalf of the General Assembly and many of the  
17 transportation committee members were involved;  
18 Chairman Geist, Chairman McCall. And we made some  
19 things that made -- we did some things that made  
20 things better, and I think we saved a lot of lives for  
21 our 16 year olds.

22 And it is good though now that we have this  
23 discussion. Because when we look at 1999, as I said,  
24 we did it with data and after a lot of the discussion.  
25 And I think we need to continue to do that as we put



1 other activities in place as well.

2 Since 1999, there has been a clear reduction  
3 in fatalities involving 16-year-old drivers. The law  
4 is working. The provisions we put in place are  
5 working.

6 With the latest data available which are our  
7 2004 highway crash statistics, that reduction equates  
8 to a 63 percent reduction in fatalities. From 1999 to  
9 2004 for 16 year olds, we had a 63 percent reduction  
10 in fatalities.

11 Now what's the real number? Because it is  
12 the numbers that really I think we need to talk to  
13 here, not just the percentages. But 38 fewer lives,  
14 young lives, were lost for 16 year olds from 1999 to  
15 2004. Every life is important.

16 So the changes that we made certainly did  
17 improve the safety of our highways for young drivers.  
18 The same stands true for crash statistics for 16 year  
19 olds.

20 16-year-old drivers had 2800 fewer crashes in  
21 1999 compared to 2004. So there are 2800 fewer  
22 crashes in 2004 than there were in 1999. Once again,  
23 for drivers who are 16 years old. So in those cases,  
24 I think what we have in place is clearly working.

25 I talked about the curfew and the change in

1 the curfew from midnight to 11 p.m. That is also  
2 working. The first year we put that change in place  
3 which I believe was 2000, crashes between eleven and  
4 midnight involving young drivers were reduced 49  
5 percent. That is significant. And we were concerned.

6 I remember discussing this distinctly that  
7 that might show up back in the 10 to 11 p.m. because  
8 we may see that translated to the earlier hours. But  
9 crashes in that first year between ten and eleven were  
10 reduced by 15 percent. So the curfew is working as  
11 well.

12 And 2004 we're seeing those same types of  
13 numbers between eleven and midnight, young driver  
14 crashes have been reduced by 58 percent which I think  
15 is terrific, and between ten and eleven by 37 percent.

16 Curfew is working. I believe skill building  
17 is working. I believe the behind-the-wheel training  
18 time is working for 16 year olds.

19 We were able to sustain significant  
20 reductions from 1999 to 2004. Our goal was to have a  
21 25 percent reduction in 16-year-old driver crashes  
22 from 1999 to 2004. 1999 was our baseline.

23 We pretty much got to that every year but  
24 one, in 2003. 2003 was a sad year for statistics in  
25 terms of highway crashes for the young drivers. In

1 2003 there were 50 fatalities involving 16 year olds.  
2 That concerns me certainly and concerned PennDOT.

3           Based on that because we saw the numbers  
4 continually going down but we saw a spike in both 16  
5 and 17 year olds I should say, I asked my team to go  
6 back and look at every single crash report. What  
7 happened in those accidents?

8           What did we see? What did we find? What do  
9 we need to look at that is different? We found the  
10 same types of issues that we found prior in 1999 when  
11 we put the law into place, and the same types of  
12 issues occurring in other crashes. The sad part is it  
13 is just more of them.

14           And those issues are speeding, clearly;  
15 inexperience which allows drivers to over or under  
16 compensate especially at curves. We saw inattention  
17 as well. So the same types of causes that we've  
18 historically found, we found in 2003 when we looked at  
19 every single crash report. The inattention, inability  
20 to really control your vehicle especially when  
21 something happens.

22           And what else did we find that was of  
23 concern? What we found also in those 2003 fatality  
24 reports is that 40 percent of the fatalities were 16  
25 and 17 year olds, drivers and those who were with them

1 were not wearing their seat belts. That's a very sad  
2 statistic.

3 Many young lives can be saved if they just  
4 buckle up. There is a requirement for only as many  
5 passengers as there is -- are seat belts in the  
6 vehicles. But what we really need to do is encourage  
7 through parents and all of us that every time, any  
8 time one of those children, young drivers, young  
9 passengers get into a vehicle, that they are buckling  
10 up.

11 Their risk would have been significantly  
12 mitigated in those crashes had they had their belts  
13 on, a concern.

14 I want to speak to the 17-year-old drivers.  
15 I've talked about 16 year olds. I've talked about how  
16 things are working with our 16-year-old drivers. But  
17 we have not had the same success for our 17-year-old  
18 drivers.

19 These are drivers once again who have gone  
20 through a training period; 50 hours, 6 months. They  
21 have to be at least 17 and a half before they are full  
22 licensure if they had driver education or 18 if they  
23 have not had driver education. But we see a concern  
24 with our 17 year olds. We are seeing the fatalities  
25 going up or staying pretty well constant with our 17

1 year olds.

2           Driving is a very complex task. We all know  
3 that. We all do that. It is a very complex task for  
4 a 16-year-old and 17-year-old. We have to make quick  
5 decisions.

6           We have to recognize the risks that are  
7 there, sometimes complete intricate maneuvers. Young  
8 drivers said this and we've heard this over and over  
9 again. The lack of experience and lack of maturity  
10 and the risk-taking behavior, all of those things  
11 combined create a very lethal mix that it might not  
12 for you and I and those of us who are more -- have  
13 driven for awhile.

14           I believe our current licensing process  
15 strikes a good balance in terms of mobility and in  
16 terms of allowing drivers to learn in a supervised  
17 environment and controlled conditions.

18           Parents play a big responsibility in this  
19 whole effort. I think we need to be a backstop. I  
20 agree with that. I think we need to put the laws in  
21 place, but certainly parents play a big role.

22           1999 may seem like a long time ago but it  
23 isn't and it really wasn't. Now it is time for us to  
24 really look and consider changes.

25           Let me talk a little bit about passenger

1 restriction. As I said earlier, there really isn't a  
2 silver bullet. But I think the passenger restriction  
3 law and legislation being considered here, especially  
4 House Bill 1904 calling for passenger restrictions, is  
5 a critical improvement for Pennsylvania's young driver  
6 licensing.

7           It is not a silver bullet, but it is going to  
8 help significantly. 2004 crash data and statistics  
9 show that 38 percent of the 16- and 17-year-old  
10 fatalities, in 2004 as I said, 38 percent occurred  
11 with at least one minor passenger in the vehicle.

12           So 38 percent of our 16- and 17-year-old  
13 fatalities in 2004 occurred with at least one minor  
14 passenger in the vehicle. If you look at that in the  
15 6-year period from 1999 to 2004, 44 percent of those  
16 16-year-old and 17-year-old young driver crashes  
17 occurred with a minor passenger in the vehicle.

18           So I think it is clear that data would show  
19 that if we restrict passengers, that we'll have I  
20 think a significant improvement on both the  
21 16-year-old side and the 17-year-old side.

22           Young drivers generally transport more  
23 passengers than older drivers do. Their peers as  
24 someone said earlier. It certainly is. And a  
25 combination of inattention, distraction, inexperience,

1 and certainly immaturity can be tragic.

2 The increased risk is significant when there  
3 is one passenger and more passengers. That risk  
4 according to the American Medical Association can  
5 range between 39 percent for one passenger and an  
6 increase of 182 percent for more passengers.

7 So I think it is obvious. I think we need to  
8 look at changes in our law that really look at the  
9 passenger area. And I think we need to consider how  
10 we might address also the other areas for the 17 year  
11 olds. Because those statistics are just as  
12 concerning.

13 We're aware also at PennDOT about House Bill  
14 1776 calling for cell phone restrictions for young  
15 drivers. And I think that it is really safe to say on  
16 the answer that you take any distraction away from a  
17 young driver and you're going to increase safety. I  
18 wonder though if we can legislate every single  
19 distraction that there might be.

20 And I think we need to think about that  
21 carefully because I'm not sure that every single  
22 distraction can be legislated.

23 PennDOT right now is working on a  
24 comprehensive highway safety plan that will look at  
25 not just young drivers but will look at the drunk

1 driving issue, the aggressive driving issue, the seat  
2 belt issue. And we'd like to look at this  
3 comprehensive approach and not just sort of piecemeal  
4 approach.

5 I would like to say in closing, I think we  
6 made some significant improvements. I think we've  
7 saved some young lives especially in the 16-year-old  
8 area. But I think it is time that we looked again at  
9 improving young driver safety.

10 And I will tell you from a support standpoint  
11 as a safety advocate and from PennDOT's perspective,  
12 we are very supportive of Representative McCall's bill  
13 to restrict passengers in vehicles of 16 and 17 year  
14 olds. I'd be happy to answer any questions.

15 CHAIRMAN GEIST: Thank you very much. Betty,  
16 I have one question for you. Statistically as we  
17 transition from the people who had the 50 hours  
18 through 16, 17, 18 and, 19, has the department  
19 considered suggesting back to us that we increase the  
20 age where you get a senior license?

21 MS. SERIAN: Right now it is 17 and a half  
22 with driver education. And we would not be opposed to  
23 looking at that and looking at there might be  
24 opportunities to increase the age to 18 versus 17 and  
25 a half.



1           When you look at other states in terms of  
2           increasing the minimum age, I think you're going to  
3           find the same thing across all of the other states.  
4           Some states have 14- and 15-year-old minimum  
5           requirements. I think that's way too low. Most  
6           states are at 16.

7           Some states also restrict licensing for  
8           permanent full-time in terms of non-young driver or  
9           graduating licensing at 18. I think we might want to  
10          look at the 17 and a half year old and consider is  
11          that the right time for full licensure.

12          CHAIRMAN GEIST: Would you get back to us  
13          with that information and your suggestion?

14          MS. SERIAN: Yes, sir.

15          CHAIRMAN GEIST: Keith.

16          REPRESENTATIVE McCALL: I just have one  
17          question, Deputy Secretary Serian. The seat belt use,  
18          one of the things that we did when we passed the  
19          booster seat legislation was also put in the  
20          requirement that all passengers under the age of 18  
21          are required to wear seat belts and made it primary  
22          enforcement. It was no longer secondary enforcement  
23          so they can pull you over for not wearing seat belts.

24          I'm just wondering if -- because I know the  
25          State Police and this is really probably more directed

1 to the State Police or local police. But I'm just  
2 wondering if you have seen any statistical information  
3 on the number of tickets that may have been written  
4 for those individuals under the age 18 that are not  
5 buckling up. Because there is -- clearly the evidence  
6 will support the fact that if you're buckled up, your  
7 chances of a survival increase.

8 MS. SERIAN: I can get you the exact number,  
9 Representative McCall. I think if I recall looking at  
10 the conviction statistics recently for those seat belt  
11 violations, I want to say it's like 24 or 28.

12 REPRESENTATIVE McCALL: It is up toward --

13 MS. SERIAN: No, no. The number is total 24  
14 or 28. So I think it is a very low number. But I'd  
15 like to get the exact number for you. Those are  
16 convictions once again.

17 REPRESENTATIVE McCALL: Right.

18 MS. SERIAN: Citations versus not  
19 convictions. I think it is also clear though -- and  
20 you're right. They should be buckled up. It is part  
21 of the child passenger safety bill. Anyone under 18  
22 should be buckled up and it should be -- it is  
23 primary. And I tell you what we are seeing though is  
24 they are not buckled up.

25 I have read crash reports. I have looked at

1 some of the most recent crash reports. And it is very  
2 sad when you see that there are no belts being used.  
3 It is a very, very sad statistic. It is something  
4 that could save an awful lot of lives.

5 REPRESENTATIVE McCALL: You can provide that  
6 information?

7 MS. SERIAN: Yes, I can. On the convictions?

8 REPRESENTATIVE McCALL: Yes, on the  
9 convictions. It is now primary enforcement. So you  
10 would think that those conviction rates should  
11 increase dramatically, and it doesn't seem to be the  
12 case.

13 MS. SERIAN: I'll talk with the State Police  
14 as well on the conviction data -- citation data.

15 REPRESENTATIVE McCALL: Thank you very much.

16 CHAIRMAN GEIST: Representative Watson.

17 REPRESENTATIVE WATSON: Thank you, Mr.  
18 Chairman. I wonder, Madam Secretary, if you could  
19 talk a little bit about your suggestion then for the  
20 17-year-old. And I guess in discussing, as we're  
21 discussing -- Representative McCall has a bill already  
22 in. If you think that it would be -- as we go through  
23 this study and understanding adding to that that you  
24 would support something where we would do a  
25 comprehensive bill that would have a revision I guess

1 putting everything that, you know, all of those  
2 parents and adults think would work recognizing some  
3 things we're discussing. Certainly seat belts might  
4 be something a little bit different and needs to be a  
5 stand alone.

6 I want you to talk about what you think  
7 specifically then that might benefit early stages of  
8 PennDOT looking at for that 17-year-old.

9 MS. SERIAN: I think we need to look at the  
10 training requirements. We have a 16-year-old. We  
11 might want to look at are those training requirements  
12 significant enough at six months starting at 16 year  
13 olds. You might want to go to a year training  
14 requirements.

15 I think that's part of the issue,  
16 Representative, not just that it is 17 year olds. We  
17 see the 16-year-old fatalities reduced because we have  
18 a 6-month training requirement. But then I'm  
19 wondering if perhaps it is not being utilized as much  
20 as they do away from it beyond that 6-month period. I  
21 think we have to look at those training requirements.

22 I think we have to look at the consideration  
23 of, is 17 and a half the right time to license or is  
24 it full licensure at 18? I think we have to look at  
25 the sanctioning side and consider, do we have the

1 right sanctions in place? And 90-day suspension is  
2 significant for anyone who has had a high speed  
3 violation or six point violations; two, three point  
4 violations. But I think we also have to look at the  
5 sanction side.

6 And let me just share with you an anecdote  
7 story. Along with the sanctioning for 90 days for a  
8 young driver, we also hold hearings when there is a  
9 driver who has gone 26 miles over the speed limit, a  
10 high speed violation.

11 Just recently one of our hearing officers was  
12 having a hearing and going to impose an additional 15  
13 days suspension on that young driver who was by the  
14 way going I believe it was 116 in a 55 mile an hour  
15 zone. And the father was livid, livid that we would  
16 consider putting additional sanctioning in place.

17 And I think we really have to look at that.  
18 I'd hate to use a stick or turn to a stick as the  
19 right way to improve young driver safety and  
20 licensing. But the sanctioning tends to work in other  
21 areas.

22 So looking at the training, looking at the  
23 sanctioning, and looking at the age. I think we need  
24 to do all of those things comprehensively.

25 REPRESENTATIVE WATSON: Thank you very much

1 for your suggestions.

2 CHAIRMAN GEIST: We have three House members  
3 who have questions. Mario, you're first.

4 REPRESENTATIVE SCAVELLO: Thank you, Mr.  
5 Chairman.

6 CHAIRMAN GEIST: If I could ask that you  
7 keep them brief because we're way behind schedule.  
8 I'd appreciate it.

9 REPRESENTATIVE SCAVELLO: Thank you, Mr.  
10 Chairman. Thank you, Madam Secretary. I just wanted  
11 to make a comment. In my county, the -- well,  
12 especially with the elements, the weather, we lose 8  
13 to 10 teenagers a year in auto accidents, Monroe  
14 County.

15 And I'm very supportive and thank you for the  
16 work that you're doing and would like to see something  
17 happen with this bill. If we take some passengers out  
18 of that vehicle, we know we'll save lives.

19 MS. SERIAN: Thank you.

20 CHAIRMAN GEIST: Representative Melio.

21 REPRESENTATIVE MELIO: Thank you, Mr.  
22 Chairman. Betty, could you just tell us how many of  
23 those fatalities that we had resulted because of cell  
24 phone use?

25 MS. SERIAN: No, I can't. Those numbers are

1 not readily available. And it is so difficult to  
2 determine because you almost have to have your -- I  
3 believe our crash report does include a cell phone  
4 located on it. I'm sure it does. But I don't have  
5 those numbers.

6 I know that there are a lot of discussions  
7 surrounding that. But I'd be happy to look, and I'll  
8 get the data for you if we have it, Representative.

9 CHAIRMAN GEIST: Representative McGill.

10 REPRESENTATIVE MCGILL: Thank you, Mr.  
11 Chairman. Madam Secretary, just a couple quick  
12 things. Can you get us the statistics on male versus  
13 female on the accidents?

14 And also do you have a statistic on how many  
15 drivers actually failed the test? I was a little  
16 surprised. I stopped in to one of the driver's  
17 testing facilities. And one of the officers said to  
18 me that the percentage is about the same. And I was  
19 really shocked at that. If the percentage is the  
20 same, maybe we give them another 90 days or another  
21 120 days to learn to drive a car.

22 If they showed up after somebody actually  
23 saying -- some adult saying that they put in the 50  
24 hours and they flunked the test, then they either need  
25 another 50 or another 30 or something like that. Am I

1 off base on that one?

2 MS. SERIAN: No, you are not. And they  
3 should not really be coming if they are not ready.  
4 But if they have put in 50 --

5 REPRESENTATIVE MCGILL: Do they put in 50 or  
6 do they put in six months?

7 MS. SERIAN: Both.

8 REPRESENTATIVE MCGILL: That's where my  
9 concern is. Maybe they are just putting in the time  
10 as far as the calendar --

11 MS. SERIAN: And not the actual driving.

12 REPRESENTATIVE MCGILL: -- and not to learn  
13 to drive the vehicle.

14 MS. SERIAN: We ask them to submit to us  
15 their guide and the parents to certify that they have  
16 put in the 50 hours. And we base that on honesty.  
17 We'll tell you --

18 REPRESENTATIVE MCGILL: I know.

19 MS. SERIAN: -- we can't be with every single  
20 driver.

21 REPRESENTATIVE MCGILL: I know.

22 MS. SERIAN: But we might want to look at  
23 those kinds of hours and if they do fail their test  
24 the first time, perhaps there should be an additional  
25 requirement for more hours for more training. I think



1 we should consider that. And the male/female  
2 statistics, I don't have those.

3 REPRESENTATIVE MCGILL: Okay. I have no  
4 trouble with setting the police outside of the schools  
5 if they don't have the seat belts on and pull them  
6 over. And eventually we'll figure out a way to have  
7 them not drive or drive with seat belts on. So thank  
8 you.

9 MS. SERIAN: Thank you.

10 CHAIRMAN GEIST: Representative Hess.

11 REPRESENTATIVE HESS: Thank you, Mr.  
12 Chairman. I just have one question. Madam Secretary,  
13 you were saying at the end of your statement that  
14 PennDOT is spearheading a multi-agency comprehensive  
15 highway safety plan with other agencies.

16 MS. SERIAN: Yes.

17 REPRESENTATIVE HESS: My question would be,  
18 is there any statistics on aggressive drivers as to  
19 how many incidents have been caused by that?

20 MS. SERIAN: Well, as you know, aggressive  
21 driving is a difficult term to define. And I know  
22 that we do have some aggressive driving statistics. I  
23 don't have them at the top of my head here today, but  
24 I can get them for you.

25 Because aggressive driving is one of the top

1 areas that we are concerned about along with DUI,  
2 along with seat belts. Aggressive driving is another.  
3 But I can't tell you out of the 1400 fatalities last  
4 year the numbers that were fatal. But I can get that  
5 information for you.

6 REPRESENTATIVE HESS: If you would, please.

7 MS. SERIAN: Sure.

8 REPRESENTATIVE HESS: I can speak from  
9 experience and a lot of my cohorts here could verify  
10 this. Those of us who put 35,000 miles a year on  
11 automobiles and are on the road, we see a tremendous  
12 amount of aggressive driving. And I think that's one  
13 of the things that I think we're going to have to  
14 address in the future.

15 MS. SERIAN: And I can say this too -- if I  
16 can just add quickly to that -- is that we are working  
17 very closely with the State Police. We put an awful  
18 lot of our grant funding into enforcement because  
19 enforcement is key in terms of safety, compliance.  
20 And part of that is addressing aggressive driving. So  
21 I will get you those statistics, sir. Thank you very  
22 much. Thank you, Mr. Chairman.

23 CHAIRMAN GEIST: At this time I'm going to  
24 turn the rest of the hearing over to Representative  
25 Watson who will gavel you. And if you go too long or

1 anything, she'll make sure that you are put in your  
2 place. Katharine.

3 REPRESENTATIVE WATSON: I think with the  
4 introduction as enforcer, we'll continue. But thank  
5 you very much, Secretary Serian, for your testimony.

6 At this time then we have Mrs. Denise DaPonte  
7 from Bucks County who is a parent who has a very  
8 compelling story to tell I know. Mrs. DaPonte, when  
9 you are ready.

10 MS. DaPONTE: Thank you. I would like to  
11 thank the Members of the Committee for the opportunity  
12 to tell this story today. I would also like to thank  
13 my Representative, Tom Corrigan, and his office for  
14 all of their help and support. This is actually my  
15 first public speaking engagement, and I was counting  
16 on being able to read my testimony.

17 REPRESENTATIVE McCALL: Go ahead and read it.

18 MS. DaPONTE: So I hope you understand if --

19 REPRESENTATIVE WATSON: Please go ahead and  
20 read it. That's fine.

21 MS. DaPONTE: On October 9th, 2005, my son  
22 Tony was one of five teenage passengers in a 1991 Ford  
23 Mustang that crashed on Route 13 in Bristol Township.

24 I got a phone call around 11:30 that night.  
25 I'm sure you can imagine what that phone call was

1     like, and I pray you never have to hear the news your  
2     child has been in an accident. Tony is okay, Denise,  
3     said the voice on the other end of the phone. But  
4     some of the boys are not.

5             The route to the hospital took me right  
6     passed the accident scene. I saw flashing lights and  
7     fire trucks and I saw the Mustang. If you saw the  
8     pictures of this car on the news, then you know the  
9     sick feeling that I got.

10            I couldn't imagine how anyone could have  
11     gotten out alive, and I know at that point my son was  
12     not okay. The kids had off from school the next day  
13     for Columbus Day, and they decided to go to Taco Bell  
14     to get something to eat.

15            On the way back from the Taco Bell, the  
16     driver of the car, John Farber, swerved to avoid a  
17     cardboard box in the road. John was driving in the  
18     left lane southbound on Route 13.

19            He turned the car to the left to avoid this  
20     box. Then he tried to compensate by turning to the  
21     right which sent the car into a spin. They spun out  
22     of control and hit the right guardrail.

23            That impact stopped their clockwise spin,  
24     forced a counterclockwise spin, and the car hit the  
25     guardrail a second time. They crashed through the

1 guardrail and stopped just a few feet from the  
2 overflowing canal.

3 When the first police officer arrived, he  
4 said he heard the worst sound you could hear when you  
5 get to an accident scene, silence.

6 Nancy Teranto's only child was 16-year-old  
7 Mickey Teranto. Mickey was ejected from the car. He  
8 flew about 30 feet hitting a telephone pole, and he  
9 died at the scene.

10 John Farber, the driver of the car, was 17  
11 years old. John sustained massive head trauma, and he  
12 passed away two days later. John was the only son of  
13 John and Diane Farber.

14 Sixteen-year-old Christopher Cullen sustained  
15 massive internal injuries, several broken bones, and  
16 head trauma. Christopher was on a ventilator for more  
17 than two weeks and remained hospitalized for a month  
18 and a half after the accident.

19 Sixteen-year-old Tara Walp was also ejected  
20 from the car. Tara had a blood clot in her brain.  
21 She broke her femur bone. She broke several ribs.  
22 She dislocated her shoulder. Her lungs collapsed and  
23 she had massive internal injuries.

24 The youngest passenger in the car was my son,  
25 15-year-old Tony DaPonte. My son broke his neck in

1 the accident. His spinal column was bruised. He  
2 separated his shoulder, and he had several internal  
3 injuries.

4 He lost some of the mobility in his left arm,  
5 and it is truly by the grace of God that he can walk  
6 today. He had an operation to fuse together the bones  
7 in the back of his neck, and he had to wear an  
8 orthopedic halo with screws surgically implanted in  
9 his skull for a little over two months. The doctors  
10 tell us he'll lose about 35 percent of the mobility in  
11 his neck.

12 My son has had a passion for life and an  
13 energy times ten since the day he was born. Ever  
14 since Tony started his first Little League season, his  
15 life has been all about sports -- every sport, every  
16 season, every year.

17 He has been blessed with a natural athletic  
18 ability and a playful, easy-going personality. Tony  
19 has more drive and passion than anyone I know. He was  
20 having the kind of life that we all want for our  
21 teenagers.

22 He had a great circle of good friends. He  
23 had tons of activities. He did well in school. His  
24 teachers and his coaches had nothing but good things  
25 to say about him.

1           I am so proud of this boy, and I had the  
2 peace of mind that comes from knowing that your child  
3 is building a bright and happy future. I don't have  
4 that peace of mind anymore. I don't know what the  
5 future holds for my son now.

6           As a result of his injuries, he won't be on  
7 the baseball diamond this spring or any other spring  
8 practicing for the summer season. He won't be on the  
9 football field next fall, and he's lost any  
10 opportunity he may have had for a college sports  
11 scholarship.

12           He won't ever again ride a roller coaster or  
13 dive into a pool. He won't ever go horseback riding  
14 or rock climbing or white water rafting and the list  
15 goes on and on. Moreover, his injuries exclude him  
16 from any military service or from ever becoming a  
17 police officer or a firefighter.

18           So many of his options are now limited, and  
19 it is truly -- and his life will truly never be the  
20 same. I can only hope and pray that all of his drive  
21 and passion can carry him through this nightmare and  
22 he can rebuild his life somehow.

23           Tara and Tony don't remember much from the  
24 accident. Christopher unfortunately remembers  
25 everything. He remembers the screeching tires. He

1 remembers the screams. He remembers Mickey and Tara  
2 flying out the back window, and he remembers that  
3 horrible quiet when everything stopped.

4           These kids are so fortunate to have survived  
5 this accident, but their lives will truly never be the  
6 same. I hope and pray that all three of these kids  
7 and their families can find some way to rebuild their  
8 lives again.

9           As is the case with most teenage drivers, the  
10 restrictive costs of insurance for youthful drivers  
11 leave them carrying only the bare minimum liability  
12 coverage.

13           The insurance policy limit for this accident  
14 for medical coverage and personal injury is \$50,000  
15 for all four passengers. There is nothing -- nothing  
16 available anywhere to cover my son's personal  
17 injuries, and I'll be paying medical co-payments for  
18 years to come. And that's just me.

19           Three of the five families involved in this  
20 accident are headed by single mothers. I can't even  
21 imagine the financial strain on them.

22           This accident and many others just like it  
23 has left many asking the question why. Why haven't  
24 our youthful driving laws caught up with the stark  
25 reality that kids are dying on the highways in ever



1 increasing numbers?

2 Before October 9th, I must admit I was one of  
3 those folks that would have questioned why the laws  
4 needed to be changed. As a mother, I was looking  
5 forward to giving up my role as the main taxicab  
6 driver for the family.

7 At 16 or 17 years old, I didn't realize that  
8 young minds are just not mature enough to understand  
9 injury or mortality or the catastrophic effects of  
10 careless driving. They just don't get it. And I must  
11 confess before October 9th, I didn't get it either.  
12 That's exactly why I came here today.

13 Today I can tell you firsthand all of the  
14 reasons why teen driving laws in the State of  
15 Pennsylvania need to be changed.

16 After my son's accident, I saw the numbers of  
17 teenage accidents and fatality for the first time.  
18 Those numbers prove that we are releasing our  
19 teenagers onto the highways with a lethal combination  
20 of inexperience, fearlessness, and the natural feeling  
21 of immortality.

22 When teenagers crash, the first thing you  
23 think is that they must have been racing or drinking  
24 or doing drugs or driving recklessly. And sometimes  
25 that is the case.

1           But the accident that killed John Farber and  
2 Mickey Teranto, the accident that left Tony, Tara, and  
3 Chris facing years of physical and mental healing is a  
4 perfect example of the pure inexperience of youthful  
5 drivers.

6           As a mother, I am responsible for the health  
7 and safety of my children. I feel like I've let my  
8 son down by not realizing and warning him of the  
9 dangers of too many kids in the car.

10           As the legislators, you are also responsible  
11 for the health and safety of our children and for  
12 making laws to protect them. I feel like the laws in  
13 place today are letting our kids down.

14           Limiting the number of passengers a young  
15 driver can have in the car has proven successful, but  
16 I seriously think we need to go much farther than  
17 that. Pennsylvania is progressive on so many other  
18 issues, why not this one when the lives of our  
19 children depend so heavily on it.

20           I am urging that this committee recommend  
21 more comprehensive graduated licensing procedures than  
22 these approved in 1991.

23           I am suggesting that we go even farther by  
24 raising the age of the learner's permit to 17,  
25 strictly limiting the number of passengers. And

1 here's the big one, requiring mandatory suspension of  
2 driving privileges for some moving violations or any  
3 drug or alcohol citation until the age of 21.

4 These stricter graduated licensing laws will  
5 not only save the lives of our children but studies  
6 prove that as kids grow into adults, these laws  
7 produce even safer adult drivers.

8 I know these suggestions won't win us any  
9 awards from the youth groups in this state. But we're  
10 not trying to win their support. We're trying to save  
11 their lives.

12 Because before October 9th, I could tell you  
13 that Tara Walp was a state champion ballet and jazz  
14 dancer. Before October 9th, I could tell you that  
15 John Farber, Chris Cullen, and my son Tony were  
16 strong, vibrant, healthy athletes with bright futures.

17 Today I can tell you that Tara won't ever  
18 dance again. Tony and Chris won't ever play contact  
19 sports again.

20 Today I can tell you about the deep sorrow  
21 and never-ending journey of grief that face two  
22 families that had to bury their young sons.

23 Today I can tell you that there is something  
24 horribly wrong if we continue to let our kids die in  
25 ever increasing numbers without the best laws in the

1 nation to protect them.

2 The ramifications of this accident reach far  
3 beyond the perimeters of our little town. And I am  
4 grateful to know that the legislature is, once again,  
5 re-examining the laws governing youthful drivers. I  
6 know there have been efforts in place to change these  
7 laws for a long time, and I know that change takes  
8 time.

9 I'm here today to tell you that the time is  
10 now. Now is the time to make Pennsylvania the number  
11 one safest place in the country for our kids to drive.  
12 Thank you.

13 REPRESENTATIVE WATSON: Mrs. DaPonte, I know  
14 I speak for everyone when I say thank you very much.  
15 You did a very fine job for a very difficult personal  
16 subject. And if reading helped, we were only too  
17 happy to read along with you and hear what you had to  
18 say.

19 My colleagues, questions that you might have?  
20 I think there is just the one that I had, Mrs.  
21 DaPonte. Would you also advocate I think some were  
22 suggesting the seat belt law being made something more  
23 to require that the young people indeed buckled up?

24 MS. DaPONTE: I absolutely support that. I  
25 think the key here is mandatory violation. It is far

1 too easy to go to the district magistrate and to have  
2 those violations reduced to minor -- more minor  
3 violations.

4 REPRESENTATIVE WATSON: Again, we thank you  
5 very much for taking the time to drive out here and  
6 for giving us your testimony. You've done your son  
7 very proud.

8 MS. DaPONTE: Thank you, everyone.

9 REPRESENTATIVE WATSON: Moving along, Dr.  
10 Winston is the founder and Co-scientific director of  
11 TraumaLink Injury Research Center at the Children's  
12 Hospital of Philadelphia.

13 Dr. Winston, welcome. You may begin when  
14 ready. We're ready to listen.

15 DR. WINSTON: I first want to thank you,  
16 Representative Watson, for all the wonderful work  
17 related to the booster seat legislation and the whole  
18 committee here. And I want to thank Mrs. DaPonte for  
19 your courage.

20 MS. DaPONTE: Thank you so much.

21 DR. WINSTON: It is quite difficult for me to  
22 speak right after you. I have to say I have a son who  
23 is 16 years old myself.

24 Good afternoon, Chairman Geist, members of  
25 the committee. Thank you for the opportunity to speak

1 about graduated driver licensing in Pennsylvania.

2 I am a mother, a pediatrician, and a  
3 scientist. And this issue is quite important to me.  
4 Zachary is 16 years old and Andrew is 11. They are my  
5 sons and my pride and joy, and I want to do everything  
6 that I can to protect them.

7 By way of introduction, I am a doctorally  
8 trained bioengineer, practicing Board certified  
9 pediatrician at the Children's Hospital of  
10 Philadelphia, an associate professor of pediatrics at  
11 the University of Pennsylvania, and the leader of the  
12 largest study in our nation devoted to children in car  
13 crashes.

14 This is a research collaboration with State  
15 Farm Insurance Companies. This background I think you  
16 would agree makes me uniquely qualified to study  
17 traffic injury and to provide you with some practical  
18 evidence as well as recommendations for policy.

19 In my testimony today, I'll focus on the  
20 scientific evidence for action that Pennsylvania needs  
21 to take in order to reduce teen driver crashes and  
22 fatalities in our state.

23 So let me begin by giving you some numbers.  
24 Between 2002 and 2004 starting the year after  
25 legislation, 196 drivers 16 and 17 years of age died

1 in Pennsylvania. They took with them 146 passengers.  
2 That's 342 high school students who will never go to  
3 their prom, more than 700 parents who will never see  
4 their children do the things that they hoped to do  
5 whether it is sports, graduate from high school, or  
6 maybe become a doctor. Dreams dashed in a split  
7 second behind the wheel.

8 On behalf of Children's Hospital, I  
9 congratulate the legislature on adopting the wonderful  
10 graduated driver licensing, a good foundation for the  
11 advancement that you hope to have.

12 You already understand the facts and figures  
13 related to this, and you know that what GDL does is it  
14 doesn't restrict children. What it does is it allows  
15 them to develop maturity and to develop the skills  
16 that they need to get continued driver practice with a  
17 parent while they are developing into an adult driver.

18 However, I'm here today to say that  
19 Pennsylvania's GDL is out of sync with best practice.  
20 There are other states that far surpass our state's  
21 graduated driver licensing law.

22 And as I know you will hear from other  
23 experts, there are others who believe that we can go  
24 further and we should.

25 Our limited graduated driver licensing system

1 is at fault here. It is in part to blame for these  
2 horrible deaths that weren't too far from my home. We  
3 can do better.

4 While it is important to consider all of the  
5 possible provisions we should add to the graduated  
6 driver licensing system, today I'm going to be only  
7 highlighting the passenger restrictions.

8 And I urge you to read my written testimony  
9 where I cover primary seat belt laws, cell phone  
10 restrictions, and the like.

11 My research points to the need for strong  
12 legislation. This helps parents. And parents say to  
13 us that if it were important enough, it would be a  
14 law. And if it is not important enough, then I don't  
15 need to do it.

16 They also use these laws to help them to  
17 better parent, to use that as a way to be able to put  
18 restrictions on their children.

19 During this past fall, I think that the  
20 tragedy here in Bristol was not the only tragedy. We  
21 had several. We had another tragedy a little bit  
22 further south, and just last month another crash with  
23 teen drivers.

24 This is sending rippling effects throughout  
25 all of the mothers in my neighborhood. We are all



1 thinking about what is the right thing we should be  
2 doing for our teenagers. And where do we go? We go  
3 and we look to our law, and our law is letting us  
4 down.

5 At the same time, I want to give Zach the  
6 privilege of driving. He is a great kid, and he  
7 deserves to be rewarded.

8 But full driving privileges don't need to  
9 come in one day. He needs to gain experience driving  
10 alone under low risk driving conditions before he adds  
11 the known risk of teenagers to the mix.

12 As Pennsylvania's first Level One Pediatric  
13 Trauma Center, Children's Hospital treats teenagers  
14 and sees tragic cases resulting from teen driver  
15 crashes each year.

16 Our best day at the hospital is, in fact, the  
17 day when we don't get a trauma patient. That is not  
18 what our aim is. Our aim is to prevent these  
19 tragedies.

20 I do quite a bit of research on  
21 post-traumatic stress disorders as well. Even when  
22 children survive, the injuries can cause a lifetime of  
23 challenges for the families that suffer these.

24 We're quick to place blame on alcohol and on  
25 bad driving. But if you look at the data, what you

1 can say is these factors play a role but it is simple  
2 inexperience that actually is the cause of most teen  
3 crashes.

4 The main factor in fatal crashes for children  
5 and teen drivers is driver error. After driver error,  
6 it is having multiple passengers in the vehicle.

7 So among fatal crashes in the US with 16 year  
8 olds in 2003, 28 percent of the driver's had three or  
9 more passengers while only 13 percent involved drivers  
10 with a blood alcohol content over .08.

11 There was a study in Ontario in 1998 and this  
12 found that carrying one passenger doubled the fatal  
13 crash risk of teen driver's compared to when they  
14 drove alone. For two passengers, it was five times as  
15 high.

16 In a 1999 study from the Johns Hopkins  
17 University found similar results. Here what they  
18 found is that if 100 percent of teens drove by  
19 themselves rather than driving with passengers who are  
20 teens as well, 275 lives could be saved each year in  
21 the United States.

22 Experts see this is all about distraction.  
23 What is happening is you put a teenage passenger in  
24 the vehicle with the driver who needs to be paying  
25 full attention to the road and that driver isn't

1 because the teenager is distracting him or her.

2 Children's Hospital is particularly sensitive  
3 to the impact of teen driver crashes on our most  
4 vulnerable passengers, children.

5 We published a study this past year that  
6 found children who are driven by teen drivers were  
7 three times as likely to have a serious injury as  
8 those who were driven by adults.

9 The teen drivers were less likely to make  
10 sure everyone in the car was buckled up. 95 percent  
11 of the 4 to 8 year olds were not using booster seats  
12 when being driven by these teenagers.

13 In fact, children driven by 15- to  
14 17-year-old drivers were three times as likely to have  
15 no restraint at all as those driven by adults drivers.  
16 Teen drivers who drive younger siblings and friends  
17 present a high risk for child passengers, not just for  
18 fellow teens.

19 Even when parents hear our risk, research  
20 shows that many still make the decision not to follow  
21 recommendations unless it is the law.

22 Our current laws are not in alignment with  
23 guidelines for graduated driver licensing. This  
24 serves as a source of confusion for parents. It is  
25 why we have upgraded the booster seat law.

1 Responsibilities for enforcing GDL remains not only  
2 with law enforcement but also with parents.

3 An optimal GDL law supports a parent's effort  
4 to develop and maintain safe driving house rules for  
5 their teens.

6 Now I'm going to focus on two laws that  
7 are -- two proposed bills that are before you. First,  
8 House Bill 787. I support this.

9 There is strong evidence that the addition of  
10 passenger restrictions for drivers ages 16 and 17 will  
11 delay the distraction of multiple passengers until a  
12 time when the driver is better equipped with maturity  
13 and driver skill to manage the task of driving and  
14 respond appropriately to hazards and risk situations.

15 There is also strong support for passenger  
16 restrictions among parents. A study by the Insurance  
17 Institute for Highway Safety that interviewed  
18 California parents found that -- where there is a  
19 passenger restriction found that 84 percent of the  
20 parents and more than a third of the teens approved of  
21 restrictions.

22 In New Zealand where there are passenger  
23 restrictions, 70 percent of the young drivers felt  
24 that the graduated driver licensing provision allowed  
25 them to have less pressure to provide lifts to their

1 peers, to drive at night when they are tired, or drive  
2 after consuming alcohol.

3 While restricting drivers on a junior license  
4 to one passenger will have a life-saving outcome, we  
5 can go even further if we restrict it to no  
6 passengers.

7 We recommend restricting all passengers less  
8 than 21 years of age for at least the first 6 months  
9 if not the first 12 of independent driving. Teen  
10 drivers initial crash involvement is highest in the  
11 first month.

12 You go from your lowest lifetime rate when  
13 you were a learner to your highest lifetime rate when  
14 you are in your first month of driving. It then drops  
15 down in the first 6 months and keeps dropping until 12  
16 months when it remains twice as high as 25 and older.

17 Seven states and the District Columbia,  
18 including Maryland, our neighbor, have all restricted  
19 young passengers for the first six months of  
20 independent driving. California restricts it for 12  
21 months.

22 States specifying the age of restricted  
23 passengers usually set it at 20 or 21 years. Because  
24 of the evidence regarding the high risk of injury to  
25 child passengers from teen drivers, we cannot advocate

1 for an exemption that would allow household members  
2 under 18 including siblings to be transported by a  
3 junior driver as recommended in House Bill 1904.

4 We also urge you to consider cell phone  
5 restrictions for drivers with junior licenses and  
6 upgrade Pennsylvania's law to be a primary seat belt  
7 law.

8 We have preliminary data that show that 15 to  
9 16 year olds who are in vehicles in secondary  
10 enforcement states buckle up less than kids who are in  
11 primary belt law states.

12 The good news is that Pennsylvania has the  
13 foundation for an effective graduated driver licensing  
14 law. Let's make Pennsylvania a model GDL state. In  
15 doing so, we'll prevent unnecessary tragedy and  
16 heartache to our families and communities.

17 Chairman Geist, members of the committee,  
18 Representative Watson, I thank you for this  
19 opportunity to share the evidence that supports the  
20 addition of passenger restrictions to our  
21 Commonwealth's GDL system.

22 We're grateful for those that called for this  
23 hearing and have drafted the legislation. If enacted,  
24 passenger restrictions for teen drivers will save  
25 further lives. Mr. Chairman, I'm ready for any

1 questions that you may have.

2 REPRESENTATIVE WATSON: Doctor, thank you  
3 very much for your testimony. Questions?  
4 Representative McGill has a question.

5 REPRESENTATIVE MCGILL: Thank you, Doctor. I  
6 don't disagree with the additional six months. And  
7 I'm just trying to come up with some sort of an idea  
8 you might have some information on.

9 I got a car for my oldest daughter when she  
10 turned 16 and hit the odometer button and told her she  
11 was not allowed to have a passenger in the car until  
12 she had 750 miles on the car.

13 And that managed to take her -- I thought it  
14 was going to take her forever. And the reality of it  
15 was that she typically used the car back and forth to  
16 school and that was it. So she was going four miles a  
17 day or three miles a day maximum.

18 So I'm concerned that -- to make a long story  
19 short, she had about 400 miles. I thought the kid is  
20 never going to have a passenger. So I changed it to  
21 500 miles that she had to have under her belt before  
22 she was allowed to have a passenger. But there is  
23 still that period of time.

24 And I guess my question is what you find is  
25 inexperienced drivers having not had passengers for

1 six months and still having very little experience in  
2 driving vehicles over a long period of time? Most of  
3 these teenagers are not going 20, 30 miles a day.  
4 They are going three or four miles to school maximum.  
5 And I don't know that -- is there a compromise? Do  
6 you have an idea where we should be? That's kind of  
7 where I was going with it.

8 DR. WINSTON: Representative, I applaud you  
9 on setting restrictions on your teen's driving. You  
10 sound like you're a terrific parent.

11 REPRESENTATIVE MCGILL: I don't know about  
12 that.

13 CHAIRMAN GEIST: We can all debate that.

14 DR. WINSTON: Well, you know, you bring up a  
15 good point. I think it is not the hours. The 50  
16 hours that the teens have to drive, you need to  
17 specify what those hours are.

18 So the parents should be continuing to have  
19 their teen drive everywhere possible. The second  
20 Zachary got his learner permit, he always drove. It  
21 didn't matter where we were going. Once he learned  
22 how to operate the vehicle, he was always the driver.

23 I think parents forget that what actually  
24 happens is that it is not just the independent  
25 driving, it is giving them more experiences under



1 hazardous conditions under supervision.

2 The supervision doesn't stop at 50 hours. It  
3 now just moves into the next level of supervision  
4 where now what you're doing is you're taking them on  
5 ice or you're taking them on highways or you're taking  
6 them in unfamiliar territory.

7 And so I think that it is going to be  
8 difficult to figure out whether it should be 16 and a  
9 half, 17, or the like. But the reality is we need to  
10 get more supervised behind-the-wheel driving after  
11 those hours. So potentially you might want to put  
12 other restrictions on getting another level of  
13 licensure.

14 REPRESENTATIVE MCGILL: No problem if they  
15 fail their driver's test after supposedly 50 hours to  
16 extend it, you had no problems I assume with that?

17 DR. WINSTON: I never have a problem with  
18 extending. Sixteen is pretty -- 16 and a half is  
19 pretty young to get a license.

20 However, I think that we need to be clear  
21 that just because a child has passed a driver's test  
22 does not mean that child knows how to drive. They  
23 know how to operate the vehicle. That's what they  
24 know how to do.

25 And driving is something that we all -- this

1 is developed over a lifetime, and we need to find  
2 evidence-based ways to give our kids that experience.

3 One of the key things that kids don't do,  
4 that teenagers do not do, they don't scan. They look  
5 straight ahead of them when they are driving. They  
6 don't look all the way around.

7 You know, there are many things that we all  
8 learned to do the hard way. You know, when you're  
9 skiing for example, you have to fall, right? Well,  
10 you know, when you're driving, you have to get into  
11 bad situations and know how to get out of them. And  
12 better to do that in the lowest risk situation which  
13 is with an adult next to you than with a car full of  
14 teens.

15 REPRESENTATIVE MCGILL: Thank you. Thank you  
16 very much.

17 REPRESENTATIVE WATSON: Other questions?  
18 Representative Hess.

19 REPRESENTATIVE HESS: Doctor, listening to  
20 your testimony, one thing you said that government  
21 needs to step up. I think too we, as parents, have to  
22 step up. We have to provide rules.

23 I know when I first started driving, my dad  
24 had very stringent rules. And he had -- the  
25 consequences weren't good if you didn't abide by his

1 rules. The keys were laid in plain sight on the  
2 refrigerator for two weeks and you did something or  
3 whatever. And if you asked before your two week  
4 sanction was up, he would double that time again. So  
5 you learned very quickly not to do certain things.  
6 And I think we, as parents, have to do the same thing  
7 whether we say you can't be driving talking on the  
8 cell phone or you can't have four of your girlfriends  
9 or four of your boyfriends in the car at one time or  
10 you have to be home in the car at 9:00.

11 I think that we have to -- as parents, we  
12 have to impose some of these rules too, not always  
13 government. But I think parents have to do the same  
14 thing. I know circumstances sometimes are a little  
15 bit different.

16 DR. WINSTON: I can't disagree with you. It  
17 sounds like yet another great parent on the committee.  
18 The problem is in our --

19 REPRESENTATIVE HESS: I went to the woodshed  
20 many times. And as Mr. Light Bar said, my dad was a  
21 strict disciplinarian. He promised you a licking. It  
22 might be three days until he got to it, but you knew  
23 you were going to get it and it worked.

24 DR. WINSTON: What I hope to provide you with  
25 today is practical advice. While I would love for all

1 parents to go through a parenting education class and  
2 know how to parent better, the reality from our  
3 research is that a lot of parents need the law to help  
4 them to parent.

5           It doesn't need -- just by having the law, I  
6 know many parents who went out and bought booster  
7 seats who weren't using them before. Just by having  
8 the law, parents then started to count the 50 hours  
9 that their teen was driving.

10           And while that isn't what we like our society  
11 to be, we like parents who set limits on their  
12 children, who, as I've done, write parenting contracts  
13 with their son so that they know what is expected and  
14 what you have to do to earn new privileges. The  
15 reality is if the law isn't there, parents think it is  
16 not important.

17           REPRESENTATIVE HESS: It is easy to say yes,  
18 very easy to say yes to a teenager whether it be your  
19 daughter or granddaughter. It is hard to say no.

20           DR. WINSTON: Especially if you have a good  
21 kid. I think you're hearing from this tragic story  
22 that these were all good kids. That picture of the  
23 bad kid who is speeding and drag racing, that's not  
24 what this was.

25           These were good kids. The parents were

1       thrilled. They gave him a Mustang and a day later he  
2       is out with his friends showing him how great it is to  
3       drive. Every parent wants to give the child who  
4       deserves it privileges. They do.

5                They don't know the danger that comes along  
6       with it. And having a law and the media attention  
7       that would come with that law will give parents the  
8       needed education that they need on how to parent young  
9       drivers.

10               REPRESENTATIVE WATSON: Doctor, thank you  
11       very much.

12               REPRESENTATIVE HESS: Thank you.

13               REPRESENTATIVE WATSON: Moving along as we're  
14       trying to pick up a little speed here safely, nothing  
15       over the speed limit.

16               But indeed personally, I'm happy to see our  
17       next testifier, Chief Christopher Engelhart, Hilltown  
18       Township Police Department. In fact, my district  
19       office is right next to it.

20               I'm sorry. We have NTSB first. I'm sorry.  
21       Folks, I knew it because I just had lunch with them.  
22       Mr. Blackistone and Mrs. Hersman from the National  
23       Transportation Safety Board. I'm sorry. I was trying  
24       to move ahead too quickly. When you're ready, please.

25               MS. HERSMAN: Good afternoon, Acting Chairman

1 Watson, Chairman McCall, and members of the committee  
2 on transportation. Thank you for giving me the  
3 opportunity to testify on behalf of the National  
4 Transportation Safety Board on Pennsylvania's junior  
5 driver license law.

6 I am Debbie Hersman. I'm a member of the  
7 National Transportation Safety Board, and I'm  
8 accompanied today by Mr. Steve Blackistone. You may  
9 be familiar with the NTSB. The Safety Board is an  
10 independent federal agency charged with investigating  
11 transportation accidents in all modes.

12 We are charged by the Congress with  
13 determining the probable cause of those accidents and  
14 making recommendations to prevent their recurrence.  
15 Most of the time you see us on TV investigating  
16 aviation accidents.

17 But unfortunately 90 percent of all of the  
18 transportation fatalities that occur in this country  
19 occur on our highways and disproportionately affect  
20 teenage drivers.

21 Today I'd like to offer a national  
22 perspective on young novice drivers and highlight two  
23 areas where we think Pennsylvania can make  
24 improvements; passenger restriction and cell phone  
25 restrictions.

1           Young drivers have been the focus of US  
2           licensing systems primarily because they constitute  
3           the largest group of beginners and they have the  
4           highest crash risk.

5           Traffic crashes are the leading cause of  
6           fatality for 15 to 20 year olds. They constitute 40  
7           percent of all deaths for this age group, more than  
8           suicides or drugs.

9           After reviewing crashes involving novice  
10          drivers under the age of 21, in 1993 the Safety Board  
11          recommended Pennsylvania and the other states to take  
12          several specific actions including implementation of a  
13          comprehensive provisional licensing system for young  
14          novice drivers.

15          This committee passed legislation in 1999 to  
16          strengthen the state's driver licensing system. It is  
17          a good law, but it can be made better.

18          There are two important elements that your  
19          current system lacks, a passenger restriction and a  
20          cell phone restriction.

21          Today 34 states have some form of passenger  
22          restriction. Young drivers generally transport more  
23          passengers than older drivers, and these passengers  
24          are usually from the same age group. Often this  
25          results in a deadly combination of inexperience,

1       inattention, and immaturity.

2               A study published in the Journal of American  
3 Medical Association concluded that the risk of death  
4 increases significantly with each additional teen  
5 passenger transported. In single vehicle crashes  
6 involving teen drivers, two-thirds of fatally injured  
7 passengers were also teens.

8               Based on our investigations and the available  
9 research, the Safety Board concluded that by  
10 restricting to zero or one the number of passengers  
11 that novice drivers can carry will significantly  
12 reduce fatalities among teen occupants.

13              The presence of teen passengers can adversely  
14 influence the risk-taking behavior of teen drivers  
15 leading to crashes with increased injuries and death  
16 for both the drivers and their passengers.

17              The risk increases with each additional  
18 passenger carried. Carrying three or more teens  
19 results in a three-fold increase in the probability of  
20 a teen in that vehicle being killed. The Board has  
21 recommended that states prohibit any passengers under  
22 age 20.

23              Each of the passenger restriction bills that  
24 have been introduced allow no more than one passenger  
25 under 18 years of age.



1           In 2003, the Safety Board examined the role  
2 that driver distraction plays in motor vehicle crashes  
3 when the driver is inexperienced. The Board concluded  
4 that current state laws are inadequate to protect  
5 young, novice drivers from the distractions that lead  
6 to crashes.

7           The Board recommended that states enact  
8 restrictions to limit holders of learner's permits and  
9 intermediate licenses from using interactive wireless  
10 communication devices.

11           The recommendation is derived from the  
12 Board's recommendation of February 2002 multi-vehicle  
13 crash on Interstate 95 near Largo, Maryland. This  
14 crash involved multiple risk factors, some of which  
15 are associated with young drivers.

16           The unbelted crash driver was 20 years old  
17 and only had 50 hours of driving experience. She was  
18 operating a short wheel-based sport utility vehicle  
19 for which she was unfamiliar. She had just purchased  
20 it that day. She was driving 15 to 20 miles above the  
21 speed limit, and she was talking on a cell phone.

22           Learning how to drive and becoming familiar  
23 and comfortable in traffic requires all of the  
24 concentration a young driver can muster.

25           In January 2002, New Jersey became the first

1 state to restrict teen cell phone use. Ten other  
2 states including your neighbors in Delaware, Maryland,  
3 New Jersey, and New York have enacted cell phone  
4 restrictions by drivers with instructional or  
5 learner's permit, intermediate license.

6 The Safety Board recommends that you prohibit  
7 the use of any wireless communication device,  
8 hand-held or hands free by holders of learner's permit  
9 or provisional licenses under the age of 18.

10 This hearing is a valuable opportunity to  
11 review the experience of Pennsylvania's junior driver  
12 license system. This law has been in effect for over  
13 five years, and the state has seen significant gains.  
14 It is a good law.

15 But both statewide statistics and the recent  
16 crashes we heard described here today demonstrate that  
17 there is still a serious problem.

18 Beginning drivers should be provided the  
19 maximum time to practice under the safest possible  
20 real world conditions. Restrictions on passengers and  
21 cell phone use are two important improvements that can  
22 be made.

23 The Safety Board is so convinced that these  
24 improvements are important that they are included on  
25 our most wanted list of safety improvements.

1           Thank you very much for providing me the  
2           opportunity to provide the Safety Board's perspective.  
3           I'd be happy to answer any questions that you might  
4           have.

5           REPRESENTATIVE WATSON: Thank you very much  
6           for your testimony and for taking the time to be here.  
7           Questions, ladies and gentlemen? Representative  
8           McCall.

9           REPRESENTATIVE McCALL: Just maybe one  
10          question. Has the Board made any recommendations to  
11          the Congress of the United States on doing anything  
12          with any type of federal legislation?

13          MS. HERSMAN: The licensing systems are all  
14          controlled by the states. So our recommendations --  
15          we have two parts of our most wanted list.

16          We do make recommendations to the feds on  
17          issues which we think that they can have an impact  
18          such as aviation safety, motor carrier safety. But  
19          when it comes to licensing restrictions and licensing  
20          requirements, we make our recommendations to the 50  
21          states and the District of Columbia.

22          REPRESENTATIVE McCALL: And as -- just for  
23          the record as we move forward with the hearing, we  
24          have spoken earlier. And maybe to buttress Dr.  
25          Winston's testimony because I have language that would

1 allow for the parental exception, what would the  
2 Safety Board's recommendation be on that exception?

3 MS. HERSMAN: Our recommendation is for zero  
4 passengers under age 20 accompanying novice drivers.

5 REPRESENTATIVE McCALL: On the exception  
6 itself to say you would not want the exception  
7 including any language?

8 MS. HERSMAN: No. Our preference would be  
9 straight language no passengers with no exceptions.  
10 And we understand that there are some political  
11 realities that you all face. But the Safety Board is  
12 making recommendations about accidents that we've  
13 investigated and what we believe is the safest.

14 If you want to categorically insert no  
15 passengers in the beginning, it is going to be the  
16 safest route.

17 REPRESENTATIVE McCALL: And would you have  
18 some statistical information that you may be able to  
19 provide us with that -- I mean with siblings or, you  
20 know, brother and sister in the car? Would you have  
21 that type of information? Would you keep that kind of  
22 statistic?

23 MS. HERSMAN: Unfortunately, we don't have a  
24 specific statistic on the relationships between the  
25 fatalities that occur in the car. But we do know that

1 for each additional passenger, the risk is increased.

2 We can look for any statistics that might  
3 provide more information and studies that might have  
4 been done, and we'd be happy to get back to the  
5 committee.

6 REPRESENTATIVE McCALL: Thank you very much.

7 REPRESENTATIVE WATSON: Representative Melio.

8 REPRESENTATIVE MELIO: I asked this question  
9 earlier. Do you have any results of how many  
10 fatalities there were because of cell phone use?

11 MS. HERSMAN: No, sir. We don't have any  
12 information on that. Unfortunately, some of the  
13 states that are just passing these laws are beginning  
14 to collect data. But it's something we're interested  
15 in seeing more data.

16 Unfortunately, a lot of this is  
17 self-reported. And a lot of times people are not  
18 willing to tell the officer -- if they are alive, are  
19 not willing to tell the officer that they were on the  
20 cell phone at the time.

21 When we do investigations of all modes of  
22 transportation, we actually end up looking through  
23 records, cell phone records. And that is how we found  
24 information about what happened in that Largo  
25 accident.

1           The driver was -- it was a fatal accident,  
2           and the driver was killed. We were able to get cell  
3           phone records. Unfortunately, local law enforcement  
4           that are investigating don't always have the ability  
5           to get that type of information. If it is  
6           self-reported, it may be under reported.

7           REPRESENTATIVE MELIO: In those states that  
8           you mentioned about requiring no cell phone use, was  
9           that just for a certain age group?

10          MS. HERSMAN: For the ten states, it is for  
11          novice drivers.

12          REPRESENTATIVE MELIO: Thank you, Mr.  
13          Chairman.

14          REPRESENTATIVE WATSON: If I may, just one  
15          question. You referred to passenger restrictions, 34  
16          states have some form of restriction.

17          Does the Board have an opinion as to which  
18          states seem to have something -- a law that is more  
19          effective than others? So, therefore, you might say  
20          that of those that have been enacted, there are  
21          statistical data to prove that this works best.

22          MS. HERSMAN: Absolutely. What we would be  
23          happy to get a copy to the committee of is we have got  
24          information about what types of passenger restriction  
25          laws exist in the different states. And we've got

1 charts that we can provide to you. Some of them the  
2 states in red fully meet our recommendations. The  
3 states in yellow have some form of passenger  
4 restriction that don't exactly meet our  
5 recommendations, but there is a passenger restriction  
6 law that exists. We will provide that information to  
7 the committee with a chart of what states do.

8 REPRESENTATIVE WATSON: Thank you very much.  
9 I think that would be helpful to all of us and the  
10 data to back it up.

11 MS. HERSMAN: Sure. We'll provide what  
12 information we've got.

13 REPRESENTATIVE WATSON: Very good. Any other  
14 questions? Thank you both very much for coming.

15 MS. HERSMAN: Thank you.

16 REPRESENTATIVE WATSON: We're moving to Chief  
17 Engelhart. I can go without introduction since I did  
18 an introduction earlier. Chief, we're ready when you  
19 are, sir.

20 MR. ENGELHART: Good afternoon. First, I  
21 would like to thank Representative Watson for an  
22 invitation for me to attend this hearing this  
23 afternoon. I would also like to thank Chairman Geist  
24 and also Representative McCall and the rest of the  
25 Representatives attending this meeting. I appreciate

1 you taking time out of your busy schedule.

2 I'm sure that the members of this committee  
3 would agree that the purpose of this hearing is not to  
4 attempt to place blame on anyone but simply to try  
5 and investigate the facts and to try and determine how  
6 to save teenage lives, teenage drivers particularly.

7 With the committee's indulgence, I would like  
8 to describe the events that got me involved with this  
9 particular topic and also got me to consider the  
10 restrictions on placing additional restrictions on  
11 junior drivers' licenses.

12 On September 29th, 2005 at approximately 7:20  
13 p.m., a car traveling westbound on South Township Line  
14 Road located in Hilltown Township went out of control,  
15 rolled side over side, left side over right, came back  
16 up right onto its tires and impacted a utility pole  
17 with its right rear corner.

18 The impact caused a rear seat passenger to be  
19 ejected from the vehicle. Tragically, all three  
20 occupants of the vehicle, Anthony Brandariz, age 16,  
21 Louis "Nico" Julia, age 16; and Christopher Smith, age  
22 16, died as a result of their injuries sustained in  
23 the accident.

24 Julia and Smith were pronounced dead at the  
25 scene. Brandariz, the driver, was pronounced dead at



1 Central Montgomery Hospital in Lansdale a short time  
2 later. Traffic accidents in general can be  
3 particularly gruesome in nature. This was not any  
4 different.

5 The process of then making three back to back  
6 death notifications was the single most difficult task  
7 I've had to undertake in my 22 years of law  
8 enforcement. It was heartbreaking to advise three  
9 separate families that their young sons would never be  
10 coming home.

11 It was both emotionally and physically  
12 draining on myself and the others that participated in  
13 the notifications. I cannot imagine the pain that  
14 each family felt and will continue to feel.

15 I can only hope that the senseless loss of  
16 these three young men, that some beneficial changes  
17 can take place.

18 Our crash investigation revealed some  
19 disturbing information. The vehicle, a BMW 318TI, was  
20 determined to be traveling at 82 miles an hour on a  
21 stretch of roadway that is posted at 45 miles an hour.

22 Although Township Line Road is straight, it  
23 is certainly not designed or engineered for such  
24 excessive and extreme speeds. It is a typical country  
25 road.

1           In addition, we learned that the driver had  
2 just learned -- had just received his junior driver's  
3 license on September 28th, the day prior to the  
4 accident.

5           Speed and driver inexperience were determined  
6 to be the cause of this crash. There was no evidence  
7 of any drug or alcohol involvement or any mechanical  
8 failures.

9           I clearly understand that no amount of  
10 legislation can completely prevent these tragedies.  
11 But sensible legislation, education, and responsible  
12 enforcement along with active participation of the  
13 parents or guardians of these young drivers can  
14 dramatically reduce them.

15           Statistics show that we lose far too many  
16 teenagers under far too many similar circumstances  
17 each year.

18           We will never know if Mr. Brandariz was  
19 distracted by his friends, if he was encouraged to  
20 speed by them, or if he was merely showing off his new  
21 found freedom. I would venture to say that a  
22 combination of these factors were at play at that  
23 moment.

24           I am certain that Mr. Brandariz did not  
25 intend to kill himself or his friends when he decided

1 to drive in such a manner. But his reckless and  
2 negligent actions resulted in doing just that.

3 I'm not saying that he was a bad person  
4 because every indication was that he was not a bad  
5 person. The combined factors of driver inexperience,  
6 friends in the vehicle, the likelihood of the stereo  
7 blaring, and the high speed were a recipe for  
8 disaster.

9 Mr. Brandariz failed to consider or recognize  
10 the potential dangers. These teens paid the ultimate  
11 price for exercising their new found independence.

12 Obviously, personal responsibility of the  
13 driver cannot be dismissed in these crashes. However,  
14 if different controls were in place on that evening, I  
15 would not be here or perhaps I would not be here and  
16 these young men would still be alive with their  
17 families playing basketball with each other.

18 Teenagers have a sense of invincibility. It  
19 is extremely difficult to change this frame of mind.  
20 I believe it only comes with maturity and experience.

21 I am sure that some of the same young friends  
22 that mourned the loss of Anthony, Nico, and  
23 Christopher have taken unnecessary and foolish risks  
24 while driving since the accident thinking that it  
25 won't happen to me. In reality, it can and it does.

1           Laws are an important part of preventing  
2 these tragedies but they cannot stand alone. Parents  
3 are the first line of defense. Parents must take a  
4 more active role in curtailing and restricting their  
5 children's driving habits. Parents have to carefully  
6 level the freedom -- excuse me. Parents have to  
7 carefully balance the level of freedom they grant to  
8 their children based on their individual maturity  
9 level.

10           They must use common sense judgement. These  
11 actions must be above and beyond any legislation.  
12 They must demand and expect compliance with their  
13 personal restrictions or revoke the driver privileges  
14 of their teen.

15           The two pending bills in the Pennsylvania  
16 House of Representatives would restrict the number of  
17 passengers a junior license holder could legally  
18 transport.

19           House Bill No. 787 would limit the number of  
20 passengers to one when accompanied by a spouse,  
21 parent, guardian, or person in loco parentis.

22           House Bill 1904 would only allow drivers with  
23 a junior license one passenger unless granted  
24 permission by a parent or person in loco parentis to  
25 drive siblings or relatives from the same dwelling.

1           I support the premise of both bills and  
2 believe that they are a step in the right direction.  
3 I would also ask you to consider and advocate the  
4 passenger legislation that would restrict drivers  
5 possessing a junior driver's license to only transport  
6 immediate family members for at least the six month  
7 period following the acquisition of their license  
8 unless supervised.

9           California has a similar measure to this in  
10 effect as we speak. This additional time would be  
11 used to gain invaluable driving experience and  
12 maturity under a variety of driving conditions whether  
13 it be weather, traffic, or lighting.

14           This will be done without the added  
15 distractions and peer pressure that other teen  
16 passengers add to this already volatile mixture.

17           Hopefully this additional time will help  
18 these drivers gain respect for the potential and all  
19 too real perils they face when driving. It may also  
20 help bring them peace of mind and an added sense of  
21 control to their parents.

22           Some surrounding states have already taken  
23 action to further restrict these teenagers as you  
24 already have been made aware by previous speakers.  
25 But some do go a step further than what we did.

1           New Jersey restricts the number of passengers  
2 to one family member unless accompanied by a  
3 21-year-old driver.

4           Both Delaware and New York also limit the  
5 number of passengers to two. New Jersey also  
6 prohibits the use of cell phones and other wireless  
7 devices by those possessing a junior driver's license.  
8 This helps limit the number of distractions that a  
9 young driver must contend with.

10           Finally, I would be remiss if I did not take  
11 this opportunity to speak to you regarding the endless  
12 debate in the state regarding use of RADAR/LIDAR  
13 technology for speed enforcement by local police in  
14 the state.

15           This legislation certainly would not have  
16 changed the events that took place on September 29th  
17 in Hilltown Township, but it could impact the overall  
18 crash statistics in the state, including those  
19 involving teenage drivers.

20           We have professional and dedicated police  
21 officers in the state. And for over 40 years, the  
22 largest contingent of police officers have been denied  
23 access to this technology in speed enforcement.  
24 Police officers in every other state are permitted to  
25 use it.

1           We are simply asking for the tools to do our  
2           job more efficiently and effectively. This equipment  
3           will allow us more versatility in speed enforcement  
4           and allow us to target specific problem areas that we  
5           have in every municipality probably across the state.

6           I implore this committee and your colleagues  
7           in both the House and Senate to support a sensible  
8           bill that will give us the authority to use this 20th  
9           century technology in the 21st century.

10          I again want to thank you for this time to  
11          address you on this important topic, for your  
12          attention, and for your hospitality.

13          REPRESENTATIVE WATSON: Thank you very much,  
14          Chief. Are there any questions? Representative  
15          Marsico.

16          REPRESENTATIVE MARSICO: Thank you. I  
17          appreciate your testimony today. You said that you  
18          support the House bills. Do you know if the police --  
19          or the Chiefs of Police Association of Pennsylvania  
20          supports this legislation as well?

21          MR. ENGELHART: I do not believe they  
22          currently have an opinion on this. I had contacted  
23          them and I had not heard back which I believe means  
24          that they have no opinion at this time. They may be  
25          working on something that to my knowledge I'm unaware

1 of.

2 REPRESENTATIVE MARSICO: I think that would  
3 be important for this committee to know.

4 MR. ENGELHART: I certainly can contact them  
5 again and ask them to send you correspondence  
6 regarding that.

7 REPRESENTATIVE MARSICO: All right. Thank  
8 you.

9 REPRESENTATIVE WATSON: Thank you. Anyone  
10 else? Chief, thank you very much for taking the time  
11 to be here today.

12 MR. ENGELHART: Thank you very much.

13 REPRESENTATIVE WATSON: We're now up to the  
14 Pennsylvania Association for Safety Education; Brad  
15 Fisher, president, and Mr. Phillips. Gentlemen, you  
16 have your official name tag. So you are ready to go.  
17 Thank you.

18 MR. PHILLIPS: Hi there. I'm Vince Phillips.  
19 I'm the lobbyist for the drivers ed. teachers. And I  
20 have to thank you, Madam Acting Chairman, and Mr.  
21 Chairman, members of the committee for convening the  
22 hearing.

23 I have to tell you as a lobbyist who works on  
24 graduated driver licensing, I really appreciate the  
25 chance to review the law as you're doing and look at



1 its success and see what might be done to enhance  
2 things.

3 And I also appreciate the chance to see  
4 legislators, to see folks like Betty Serian, and Steve  
5 Blackistone, and Ted Leonard, and others who worked  
6 hard to pass that original piece of legislation.

7 And as an advocate for drivers' education you  
8 should know that I have three daughters; 18, 15, and  
9 11, and I value the fact that Cumberland Valley School  
10 District has a viable drivers' education program.

11 Having said all of that, I've done the easy  
12 thing which is to introduce the one who will present  
13 the substantive testimony today. And it's my honor to  
14 present to you Brad Fisher, the president of the  
15 Pennsylvania Association for Safety Education.

16 MR. FISHER: Thank you. And thank you to the  
17 committee for convening this hearing. Before I begin  
18 my formal testimony, let me state that I'm a public  
19 school teacher, driver education teacher in the State  
20 College School District. I've been teaching for 12  
21 years.

22 And I think I'll bring a unique perspective  
23 to this hearing in that I spend my workday in cars  
24 with teenagers behind the wheel. I don't think  
25 anybody else in this room does that at this time. So

1 I think that's a unique perspective.

2 I'd like to share with you some of the things  
3 that I learned teaching driver education. First of  
4 all, young people can be safe drivers if they are  
5 properly guided. A big reason some do not drive  
6 safely is that they take unnecessary risks.

7 Young drivers also copy the example that they  
8 see from their parents. Mom and dad are a careless  
9 driver, usually you can count on the student being a  
10 careless driver as well.

11 The graduated driver licensing law that we  
12 have is an excellent step in the right direction. Our  
13 law was a positive step towards approaching the  
14 question of how young drivers can operate motor  
15 vehicles more safely.

16 Now this committee is examining this issue  
17 again, and I'm sure undoubtedly there will be some  
18 legislative proposals that will come from my testimony  
19 and the testimony of the other speakers as well.

20 And there is one area in the Pennsylvania GDL  
21 that does need to be strengthened, and that is the  
22 requirement to have 50 hours behind the wheel  
23 practical driving experience. Obviously it is very  
24 important. The General Assembly saw a need for that  
25 when they created the first law.

1           If young people are required to handle the  
2 car, they can better understand that they are  
3 controlling a 2 ton vehicle that can either take them  
4 places or kill them.

5           This 50 hour requirement has forced students  
6 to learn how long it takes to stop a car, how to  
7 handle a vehicle on slippery pavement. And this  
8 hopefully reduces some of the risk taking.

9           Here is where I would like to address the  
10 unfinished business of graduated driver licensing.  
11 Simply put, experience is not the best teacher.  
12 Experience is very important, but it is simply not  
13 enough.

14           It should be coupled with a formal learning  
15 environment so that young drivers learn to drive the  
16 correct way, not just through driving habits and  
17 styles of the adult that is teaching them.

18           Why do I say this? Because I see this every  
19 day in my job. Students whose parents are sloppy  
20 drivers start out in my class as sloppy drivers. Such  
21 things as running yellow lights or drifting through  
22 stop signs are examples of improperly learned  
23 behaviors.

24           Let me give you a few more. Hand position on  
25 the steering wheel. Most people in this room when

1 they learned to drive were taught to put their hands  
2 at the ten and two position. How many parents are  
3 aware that with cars with air bags you want to have  
4 your hands at the eight and four or the 9:00 and 3:00  
5 position.

6 Proper lane changing techniques. With the  
7 enhanced mirror settings that we teach students today,  
8 lane changing becomes safer and so does the performing  
9 the blind spot check.

10 Knowledge of new vehicle technology such as  
11 ABS, BGR mirror settings may be things that the parent  
12 or guardian isn't familiar with.

13 Another reason formal driver education is so  
14 important is that it stems from the fact that  
15 sometimes parental on-road instruction collides with  
16 attitudes of teenagers. And if any of you are the  
17 parents or have been the parents of teenagers, I think  
18 you know what I mean.

19 Parents in turn get stressed and they don't  
20 provide good advice on how to drive. And it ends up  
21 turning into a screaming match, and that's not good  
22 for the students or for the parent involved.

23 Certified driver education instructors are in  
24 a better position to influence driving skills.  
25 Students see us more as an expert on driving or an

1 authority figure on how to drive. And we also wield  
2 the ultimate club in a grade book or in certain  
3 circumstances in my school, a driver's license at the  
4 end of the driver education course.

5 Please understand I'm not taking away from  
6 the importance of the 50 hours. Experience is very  
7 helpful. But by itself it is not enough. It needs to  
8 be coupled with formal driver education by qualified  
9 individuals. The parents or the guardian and the  
10 driver education instructor must work together as a  
11 team.

12 The Oregon Department of Transportation and  
13 Center for Applied Research recently found  
14 significantly lower rates of convictions, suspensions,  
15 and crashes for drivers who took a driver ed. course  
16 versus drivers who learn through 50 hours of informal  
17 supervised training.

18 This study supports the idea that parental  
19 guidance and formal driver education should work hand  
20 in hand to help our young people drive responsibly.

21 Unfortunately, many parents contribute to the  
22 problem. I have seen students whose parents have  
23 given them their full 50 hours in a parking lot or on  
24 back country roads. They have never been on an urban  
25 street, never been on a limited access highway, and

1 they have not learned to deal with real driving  
2 conditions.

3 Parents may teach their kids that it is okay  
4 to make their first stop in an intersection for better  
5 visibility, not realizing that if they get rear ended  
6 that car is going to get launched into the  
7 intersection.

8 Also many parents neglect the challenging but  
9 necessary winter driving skills. If any of you  
10 traveled here today, I'm sure you can appreciate and  
11 relate to that one.

12 Of course, there are also situations where it  
13 is obvious nowhere near 50 hours has been spent with  
14 the student. And that's where driver education  
15 becomes the fail safe for graduated driver licensing.

16 PASE asks that the transportation committee  
17 think proactively about promoting driver education in  
18 the Commonwealth. The most direct way is to require  
19 driver education as a requirement for high school  
20 graduation.

21 And this achieves the goal of educating  
22 drivers most directly, but it does run into some  
23 budgetary and some administrative obstacles.

24 Some other options you can consider:  
25 Increasing the state subsidy for driver education up

1 from \$35 per pupil, a level that hasn't increased  
2 since 1955. Some school districts as a result of this  
3 have had to cut back on their driver education program  
4 or eliminate it all together.

5           Increasing the subsidy for the first time in  
6 50 years might encourage some school districts to  
7 bring their driver education program back or to create  
8 one.

9           And I am told that the total state budget for  
10 driver education annually runs about \$1 million. And  
11 in a state our size, that is simply insufficient.

12           Another option would be to provide the  
13 education department with additional staff and  
14 resources so they can perform their duties more  
15 effectively. Currently they have a staff of three  
16 people supervising curriculum, teacher credentialing,  
17 and oversight of all public and private driver  
18 education in the Commonwealth. It is a pretty tall  
19 order.

20           I cannot stress enough the need for the state  
21 to promote an upgraded curriculum to the school  
22 districts as well.

23           From my experience, there are a wide array of  
24 curricula and teaching programs out there. The  
25 department of education is simply not adequately

1 funded to promote the newest curricula.

2 And although I understand this is a budget  
3 issue, I understand the General Assembly will be  
4 looking at the budget starting in early February. So  
5 we feel this is a legitimate question to pose.

6 Even with a modest goal say of doubling the  
7 size of the state budget for driver education from \$1-  
8 to \$2 million, the question is where to find the money  
9 in tight fiscal times. Increasing the subsidy itself  
10 up from \$35 per pupil would represent even more.

11 And there are several possibilities as to  
12 where this money could come from. First, we could get  
13 the money from increasing the learner's permit fee  
14 from the current \$5 to \$50 making exceptions for  
15 families in need. This user fee is an option because  
16 it ties into the purpose of driver education to those  
17 who benefit from it most.

18 Second, another funding stream we could use  
19 would come from increasing driver license renewal fees  
20 by \$1 per year to spread the cost across a wide pool.  
21 This minimizes the cost to individuals and does not  
22 mean additional state dollars. This is reasonable  
23 since all drivers benefit if there are more trained  
24 younger drivers on the road.

25 Obviously, more study would have to be done



1 to look at the various costs of the various proposals  
2 as well as the amount of money these suggestions might  
3 bring in.

4 I just wanted to point out these are options  
5 for you to think about. Given the larger issues of  
6 graduated driver licensing and the high incidence of  
7 teen fatalities, driver education is only part of the  
8 answer. PASE strongly supports limiting the number of  
9 passengers a teen may have in a vehicle, limiting teen  
10 cell phone use, and other pro-safety policies you may  
11 consider to enact.

12 Some other states have driver education  
13 requirements as part of their GDL law. Michigan,  
14 Maryland, New York, New Jersey, Delaware, Ohio,  
15 Illinois, and Wisconsin just to name a few.

16 Still, if you want to do our kids a service,  
17 we should think about adequate funding for driver  
18 education. We should think about allocating  
19 sufficient resources for state school districts to use  
20 the best curriculum upgrades. We should think about  
21 ways to provide school districts with incentives to  
22 start driver education programs.

23 I hope this committee will have another  
24 hearing at some time to discuss this in further depth.  
25 And again, I would like to thank you for the

1 opportunity to testify before you today. If there are  
2 any questions, I'd be happy to attempt to answer them.

3 REPRESENTATIVE WATSON: Thank you very much  
4 for your testimony. Ladies and gentlemen, any  
5 questions? Representative McCall.

6 REPRESENTATIVE McCALL: Just one or two  
7 questions. Do you know off the top of your head how  
8 many states currently have driver education programs?

9 MR. FISHER: Other than the what? --

10 REPRESENTATIVE McCALL: That's eight.

11 MR. FISHER: -- half dozen I mentioned there,  
12 I'm not sure totally in the United States.

13 REPRESENTATIVE McCALL: Tied to the GDL.

14 MR. FISHER: Yeah. I'm not sure nationwide  
15 how many have it.

16 REPRESENTATIVE McCALL: Because logic really  
17 dictates and supports all of the arguments you made.  
18 But I think a lot of states haven't enacted it because  
19 there really hasn't been any evidence or material that  
20 I've read that really supports it. And I don't want  
21 to argue with you, but I would certainly be interested  
22 in seeing the Oregon Department of Transportation  
23 study as well coupled with the Center for Applied  
24 Research.

25 I'd be interested in reading any information

1 that substantiates and supports. If you can provide  
2 me with that, I'd appreciate it.

3 MR. FISHER: At the time that I created my  
4 testimony, it was just an abstract of it. It was not  
5 a -- they hadn't released the study yet. But as soon  
6 as it is available, I will see that you get a copy of  
7 it.

8 REPRESENTATIVE McCALL: Thank you very much.

9 REPRESENTATIVE WATSON: Thank you very much.  
10 Thank you for being here. Moving along as we are, our  
11 next testifier and presenter is Ted Leonard, executive  
12 director of AAA Federation of Pennsylvania and as our  
13 Chairman said, a darn nice guy which we all know. Mr.  
14 Leonard, please when you're ready, begin.

15 MR. LEONARD: Thank you for asking us here  
16 today, Chairman Geist, Chairman McCall, and  
17 Representative Watson, and members of the committee.  
18 It wasn't too awful long ago that we appeared before  
19 the committee at the Eagle View Middle School which is  
20 in the Cumberland Valley School District to give our  
21 input and our support for an innovative program which  
22 Pennsylvania ultimately implemented known as the  
23 graduated driver license program.

24 And that program, as you heard already, has  
25 been extremely successful in reducing the number of

1       teen crash fatalities that we had in Pennsylvania.

2               I have a prepared statement which you should  
3 all have a copy of, and I'm not going to read through  
4 that. But I would like to highlight some of the  
5 points in the testimony.

6               When we implemented the GDL program in  
7 Pennsylvania, our focus was primarily on the driver,  
8 teen driver.

9               And I think what we have seen today through  
10 many of the testifiers and through the data, including  
11 some of the data that we have provided, AAA National  
12 in Washington just produced this brochure this week  
13 which focuses not specifically on the teen driver but  
14 on the crash fatalities of teen passengers,  
15 pedestrians, and so forth.

16              So what I wanted to talk about today was  
17 primarily restricting the number of passengers that a  
18 teen driver could carry. Because there are many, many  
19 teen passengers out there getting killed. As we've  
20 seen in the newspaper articles that have appeared  
21 recently, it is a problem with a teen driver carrying  
22 multiple teen passengers.

23              The numbers show that the more passengers  
24 that a teen driver carries, the higher the risk. The  
25 numbers were I think as we saw through the National

1 Transportation Safety Board if you carry two teen  
2 passengers, it increases your risk significantly. If  
3 you carry two or three teen passengers and beyond,  
4 your risk goes up as many times as five fold.

5 One of the statistics -- and it is in the  
6 back of this book where we broke down the table state  
7 by state -- one of the very interesting statistics I  
8 wanted to point out is in Pennsylvania between the  
9 years of 1995 and 2004, 390 teen drivers were killed  
10 in crashes. But at the same time, 352 teen passengers  
11 were killed with a teen driver at the wheel. That's a  
12 startling statistic. And it indicates that there are  
13 almost as many passengers -- teen passengers being  
14 killed in accidents with a teen driver at the wheel as  
15 there are teen drivers themselves.

16 NTSB has made some very significant  
17 recommendations I think in limiting the number of teen  
18 passengers. California was one of the first states to  
19 implement teen passenger restrictions. They went to  
20 zero passengers, but they did include a family member  
21 exemption as I believe Representative McCall's bill  
22 does include.

23 I'm not only involved in this issue  
24 professionally but I have three teenagers. In fact, I  
25 have three teenage drivers. And my GDL program has

1       been very protracted and extended. None of them have  
2       gotten their junior license before the age of 17.

3               My 16-year-old son pointed out when I was  
4       discussing this legislation with him that if we  
5       restricted the number of teen passengers that a teen  
6       driver could carry, that's going to put more teen  
7       drivers on the road. He was very quick to point that  
8       out.

9               He was also very concerned about the gasoline  
10       usage which was very heartening in this day of  
11       gasoline prices. But there was a study conducted by  
12       Johns Hopkins University which indicated that although  
13       a teen passenger restriction law may put more teen  
14       drivers on the road, those trips, each and every one  
15       of those individual trips, has significantly less risk  
16       than one trip a teen driver with multiple teen  
17       passengers.

18               So the teen passenger restriction law would  
19       more than offset the risk putting more teen drivers on  
20       the road. The Johns Hopkins study also pointed out  
21       that not each and every one of the teen passengers who  
22       was restricted would be driving themselves. They  
23       would find other modes of transportation; adults,  
24       parents, and so forth.

25               So the thought of putting more teen drivers

1 on the road is increasing the risk is really offset by  
2 the teen passenger restriction.

3 There are 33 states today that currently have  
4 some form of teen passenger restrictions, 33 states  
5 and the District of Columbia. I earlier mentioned  
6 California was one of the first to implement teen  
7 passenger restrictions. And in the three years  
8 following the implementation of their law, they saw  
9 the teen passenger fatalities decline by 25 percent.

10 So although that's a short time frame to  
11 perhaps evaluate the program, the effect of the law  
12 appeared to be trending a positive direction.

13 And I'll conclude by saying that the  
14 Pennsylvania AAA Federation supports legislation to  
15 strengthen our GDL program by enacting a teen  
16 passenger restriction. And we believe that the  
17 potential risk of putting more drivers on the road is  
18 more than offset by limiting the more dangerous trips  
19 with multiple teen passengers.

20 We would support certainly a bill which would  
21 require zero teen passengers. But we think we are  
22 very sensitive to the political realities when we were  
23 involved with the GDL before that family exceptions I  
24 think would be a reality. I'd be happy at this time  
25 to answer any questions.

1                   REPRESENTATIVE WATSON: Mr. Leonard, thank  
2 you very much for your testimony. Representative  
3 Geist, I believe you have a question.

4                   CHAIRMAN GEIST: Yes, I do. Ted, when the  
5 leader originally did this law with your wonderful  
6 help and others the last time, as you all know, it was  
7 not easy. There was a lot of resistance especially to  
8 the 50 hours behind the wheel.

9                   Now that we know that experience works and  
10 works very well, it has been suggested that we  
11 increase the number of hours especially with driving  
12 in inclement weather and at night.

13                   And if that is the case, do you have any  
14 suggestions as to where we should take those numbers  
15 of hours in training and how we should certify that?  
16 And I know that some feel that it is driver's ed. but  
17 also should be coached driving hours also outside of  
18 the learning experience.

19                   MR. LEONARD: I think that any number of  
20 supervised hours is going to be beneficial and perhaps  
21 not only the 50 hours of parental supervision but  
22 perhaps in the requirement that we currently have of  
23 six hours of on-the-road training.

24                   We have 30 hours of classroom training, 6  
25 hours of on-the-road. Perhaps that should even be



1 switched and flip-flopped to increase the supervised  
2 hours on the road.

3 REPRESENTATIVE WATSON: Thank you. I  
4 believe, Representative Marsico, you have a question.

5 REPRESENTATIVE MARSICO: Yes. Thank you.  
6 Did you mention anything about the restrictions of the  
7 cell phone use for young drivers and whether you  
8 support that or not?

9 MR. LEONARD: I did not. I came here today  
10 with the primary thought of discussing teen passenger  
11 restrictions, but that certainly is something that we  
12 could support.

13 REPRESENTATIVE MARSICO: Thank you.

14 REPRESENTATIVE WATSON: Thank you very much,  
15 Mr. Leonard. Thank you for being here. Moving along  
16 then, our next testifier, Captain William Fraley,  
17 director of the safety program division, Bureau of  
18 Patrol. Thank you for joining us, Captain. Ready  
19 when you are, sir.

20 MR. FRALEY: Good afternoon. I'm Captain  
21 William Fraley, director of the safety program,  
22 division of the Bureau of Patrol, Pennsylvania State  
23 Police. Also representing the State Police is  
24 Lieutenant Timothy J. Mercer, vehicle crash and driver  
25 safety section, safety program division, also in our

1 Bureau of Patrol.

2 On behalf of Colonel Jeffrey B. Miller,  
3 Commissioner of the Pennsylvania State Police, I want  
4 to thank you for extending an invitation to provide  
5 testimony before you at this public hearing concerning  
6 graduated licenses for junior drivers.

7 Highway safety continues to be a major  
8 objective of the Pennsylvania State Police. Young  
9 drivers present a unique highway safety concern for  
10 reasons I will discuss.

11 According to the National Highway Traffic  
12 Safety Administration, NHTSA, a significant percentage  
13 of young drivers are involved in traffic crashes and  
14 are twice as likely as adult drivers to be in a fatal  
15 crash.

16 Sixteen-year-old drivers have crash rates  
17 that are three times higher than 17-year-old drivers,  
18 five times greater than 18-year-old drivers, and twice  
19 the rate for 85-year-old drivers.

20 Motor vehicle crashes are the leading cause  
21 of death for young people ages 15 to 20, nationally  
22 causing roughly one-third of all fatalities involving  
23 this group. Inexperience, high risk-taking behavior,  
24 and high risk exposure are three problems contributing  
25 to the high crash rates involving young people.

1           The Pennsylvania State Police along with  
2           municipal police agencies throughout the Commonwealth  
3           of Pennsylvania and indeed law enforcement officers  
4           throughout the nation recognize the impact unsafe  
5           driving behavior by young drivers has on our highways  
6           and urban, suburban, and rural areas.

7           This impact does not affect just our  
8           highways. It affects our citizens, our communities,  
9           and our schools.

10           Traffic crashes involving deaths and serious  
11           injuries have a devastating effect on all involved  
12           including surviving family members, friends, and  
13           everyone associated with the tragedy.

14           Like many members of the Pennsylvania State  
15           Police, I have investigated fatalities involving young  
16           drivers, and I had to go to residences and notify  
17           parents that their son or daughter has been killed in  
18           a crash. It is one of the most difficult jobs any  
19           police officer has to do.

20           Enactment of laws, enforcement of those laws,  
21           and educating the public all play important parts in  
22           any effort to improve the young driver safety.

23           Since our focus today is on young drivers,  
24           particularly 16 and 17 year olds, it is essential that  
25           we recognize and emphasize the vital role played by

1 parents through their responsible supervision,  
2 guidance, and influence.

3 In July 2003, a North American teen safe  
4 driving initiative called the "I Promise Program"  
5 released the results of its most recent survey on teen  
6 driving behavior.

7 More than 100 police agencies across the  
8 United States and Canada responded to one question.  
9 If there was just one important message that you would  
10 like to deliver to parents of new drivers, what would  
11 it be? Overwhelmingly, the police response to parents  
12 was this -- lead by example.

13 Unsafe driving behaviors by parents including  
14 not wearing their seat belt and driving after drinking  
15 lead to unsafe driving behaviors by their sons and  
16 daughters.

17 We, in the Pennsylvania State Police,  
18 implement all of our highway safety initiatives,  
19 including enforcement campaigns targeting DUI,  
20 speeding, and occupant restraint violations with a  
21 spirit to positively influence young drivers.

22 Changing unsafe driving behaviors committed  
23 by adults through aggressive enforcement initiatives  
24 serves concurrently to correct negative impressions  
25 those behavior have on young people.

1           The application of strict law enforcement as  
2 a means to change unsafe driving behavior by young  
3 drivers is imperative. And in fact, law enforcement  
4 may be even more effective in changing behavior than  
5 with other age groups, when we consider the findings  
6 of a 2005 National Institute of Mental Health report  
7 that shows that part of the brain that weighs risks,  
8 makes judgment, and controls impulsive behavior  
9 develops throughout the teen years and does not mature  
10 until around age 25.

11           In 2004, the Pennsylvania State Police issued  
12 11,642 traffic citations to drivers under the age of  
13 18. We have found the most prevalent traffic  
14 violations are speeding and speed-related offenses  
15 followed by careless driving.

16           As I've indicated, both inexperience and  
17 risk-taking behavior contribute to the commission of  
18 these offenses.

19           In the United States last year, 54 percent of  
20 teenage passenger vehicle occupant deaths were  
21 drivers; 62 percent of teen passenger deaths in 2004  
22 occurred in vehicles driven by another teenager.  
23 Among deaths of passengers of all ages, 20 percent  
24 occurred when a teenager was driving.

25           It is evident that the new drivers have

1 elevated crash rates, particularly drivers younger  
2 than age 18.

3 In Pennsylvania, 16- and 17-year-old drivers  
4 constituted 1.3 percent of all licensed drivers but  
5 were involved in 6.2 percent of all highway fatal  
6 crashes.

7 Graduated licenses for junior drivers provide  
8 a necessary delay to full licensure which helps young  
9 drivers to develop mature driving attitudes and gain  
10 experience behind the wheel.

11 The Pennsylvania State Police supports the  
12 graduated licensing approach. Graduated licensing,  
13 since beginning in New Zealand in 1987, has proven  
14 successful in reducing deaths, injuries, and crashes  
15 in those jurisdictions implementing all three stages  
16 of this method in licensing young drivers.

17 Pennsylvania has been given high ratings for  
18 its graduated licensing of young drivers by the  
19 Insurance Institute for Highway Safety, a recognized  
20 scientific and educational organization dedicated to  
21 reducing deaths, injuries and property damages by the  
22 nation's highways.

23 Our mandatory six month holding period for a  
24 young driver's learning permit, the minimum 50 hour  
25 supervised driving requirement, and the nighttime

1 restriction prohibiting unsupervised driving by a  
2 young driver between 11 p.m. and 5 a.m. as well as  
3 other restrictions have been positive steps and remain  
4 effective measures in enhancing highway safety.

5           According to the Pennsylvania Department of  
6 Transportation, in 1997, two years before its  
7 implementation of graduated licensing for junior  
8 drivers, there were 15,295 crashes involving 16- or  
9 17-year-old drivers and 133 fatalities involving these  
10 same groups.

11           During 2004, five years after the  
12 implementation of graduated licensing, Pennsylvania  
13 experienced 11,231 crashes and 29 fatalities involving  
14 16- or 17-year-old drivers.

15           These figures upon comparison show a  
16 reduction of 4,277 crashes and 41 fatalities following  
17 the implementation of graduated licensing in  
18 Pennsylvania.

19           The Pennsylvania State Police partnered with  
20 the Pennsylvania Department of Transportation as they  
21 led the development of Pennsylvania's graduated driver  
22 licensing program.

23           We continue to exchange information, ideas,  
24 and recommendations on this and other highway safety  
25 initiatives on a regular basis.

1           Ensuring that every effective measure is  
2 taken to promote highway safety including the safe  
3 driving of our young citizens throughout the  
4 Commonwealth involves education, legislation, and  
5 enforcement.

6           That is why we recently worked with the  
7 Department of Education and the Department of  
8 Transportation in providing instruction to over 200  
9 driver education teachers. That is why today's  
10 hearing on the subject of young drivers is important  
11 and relevant to the issues.

12           One area of concern worth discussing is  
13 unsupervised driving with teenage passengers. Recent  
14 studies have shown that teenage drivers with peers in  
15 the vehicle drive faster than other motorists and  
16 leave less distance between themselves and the vehicles  
17 in front of them.

18           Crash rates are higher when teenagers travel  
19 together. Last year in the United States, more than  
20 half of all crash deaths involving 16-year-old drivers  
21 occurred when they had teenage passengers in their  
22 vehicles.

23           Studies have also shown that the higher the  
24 number of passengers in the vehicle, the greater the  
25 crash risk. As a result, teenagers are



1 disproportionately involved in crashes both as drivers  
2 and as passengers.

3 Of the 44 states that have a graduated  
4 license law, over 30 have some form of passenger  
5 restriction. These restrictions vary in applicability  
6 and the stipulations regarding supervision of an adult  
7 in the vehicle along with the young driver and young  
8 passengers.

9 Legislation placing restrictions and  
10 limitations regarding young passengers in vehicles  
11 driven by 16- and 17-year-old drivers would  
12 significantly enhance the safety provisions afforded  
13 by existing Pennsylvania law related to graduated  
14 licensing of junior drivers.

15 Once again on behalf of Colonel Jeffrey B.  
16 Miller, I thank you for the opportunity to appear  
17 before you this afternoon. And I would be happy to  
18 answer any questions that you may have. Thank you.

19 REPRESENTATIVE WATSON: Thank you very much,  
20 Captain Fraley. Representative Geist, do you have a  
21 question?

22 CHAIRMAN GEIST: Just one. How many arrests  
23 in the teenage group 16, 17, 18, and 19 by age group  
24 have you made for aggressive driving?

25 MR. FRALEY: If you would consider violating

1 the maximum speed limit in those violations, I  
2 mentioned the 11,000 for the age group 16 and 17.

3 Without a specific statute for aggressive  
4 driving, I could not tell you. But I can break that  
5 down and provide that with respect to unsafe lane  
6 change and too fast for conditions and those which  
7 would constitute the overall purview of aggressive  
8 driving.

9 CHAIRMAN GEIST: I think I agree with  
10 Representative Hess. It is the garbage truck drivers  
11 from Northern New Jersey and teenagers.

12 MR. FRALEY: That's an interesting point of  
13 view.

14 CHAIRMAN GEIST: I believe the other idea is  
15 have teenagers driving garbage trucks from New Jersey.

16 MR. FRALEY: You could make that correlation  
17 I suppose.

18 CHAIRMAN GEIST: Thank you.

19 MR. FRALEY: Thank you.

20 REPRESENTATIVE WATSON: Anyone else with a  
21 question? Representative McCall.

22 REPRESENTATIVE McCALL: If you can't -- I  
23 don't expect you to answer this right now. Of the  
24 11,642 citations issued, can you break down the number  
25 that received an additional ticket for not wearing a

1 seat belt?

2 MR. FRALEY: We could take a look at that. I  
3 don't have that information. But we could take a look  
4 with respect to that secondary enforcement action,  
5 yes.

6 REPRESENTATIVE McCALL: Are you finding that  
7 to be a problem as well?

8 MR. FRALEY: As far as a problem of unbelted  
9 teens, no. We have not seen that. With respect to  
10 their driving behavior for speed, speed related, too  
11 fast for conditions, that's what we have seen.

12 REPRESENTATIVE McCALL: Thank you.

13 REPRESENTATIVE WATSON: Representative  
14 Marsico.

15 REPRESENTATIVE MARSICO: Thank you. I asked  
16 the previous speakers to address the issue of cell  
17 phones, specifically young drivers using cell phones  
18 while operating a vehicle. Are you in a position now  
19 to make a comment on that? It is House Bill 1776.

20 MR. FRALEY: I read the House bill, sir. We  
21 did take a look at that with respect to the  
22 requirements or I should say prohibitions. We would  
23 basically say generally we would support any  
24 initiative that has a goal of reducing distractions,  
25 driver distractions, particularly with those groups

1 that are inexperienced young drivers.

2 There are studies out there and you probably  
3 heard information this afternoon that say the driving  
4 risk, the safety risk is the same for different age  
5 groups less than 30 or older than 30 years of age.  
6 But basically we feel that any step toward reducing  
7 distractions particularly with inexperienced drivers  
8 is important, especially with the popularity of text  
9 messaging and camera phones with the young people.

10 REPRESENTATIVE MARSICO: Thank you. That  
11 testimony and that statement means a lot to my  
12 decision regarding that bill.

13 I just want to say you guys, the State  
14 Police, do a tremendous job for the public, for the  
15 motor public in Pennsylvania. It's too bad we never  
16 got 4,000 of you on the roads.

17 MR. FRALEY: Thank you.

18 REPRESENTATIVE WATSON: Thank you,  
19 Representative Marsico. Finally, gentleman, one last  
20 question. And that is when you were talking about  
21 fatalities and then passengers injured, do you also  
22 have statistics about how many of those fatalities  
23 resulted in these were people who were not buckled up,  
24 young people as drivers or passengers, were injured or  
25 died were not buckled up? Do you have those

1 statistics?

2 MR. FRALEY: We have those statistics. I  
3 would have to provide them to the committee. But yes,  
4 we could provide those.

5 REPRESENTATIVE WATSON: I would greatly  
6 appreciate that.

7 MR. FRALEY: Certainly.

8 REPRESENTATIVE WATSON: You can see that is  
9 something of a tangential problem that we have. We  
10 believe we would have more survivors at least if we  
11 could get them buckled.

12 MR. FRALEY: Certainly.

13 REPRESENTATIVE WATSON: Thank you very much.  
14 Thank you. Now Lorraine Novak, National Highway  
15 Traffic Highway Safety Administration. Ms. Novak is  
16 the senior regional program manager for the  
17 Mid-Atlantic Region for NHTSA. Thank you for being  
18 here.

19 MS. NOVAK: First, thank you for inviting me.  
20 This is an honor to be here today. This is going to  
21 come as a shock from a federal employee, but I am not  
22 going to read my prepared testimony.

23 I am going to just say that on behalf of  
24 NHTSA, the National High Traffic Safety  
25 Administration, listening all day to everyone's

1 testimony, there is really nothing that I can add.

2 I can only just reinforce everything, all of  
3 the recommendations that I've heard today from my  
4 colleagues from the NTSB when they talk about  
5 passenger restrictions, Dr. Winston's testimony.

6 Summing it up, I think I'm pretty safe in  
7 saying the most dangerous thing a 15-year-old can do  
8 in this country is to turn 16 and start driving.

9 Anything, anything that you all can do to  
10 upgrade the GDL license is only going to go to making  
11 it safer for our kids to be driving vehicles.

12 I was very, very, very interested as Mr.  
13 Perzel will certainly attest to and Bob Mustin  
14 certainly will attest to. I was very interested in  
15 hearing Dr. Winston's testimony and I believe Captain  
16 Fraley also mentioned it as did a few others about the  
17 need to really take a look at implementing a primary  
18 seat belt law in this state.

19 You've come a remarkable way Pennsylvania,  
20 and you have to be congratulated. You are at 83.3  
21 percent and nationally we're at 82 percent. So you  
22 have done extremely well.

23 But you're now at the stage and particularly  
24 for the age group we're talking about, even though it  
25 is a primary belt law basically for 18 and under, you

1 still have the difficulty, the confusion of one group  
2 is a secondary, this group is a primary.

3 You've got law enforcement. And I'm  
4 surprised the Captain didn't mention this or talk  
5 about it. It is difficult when you're enforcing the  
6 laws to take a look at a young driver and try to  
7 figure out if that driver is 19, 18, 16, 17.

8 So it would really -- I would think it really  
9 would help law enforcement in this state to enforce  
10 the belt laws and to get that last 17 percent which  
11 are probably the most difficult to reach without  
12 getting a primary belt law.

13 But again, we certainly, certainly -- NHTSA  
14 supports anything that you can do on limiting the  
15 number of passengers and any other efforts that you  
16 can do to upgrade your law.

17 Again, my testimony is in front of you and  
18 you have all of the statistics. You heard from  
19 everybody here today.

20 I can provide -- I was listening. I can  
21 provide if anybody is interested any legislation if  
22 you don't have it from the states that we think have  
23 very good GDL laws. And not that Pennsylvania does  
24 not have a GDL law, there are just others that have  
25 gone a few steps further.

1 Delaware certainly is one of the states that  
2 I work with. Maryland, I can provide you their  
3 legislation; New Jersey, our neighbor.

4 So with that if you have any questions for  
5 me, if there is any information that you think I could  
6 provide, I would certainly be glad to do it.

7 REPRESENTATIVE WATSON: Ms. Novak, thank you  
8 very much for your testimony. Speaking at least for  
9 myself, I suspect from the Chairman, we certainly  
10 would like if you have the additional information from  
11 the other states that you've just described if you  
12 would indeed send that along to the Chairman. That  
13 would be great. I know that's important.

14 And we always like to look and see what  
15 others do and how we might improve ourselves or do  
16 something different. And again, I keep asking for any  
17 statistical background that says, yes, this really  
18 works because, you know, here is the decrease in  
19 percentage. Those that have had a law in place for  
20 enough time for it to be measured.

21 It seems to me that's the trend we've taken  
22 certainly in this committee. We want to indeed be  
23 able to measure and be grounded in some statistical  
24 research.

25 MS. NOVAK: Are you interested at all in the



1 Ontario experience? Do you want me to provide you  
2 that information?

3 REPRESENTATIVE WATSON: Certainly. Yes.  
4 Thank you. Questions then? Representative McCall.

5 REPRESENTATIVE McCALL: And basically let me  
6 ask a question that I wanted to ask. One additional  
7 thing if Pennsylvania does go to a passenger  
8 restriction, how does that -- you know, how do we  
9 compare then to other states as far as where would we  
10 be in kind of a queue as far as how good a law that we  
11 have as compared to other states if, in fact, we were  
12 to enact some form of passenger restriction? That's  
13 kind of subjective.

14 MS. NOVAK: I will provide you with that.

15 REPRESENTATIVE McCALL: Thank you.

16 REPRESENTATIVE WATSON: No further questions?  
17 Thank you very much for your testimony.

18 MS. NOVAK: Thank you.

19 REPRESENTATIVE WATSON: This brings us to I  
20 believe our last person to testify, John Langan who is  
21 the president of the group driveAWARE I believe  
22 located in Southeastern Pennsylvania. Mr. Langan,  
23 welcome. And again, you're going to highlight. I  
24 know you've given us it looks like an outline here I  
25 need to study this evening. So indeed if you could

1 highlight that for us, thank you.

2 MR. LANGAN: Yes. First of all, I wanted to  
3 thank the committee for this opportunity to hear my  
4 testimony.

5 I am the president of driveAWARE. DriveAWARE  
6 is a nonprofit traffic safety advocacy, victim support  
7 group. It is much akin to like MADD, Mothers Against  
8 Drunk Driving. They do a fantastic job but they are  
9 focused on the issue of alcohol-related crashes, and  
10 they are to be commended for their successes.

11 However, there is a lot of gaps out there.  
12 There is a lot of organizations. There are  
13 organizations for railroad safety crashes and  
14 guardrail crashes. And there is lot of gaps out  
15 there. And there is families that lose a loved one  
16 and there is no support out there for them. So I saw  
17 the need.

18 My background is in law enforcement. I was  
19 in a highway safety unit. I spent 15 years as a  
20 police officer. And as the Captain of the State  
21 Police testified to, I've been out to the scene.

22 I've seen the bodies on the street. I had to  
23 photograph them. I had to measure. It was my  
24 responsibility to determine who was responsible for  
25 this and work with the district attorney's office to

1 prosecute either homicide cases. I had to do death  
2 notifications. I had to go to autopsies and  
3 photograph the bodies. And I also had to be in the ER  
4 rooms when parents came in to identify bodies and seen  
5 and witness them pick up their -- embrace their dead  
6 children off the gurneys. And I've seen mothers that  
7 had to be sedated by doctors. I witnessed a lot of  
8 trauma, a lot of tragedy.

9           And it actually became my worst nightmare  
10 when my children became teenagers and started driving.  
11 I realized that I couldn't put them in a bubble and  
12 protect them. The best thing I could do is I taught  
13 them how to drive.

14           And the next thing that came out of that was  
15 the realization that to protect them, the best thing  
16 to do is go out there and help make all of the other  
17 drivers better drivers out there as well.

18           Given that was my motivation to start this  
19 organization, I then also am a certified traffic crash  
20 reconstruction expert. So I've been doing this since  
21 1969, putting the puzzles together of what was going  
22 wrong in these crashes.

23           It provided me with a lot of insight to share  
24 with the public what goes wrong, how traffic crashes  
25 unfold, and how to then take the next step into

1 flipping it over and taking that information and  
2 insight and using it to prevent them from happening in  
3 the first place. So that's my mission now.

4 I've been working on it. My children are all  
5 grown now. My goal now is I am now a grandparent.  
6 And the new realization struck me when my  
7 granddaughter was 48 hours old. She was out on a  
8 highway. So you could imagine my concern. She was  
9 vulnerable in the state. If anything happens, she  
10 doesn't have a lot of protection other than those good  
11 infant seats.

12 So my goal is to help -- this organization is  
13 to reduce the crashes and help to support that through  
14 the three Es which is education, engineering, and  
15 enforcement. By the time my granddaughter turns 16 if  
16 nothing changes, then we'll lose -- almost 100,000  
17 more teenagers will die on our nation's highways.

18 And to put a little bit more perspective on  
19 that, it is a little frustrating from my perspective  
20 to see the focus on terrorism. I realize that is a  
21 real threat. I'm not trying to minimize that at all.

22 However, since 9/11 in the United States,  
23 thank God, how many people have been killed by  
24 terrorists? None. Thank God. How many people have  
25 been killed in the United States on our highways since

1 9/11? Almost 200,000 people. 200,000.

2 Can you imagine if you take Citizens Bank  
3 Park in Philadelphia which is less than 50,000 and  
4 fill that up to capacity with men, women, and children  
5 and kill everybody in it. Then fill it up again and  
6 kill everybody in it. Fill it up again and kill  
7 everybody in it. Men, women, and children. Fill it  
8 up again and kill everybody in it.

9 We wouldn't accept that. But because one  
10 person being killed over here and one being killed  
11 here, and maybe two there, we accept it.

12 This is like Groundhog Day, the movie. This  
13 is nothing new. I've been dealing with this since  
14 1969. It is the same thing unfolding every time. The  
15 only change is the victims. New victims coming in,  
16 new 16 year olds out on the highway.

17 So that's why I wanted to share with you,  
18 give you an idea why it is so important to put the  
19 restrictions on for passengers.

20 People, this is the most dangerous thing the  
21 average person will do in their entire life. Even for  
22 a mature adult in the peak of their life, a skilled,  
23 experienced driver, it is the most dangerous thing you  
24 will ever do.

25 Now, if you are distracted at the wrong

1 moment, take your eyes off the road just to look  
2 back -- this is what happens because I work with good  
3 kids teaching them how to drive.

4           And one of the things we went over -- we just  
5 simulated this last year. One of the boys had to sit  
6 right in the SUV. He did everything proper. He got  
7 in. He buckled himself up properly. He put his hands  
8 at the right positions on the steering wheel. I said  
9 we're simulating driving. He said, okay. And I said  
10 we're driving down the road. What are you going to do  
11 if I said, hey, Chris? Do you know what he did? What  
12 do you think he did? He went, what? I was sitting in  
13 the backseat on the passenger side. He turned around  
14 and looked at me. That could be a fatal mistake,  
15 something that small, that minute.

16           Because if you're driving down the road at 65  
17 miles an hour, what does that mean? See, this is what  
18 I'm saying. We've killed more people in the United  
19 States on our roads than in all of the wars we've ever  
20 fought from the Revolutionary War to Iraq, over 2  
21 million people.

22           And they are people that we don't even know  
23 really a lot about it. So if you ask them what 65  
24 miles an hour means, they will say, well, if I'm  
25 traveling 65 miles an hour an hour, I'll have traveled

1 65 miles. I said, okay. That's fine. What does that  
2 mean for feet per second? How fast are you going?  
3 They don't know. What is your perception and reaction  
4 time? They don't know. What is your stopping  
5 distance? What is your stopping time? They don't  
6 know.

7 I said, you really -- I like talking to  
8 people because I also do teaching with AARP for the  
9 driver's re-education program. People have been  
10 driving 40 or 50 years. They don't know these things.  
11 When they realize the mathematics and science behind  
12 it, they get a new found respect for it.

13 They understand the importance of the  
14 distraction. They understand if you're going 65 miles  
15 an hour, you're traveling at approximately 100 feet  
16 per second. If you're traveling -- if something runs  
17 out in front of you, a deer runs out in front of you  
18 or if you take -- you have to react when you see it.  
19 Your eyes see it. Your mind identifies it and decides  
20 what to do about it and then moves your foot from the  
21 accelerator to the brake. About 1 and a half seconds.  
22 At 65 miles an hour, that's 50 feet, half a football  
23 field; and you've not even begun to slow down.

24 Now if you compound that even further because  
25 you weren't looking -- you're looking down at the

1 radio, you're looking at the backseat, you're talking  
2 to someone, dialing a cell phone, or just talking to  
3 someone. You look back. There goes another second  
4 and a half. You've now gone another half a football  
5 field. You've now gone 300 feet and have not begun to  
6 slow down. If you do that when the light is turning  
7 red, you could end up making a bad decision and then  
8 going through a red light and getting into a crash.

9           If you do that, take your eyes off the road  
10 for a split second and the road curves, you look back.  
11 You're now into the curve too late. You will exceed  
12 the critical speed of that curve. You will not be  
13 successful negotiating the curve and you'll go off the  
14 road and have a crash into usually a tree or telephone  
15 pole.

16           And that's what the problem is with  
17 16-year-old inexperienced drivers. They don't know  
18 when they can take their eyes off the road. I'm not  
19 asking you to take your eyes off the road at any point  
20 in time. But an experienced driver knows if they have  
21 to when is a good time to do that and when is a bad  
22 time to do that. And an inexperienced driver does not  
23 know these things and here is the problem.

24           Here's the real dilemma, the Catch 22. They  
25 don't know what their limits are until they exceed



1       them.  And when they find out when they do exceed  
2       them, then it is usually too late and it could have  
3       catastrophic results ending in fatalities and  
4       injuries.  So that's the problem.

5                 And if you have passengers, they create so  
6       many distractions.  They got the radio cranked up  
7       loud.  They have conversations, maybe multiple  
8       conversations going on.  It is so loud that they  
9       cannot even hear if someone is blowing a horn to warn  
10      them of something.

11                You've got them -- challenge them to test  
12      their limits.  You got -- and then what you need to  
13      do, I would like the committee to take -- what I've  
14      done is not just look at it professionally from using  
15      math which is very important but also look at it from  
16      the mind of a 16-year-old.

17                See, for 37 years I've been putting myself,  
18      my mind, into the place of people who have been killed  
19      in traffic crashes or seriously injured because I had  
20      to understand what was going on, occurring when I'm  
21      reconstructing crashes.

22                When you do that, you put your mind in that  
23      of a 16-year-old and you can see how confusing it is.  
24      We're sending -- we're not doing a really good job.  
25      We're sending them mixed signals.

1           The primary seat belt law is a great example.  
2           What are you telling them? You only have to wear a  
3           seat belt if you're going to be pulled over for a  
4           citation. If you're not going to be pulled over for a  
5           citation, you don't have to wear the seat belt. Well,  
6           so that's the mixed signal.

7           The helmet law. You have to wear a helmet  
8           when you ride a bicycle. When you're riding a  
9           motorcycle, you don't have to.

10           Most of the roads -- the highest speed in  
11           Pennsylvania is 65 miles an hour. Most of the  
12           majority of roads are under 50 miles an hour. Yet we  
13           sell them vehicles that cars can go 150 miles an hour,  
14           motorcycles can go 200 miles an hour.

15           What are you thinking? It's unconscionable,  
16           unconscionable to put them out in harm's way like  
17           that.

18           I'm telling you never before has there been  
19           this many vehicles on the road. Never before have the  
20           vehicles been able to have the capacity to be driven  
21           as fast as they are today. Never before are they  
22           driving as close as they are now. Never before have  
23           they been driven as aggressively as they are now.  
24           Never before has there been less room for error than  
25           there is now. And never before has there been as

1 great distractions as exists now.

2           It is all a recipe for disaster. And I'd  
3 like to just say about -- there's a whole bunch for  
4 you to take a look at. But one of the things you want  
5 to take a look at is the drivers' manual. Our  
6 training is inadequate.

7           The most dangerous thing -- all the loss of  
8 life, all of that, we don't prepare properly to go out  
9 there. They start out in a bad habit. You get 50  
10 hours on the road. A lot of parents will sign off on  
11 that.

12           Or you got parents if there is a father or  
13 mother training them and they are a good driver, they  
14 will learn good habits. What about the ones who are  
15 not, they are bad drivers with bad habits and junior  
16 or the daughter are going to learn from them.

17           They learn from them. You need a uniform,  
18 consistent driver education program in there. We've  
19 got to empower these children going out there at 16.  
20 You put them out there in harm's way. We've got to  
21 give them the education to deal with that.

22           And in this manual, do you know there is not  
23 one thing about statistics, the danger of death, how  
24 many people are killed out there, the risk of that.  
25 But there is a section in here about littering.

1           Do you know that out -- one of the cases in  
2 point you can use, if you look on page 54 of this --  
3 I'd like to read this to you as I wrap this up.  
4 Driving -- this is one of the arguments for  
5 restrictions for passengers.

6           "Driving is one of the most complex things  
7 you do." This is the Pennsylvania manual. "It takes  
8 years of practice to develop the skills and judgment  
9 for good driving."

10           So right there they tell you that you need  
11 years before you need to be able to carry other  
12 passengers out there to put them in harm's way. And  
13 a lot of times these 16 year olds that are driving,  
14 their passengers are 15 year olds or 14 year olds.  
15 They have no idea what it is like to drive. So they  
16 have no idea what is going through the mindset of that  
17 driver.

18           One last thing. I'm going to sum this up.  
19 I've worked thousands of crashes all around here, and  
20 I'll share one story.

21           To give you some insight, I worked a crash  
22 many years up in New Ringgold, Pennsylvania. And it  
23 was a carload of young teenagers, junior license.  
24 They are driving around on a rainy Tuesday night  
25 bored. It is like 8:30 at night and just horsing

1 around out in the country. Two boys in the front  
2 seat, two girls and a boy in the backseat.

3 And the boy was driving a little faster. The  
4 other guys were encouraging him to go a little faster  
5 and they would all get a little excited because it was  
6 something to do. When the girls were getting a little  
7 scared, they kept telling him. Please, you're scaring  
8 us. Stop. Slow down, slow down, slow down. And  
9 finally the driver, he flipped out. And no alcohol  
10 involved mind you. He said, all right. I'll slow  
11 down. And he just slammed on the brakes at a high  
12 speed on this country road.

13 When he did, the road had a crown to it. The  
14 wheels locked up and it started to go into a rotation.  
15 It rotated off of the road and impacted a telephone  
16 pole broadside, broke the car right in half. The  
17 front bumper was now touching the rear bumper.

18 Driver was killed instantly. One girl in the  
19 backseat was killed, and one boy in the front seat was  
20 alive. His father lived down the street. He came up.  
21 He heard about the crash. He comes up to see the  
22 crash. He sees his son there.

23 There is like dead people, serious injuries,  
24 a miserable winter night sort of like today. The  
25 helicopter comes to Medevac him out to the Lehigh

1 Valley Hospital trauma unit.

2 He comes down, loads him up. The father says  
3 to the son, all right. I'll see you over at the  
4 hospital. Okay. So he loads him in there and says  
5 good-bye to him and watches them load up the gurney  
6 into the helicopter. And up goes the helicopter, hits  
7 a high tension wire, crashes, comes down, kills  
8 everybody onboard; two pilots, two nurses, and this  
9 man's son.

10 All of that because some guy was too immature  
11 to really drive and had too much distraction, too much  
12 peer pressure, too much influence going on to drive.  
13 And thank you for this opportunity, and I'll take any  
14 questions.

15 REPRESENTATIVE WATSON: Mr. Langan, thank you  
16 very much for taking the time to be here and certainly  
17 for your personal testimony and what you've witnessed.

18 Any questions from any of the members of the  
19 group? No. Thank you very much. This concludes our  
20 hearing. Chairman, do you have something to say?

21 CHAIRMAN GEIST: Yes, I do. I'd like to  
22 thank everybody who testified. I believe that we've  
23 collected a lot of information to be digested by the  
24 committee staff to make some recommendations for  
25 improving our law.

1           And I can't thank everybody in the committee  
2           enough; Katharine, for kind of pushing us hard to do  
3           this hearing this rapidly. And we'd like to once  
4           again thank you all for attending and we're adjourned.

5                       (The hearing concluded at 3:55 p.m.)

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1                   I hereby certify that the proceedings and  
2 evidence are contained fully and accurately in the  
3 notes taken by me in the proceedings of the above  
4 cause and that this copy is a correct transcript of  
5 the same.

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Sherri A. Reitano  
Notary Public