

Novice Driver Education Improvement Task Force

Report to the Legislature

August 31, 2015

Submitted to the chairs and ranking minority members of the committees in the House of Representatives and Senate having jurisdiction over transportation policy and finance by the Department of Public Safety on behalf of the Novice Driver Education Improvement Task Force

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Executive Summary

Introduction

The Commissioner of the Department of Public Safety (DPS) respectfully submits to the Legislature this report of findings by the Novice Driver Education Improvement Task Force comparing Minnesota driver-education laws and rules to the *Novice Teen Driver Education and Training Administrative Standards* published by the National Highway Traffic Safety Administration (NHTSA). This report summarizes Task Force conclusions about driver education in Minnesota, including Minnesota discrepancies with the national standards and the extent to which Minnesota should modify laws and rules to conform to national standards.

Background

In 2013, legislation created the Novice Driver Education Improvement Task Force to determine the need for changes to Minnesota laws and rules concerning driver education. The legislation specified the Task Force membership as follows:

- The commissioner of public safety or the commissioner's designee
- Two representatives from and designated by the Minnesota Association of Student Councils
- One representative from and designated by Mothers Against Drunk Driving
- One representative from and designated by Minnesotans for Safe Driving
- Two representatives from law enforcement organizations, such as the Minnesota Chiefs of Police Association and Minnesota Sheriffs' Association, appointed by the commissioner
- One representative from and designated by the American Automobile Association
- One representative from and designated by the Minnesota Safety Council
- Two representatives from and designated by the Minnesota PTA
- Five driver educators from the Minnesota Driver and Traffic Safety Education Association, designated by the commissioner
- Five driver educators from commercial driving schools, designated by the commissioner

The Task Force is comprised of:

Chair

Pat McCormack, Director, Driver and Vehicle Services

Members

Jim Cagle, A-1 Drivers Training

Joe Christensen, Minnesota Driver and Traffic Safety Education Association

Pat Cochrane, Minnesota Driver and Traffic Safety Education Association

Tracie Dewberry, Minnesota State Parent Teacher Association Office

Doug Erickson, Minnesota Association of Student Councils

Jennifer Freeburg, Mothers Against Drunk Driving

Pete Hosmer, A+ Driving School North, Inc.

Pat Irsfeld, Minnesota Driver and Traffic Safety Education Association

Bea Kehr, Minnesota Driver and Traffic Safety Education Association
James Kilibarda, Elite Driving School LLC
Lisa Kons, Minnesota Safety Council
Natalie Larkin, Minnesota Association of Student Councils
Mary Madden, Range Driver Training
Hugo McPhee, Minnesota Chiefs of Police Association
Dean Opatz, Minnesota Sheriffs' Association
Doug Riles, Minnesota Driver and Traffic Safety Education Association
Amy Stein, Minnesotans for Safe Driving
Cindy Thienes, Safeway Driving School
Tara Donohue Weiss, Minnesota State Parent Teacher Association Office
Christine Zimmer, AAA Minnesota/Iowa

The Task Force examined each of the five topic areas identified in the *Novice Teen Driver Education and Training Administrative Standards*. The Task Force found many of Minnesota's laws and driver education practices meet or exceed national standards. Because of oversight by the DPS, Minnesota driver education meets national standards for program administration and coordination with driver's licensing.

Recommendations

After eight meetings, the majority of the Task Force agreed to the following recommendations that will help Minnesota to conform to national standards:

- An advisory board of stakeholders interested in novice driver education and safety to meet at least annually and continue the discussion the Task Force began;
- All driver education programs to provide instructors with continuing education to keep driver training instructors updated on driver education and laws;
- Collaboration between Driver and Vehicle Services (DVS), the Office of Traffic Safety, and the State Patrol to improve communication with law enforcement and the judiciary about teen drivers and the graduated driver's license process, to strengthen compliance with graduated driver's license laws;
- A third-party review of the state's knowledge exam to ensure clarity and consistency. A request for proposal process would be used to ensure that the state receives an unbiased review of the exam; and
- Increased staffing for the Office of Driver Education to provide additional oversight for driver education programs.

There is no legislation needed to implement these recommendations. There are no recommendations regarding parental involvement in driver education because 2014 legislation, supported by the Task Force, increased the number of supervised driving hours students are required to complete and added an optional class for parents. The parent class has improved parents' awareness of their importance in novice driver education and mitigating risks for teen drivers.

Legislative Charge

The 2013 Minnesota Legislature established the Novice Driver Education Improvement Task Force and directed it to prepare a report comparing novice driver education in Minnesota to the national guidelines in the *Novice Teen Driver Education and Training Administrative Standards* published by the National Highway Traffic Safety Administration.

The Legislature's charge to the Novice Driver Education Improvement Task Force reads as follows:

The task force shall submit a report no later than August 31, 2015, to the chairs and ranking minority members of the committees in the House of Representatives and Senate having jurisdiction over transportation policy and finance, containing its recommendation as to whether or to what extent Minnesota's driver education programs should conform to national standards, and if so, providing draft legislation necessary or desirable to achieve the recommended level of federal conformity. The report may present recommendations for improving Minnesota's driver education curriculum and identify associated costs.

Act of May 23, 2013, Ch. 117, art. 3, sec. 37

Context

In 2009, the National Highway Traffic Safety Administration (NHTSA) published the *Novice Teen Driver Education and Training Administrative Standards*.¹ The recommendations in the document are not federal mandates, but are meant to enhance consistency among states and provide guidance for novice teen driver education and administration. Currently, graduated licensing processes in 23 states require those under the age of 18 to take driver education before obtaining a driver's license, illustrating the difference in education requirements among the states.²

Educating young people to drive safely is critical. Nationally, motor vehicle crashes are the second-leading cause of death for 15-to-20 year-olds. In 2012, 1,875 drivers 15 to 20 years old were killed in motor vehicle crashes, and 184,000 were injured. Drivers 15 to 20 years of age represent just six percent of drivers, but nine percent of drivers in fatal crashes and 13 percent of drivers in police-reported crashes.³

Minnesota's 2012 statistics are similar to national numbers. Our 316,207 licensed 15-to-20 year-olds represented 8.7 percent of licensed drivers. However, they are 9.3 percent of drivers involved in fatal crashes and 13.4 percent of drivers involved in all crashes. In 2012, 16,161 young Minnesota drivers were involved in crashes, 51 of which resulted in fatalities.⁴

Due to immaturity and limited driving experience, teens are at greater risk for crashes and overrepresented in crash statistics both nationally and in Minnesota. The Novice Driver Education Improvement Task Force recognizes the role driver education serves in familiarizing young drivers with the rules of the road and preparing them to drive safely throughout their lives.

Minnesota has a graduated driver's licensing (GDL) system with several stages that ease teens into driving. The first stage requires students 15 through 17 years of age to complete at least 30 hours of classroom instruction and pass a written knowledge test before obtaining an instruction permit. The classroom curriculum covers a range of topics related to the safe operation of motor vehicles and motor vehicle laws.

¹ National Highway Traffic Safety Administration, *Novice Teen Driver Education and Training Administrative Standards*, by National Driver Education Standards Project, Washington, D.C., 2009.

<http://www.nhtsa.gov/staticfiles/nti/pdf/TeenDriverETAS-1.pdf> (accessed August 20, 2014)

² National Highway Traffic Safety Administration, "A Fresh Look at Driver Education in America," by F. Dennis Thomas, III, Richard D. Blomberg, and Donald L. Fisher, Washington, D.C., 2012.

www.nhtsa.gov/staticfiles/nti/pdf/811543.pdf (accessed August 20, 2014).

³ National Highway Traffic Safety Administration, "Traffic Safety Facts, 2012 Data: Young Drivers,"

<http://www-nrd.nhtsa.dot.gov/Pubs/812019.pdf> (accessed June 3, 2014).

⁴ Minnesota Department of Public Safety, "Minnesota Motor Vehicle Crash Facts 2012,"

<https://dps.mn.gov/divisions/ots/educational-materials/Documents/CRASH-FACTS-2012.pdf> (accessed June 3, 2014).

To obtain a provisional driver's license, students under age 18:

- must have held an instruction permit for at least six months without being convicted of any moving, alcohol or controlled-substance violations.
- must have completed six or more hours of behind-the-wheel instruction.
- must submit a driving log showing the completion of a minimum of 50 hours of supervised driving practice time, unless the primary driving supervisor has completed a 90-minute parent class, in which case only 40 hours of supervised driving time must be completed; all students are required to complete 15 hours of practice driving during nighttime.
- must pass a road skills test.

Students who are at least 17 years old and have held a provisional license for at least one year with no more than one crash-related moving violation and have logged at least ten additional hours of supervised driving time are eligible for an unrestricted, under-21 driver's license.

In Minnesota, instructors in public schools, commercial driver training schools and community education programs provide driver education. DPS regulates all these entities by carefully screening proposed curricula for both classroom and behind-the-wheel training to ensure compliance with standards established in Minnesota statutes and rules.

The objective of the Novice Driver Improvement Task Force is to compare Minnesota driver education programs to the national standards, and recommend modifications to Minnesota statutes and administrative rules that are necessary to conform to national standards.

The majority of the Task Force members did not support adoption of the national standards, which would increase required hours of classroom and behind-the-wheel instruction and add an in-car observation component.

These Task Force members did not believe such changes would improve driver education in Minnesota, and feared they could reduce access to driver education.

They believed that costs associated with more training hours would discourage some students from participating in driver education programs, contributing to an increase in unlicensed teen drivers and a potential increase in the crash frequency among this age group.

These members believe that supervised driving practice with a parent or other licensed adult is crucial for preparing students for licensure.

A minority of the Task Force strongly disagreed, stating that increasing instruction requirements will reduce teen injuries and fatalities.

Section Review: *Novice Teen Driver Education and Training Administrative Standards*

The *Novice Teen Driver Education and Training Administrative Standards* provide guidelines in each of the following areas:

- Program administration
- Education/training
- Instructor qualifications
- Parent/guardian involvement
- Coordination with driver licensing

The Novice Driver Education Improvement Task Force discussed each of the standards and identified those that Minnesota meets or exceeds. The Task Force also acknowledged that some aspects of Minnesota driver education and administration need improvement and made recommendations accordingly. There are some discrepancies between the national standards and Minnesota practices the Task Force identified and recommended against changes.

This report details the discussions and recommendations of the Novice Driver Improvement Task Force.

Section 1.0 Program Administration

Minnesota meets the majority of national standards for administration and oversight of driver education programs.

The Office of Driver Education in the Department of Public Safety Division of Driver and Vehicle Services (DVS) oversees and approves driver education programs. All programs must meet the standards in DPS administrative rules. DVS informs driver education programs about laws that affect driver education and safety.

The Office of Driver Education oversight of commercial driver training programs is different from its monitoring of public and private driver education programs.

The Office of Driver Education reviews licensure applications from commercial driving instructors and commercial driver training schools. DVS has authority to revoke or suspend licenses for noncompliance with state standards.

The Office of Driver Education must approve public and private driver education programs, but the Board of Teaching licenses instructors. DVS can withdraw program approval if an instructor does not comply with state standards. Noncompliance with state standards is reported to the Board of Teaching, which is responsible for taking action against instructors who are licensed

teachers. Additionally, the Office of Driver Education annually reviews teaching licensures of public driver education instructors to ensure validity.

Minnesota's requirements for driver education program administration are also consistent with the national standards. Each driver education program must specify an authorized program official to sign student contracts and certificates of completion in a timely fashion. DVS requires driver education programs to maintain for at least five years their records of student enrollment, completion and contracts. These records must be available for the Office of Driver Education to review. Additionally, driver education programs must annually report to the Office of Driver Education the number of students who are enrolled in and have completed their programs.

Minnesota meets the national standard of having a full-time state administrator for driver education and training. However, the Task Force believes Minnesota requires additional driver education oversight. Unlike some other states, Minnesota mandates all teens younger than 18 years of age must complete driver education before obtaining a driver's license. Because of that requirement, there are more than 370 driver education programs in Minnesota. The Task Force members recommend increasing staff in the Office of Driver Education to improve compliance with state standards.

The Task Force identified three national standards for program administration that Minnesota does not meet. They are:

- An advisory board of stakeholders
- Mandatory concurrent driver education
- Guidelines for online driver education

The Task Force recommends the establishment of an advisory board to provide guidance to DPS on driver education. Guidance may include suggestions for curriculum and administrative improvements. DPS could consult with the advisory board on implementation of new driver education legislation. Advisory board membership would be similar to the membership of the Novice Driver Education Improvement Task Force. The board would meet annually or more frequently if needed. The Task Force recommends piloting the advisory board for two years to determine its effectiveness.

The members recommend that concurrent driver education remain optional. The Task Force rejected the national standard of mandatory, concurrent driver education and recommends concurrent driver education remain optional. The national standards define concurrent education as "instruction... completed using concurrent and integrated classroom and in-car instruction where the bulk of the classroom instruction occurs close in time to the in-car instruction to ensure the maximum transfer of skills."⁵ Legislation enacted in 2013 permits driver education programs to offer a concurrent program that allows students to take the knowledge examination

⁵ National Highway Traffic Safety Administration, *Novice Teen Driver Education and Training Administrative Standards*.

and obtain an instruction permit after completing the first 15 hours of classroom instruction. The student finishes the remaining 15 hours of classroom instruction concurrently with behind-the-wheel lessons.

To date, there are no concurrent driver education programs in Minnesota. However, the Task Force believes there are benefits to concurrent programs and they should remain an option because they give students the opportunity to reinforce classroom lessons with practical driving experience.

Some members believe there are drawbacks to concurrent driver education. Driver education programs may have difficulty implementing recordkeeping and scheduling for a three-stage program. Some students (and their parents) may prefer to complete classroom instruction before the student is issued an instruction permit. Minnesota previously allowed concurrent driver education, and instructors found some students to be less motivated to complete classroom instruction once they gained driving privileges. The majority of the Task Force agreed that mandatory concurrent driver education limits options for programs, students and parents.

National standards recognize that few states allow online driver education and do not recommend specific standards for it. Instead, states with online driver education are encouraged to use general standards that apply to any type of online education.

The Task Force recommends that if Minnesota allows online driver education, the proposed advisory board of stakeholders should conduct a study of online driver education in other states and determine how it could be implemented in Minnesota.⁶

Currently, Minnesota law does not allow online driver education for students under the age of 18. The Task Force discussed some options for online driver education for students under 18. These options include allowing all classroom lessons to be completed online, allowing some lessons to be completed online, or using an online curriculum as a supplement to the existing classroom instruction requirement.⁷

The Task Force concluded that Minnesota driving instructors should lead the instruction of online driver education if it is implemented. The Task Force also supported providing DPS with rulemaking authority and administrative control over online education to ensure the regulation of these programs is consistent with other driver education programs.⁸

The Task Force believes that licensed and approved Minnesota driving instructors are best equipped to provide online instruction because of their knowledge of Minnesota traffic and

⁶ DPS examined online driver education in several states and found that the quality of programs varied greatly. Minnesota Department of Public Safety. “*Report to the Legislature on Internet Based Driver Education*,” 2009.

⁷ Minnesota Rule 7411.0535 allows those at least 18 years old to complete an online driver education classroom curriculum.

⁸ Rulemaking would be required because “DPS will need to exercise greater control over the content and delivery of this new instruction.” Department of Public Safety, “*Report to the Legislature on Internet Based Driver Education*.”

driver education laws. Members believe that teacher-led, online instruction would benefit students the most, helping them succeed in completing the required 30 hours of classroom instruction.

Section 2.0 Education/Training

Minnesota meets many national standards in administrative rules by providing strong guidelines to ensure uniformity in driver education programs. The administrative rule includes guidelines covering the use of simulators and driving ranges, and classroom and behind-the-wheel curriculum requirements that apply to all programs. In the classroom, students learn proper procedures for driving in a variety of situations, hazards of impaired driving, and laws and rules for safe driving performance. Students learn about the dangers of distracted driving too — and avoiding it in the interest of safety.

In behind-the-wheel lessons, instructors help students apply what they learned in the classroom regarding basic skills of speed control, responding to obstacles, and interacting with other road users.

Minnesota also meets the national standard recommendation for distributive learning. The national standards define distributive learning as taking place when “the acquisition of knowledge and skills is spread over a longer period of days and weeks with fewer hours of instruction in a day, as opposed to fewer days and weeks, but more daily hours of instruction resulting in the same amount of hours.”⁹ In Minnesota, students may not receive more than three hours of classroom instruction or two hours of behind-the-wheel lessons per day. A student could complete the required classroom and behind-the-wheel instruction in three weeks, but many choose to extend their lessons over a longer period. The current requirements are sufficient for distributive learning and allow flexibility for students and instructors in scheduling lessons.

Minnesota meets the national standard (described in Appendix C) requiring students to complete “an approved end-of-course knowledge-and-skill assessment examination based on stated goals and objectives” before graduating from a driver education program.¹⁰ DPS administrative rules describe curriculum topics in which students must become proficient before obtaining an instruction permit and later a provisional license. Students passing the DPS knowledge and skills examinations demonstrate they understand the curriculum and are prepared for driving privileges.

Driver education programs use mandated curriculum requirements in developing student goals and objectives. The Task Force believes that goals and objectives should be program-driven. In developing goals and objectives, driver education programs may discuss topics at a depth not

⁹ National Highway Traffic Safety Administration, *Novice Teen Driver Education and Training Administrative Standards*.

¹⁰ Ibid.

necessarily tested by the DPS knowledge examination.¹¹ Driver education programs may offer tests evaluating how students have met program goals and objectives as well as preparation for the state examinations.¹²

The Task Force discussed adding the word “successfully” to the completion requirement in the DPS administrative rules and granting driver education programs the authority to determine student readiness to drive, with the power to withhold Certificates of Completion for lack of attentiveness or other behaviors that effect classroom performance.

However, DPS has the ultimate authority to determine student readiness to drive and has “...interpreted ‘satisfactory’ or ‘successful’ completion of instruction to mean that the student has completed the required topics and hours of instruction. The interpretation is based on the premise that driver training programs provide instruction, but the state has the responsibility to test a student to determine whether the student is qualified to obtain a driver’s license.”¹³ In 1990, an administrative law judge agreed, determining that excluding successfully does not change the department’s definition of completion, and requiring students to “successfully” complete driver education makes the requirement more ambiguous.¹⁴ DPS examinations determine student driving proficiency, and driver education programs assist students in becoming safe drivers.

The Task Force concluded that driver education programs should not be required to conduct post-course surveys of parents and students. Additionally, the majority of the Task Force does not recommend increasing the required number of hours of instruction. Some programs do conduct post-course surveys and find them useful, but other programs believe the feedback is not helpful. The benefits of a driver education program may not be readily apparent immediately following completion of instruction. Confident, safe drivers develop over time with driver education as a foundation.

The Task Force deliberated about the national standards recommendation requiring students to complete 45 hours of classroom instruction, 10 hours of behind-the-wheel instruction, and 10 hours of in-car observation. The majority of the Task Force recommends Minnesota maintain the current state standard of 30 hours of classroom instruction and six hours of behind-the-wheel lessons.

¹¹ The DPS knowledge exam is required of all first time applicants for a Minnesota driver’s license. This includes individuals with driving privileges in other states and countries. The questions and answers for the knowledge exam are derived from the Minnesota Driver’s Manual.

¹² Minnesota Rule 7411.0435 states that driver education program tests may not duplicate the state knowledge or skills test.

¹³ Minnesota Office of Administrative Hearings, “In the Matter of the Proposed Adoption of Rule Amendments of the Department of Public Safety Governing Driver Training Programs, Minn. Rule Parts 7411.0100 to 7411.0800,” 1990. <http://mn.gov/oah/multimedia/pdf/24004302.90.pdf> (accessed July 20, 2014).

¹⁴ Ibid.

Most states mandating driver education require 30 or fewer hours of classroom instruction and six hours of behind-the-wheel instruction. Few states require students to complete an in-car observation component. Currently, no state meets the national standard, and Minnesota requirements are consistent with other states requiring those under age 18 to complete driver education.¹⁵

A minority of Task Force members strongly disagreed with maintaining current requirements and advocated for adopting the national standard. Due to additional curriculum requirements that have been enacted by legislation since 2006, some Task Force members thought additional classroom time is necessary to discuss all required curriculum items with sufficient depth. These additional curriculum requirements include information about school bus and non-motorized vehicle safety (added in 2006), organ donation (2006), commercial vehicle safety (2008), and carbon monoxide poisoning (2011). The members believe it is not possible to cover adequately all the material in 30 hours of classroom time. Additionally, the Task Force members believe six hours of behind-the-wheel instruction is not sufficient for students to become safe and proficient drivers. They discussed the possibility of an additional 15 hours of classroom instruction and four hours of behind-the-wheel instruction to help prevent teen driving injuries and fatalities, and an in-car observation component to give students additional driving instruction.

However, the majority concluded the current standards (30 hours of classroom instruction and six hours of behind-the-wheel) ensure driver education remains flexible and accessible for most Minnesotans. Individual programs may offer additional hours of classroom instruction if they believe it is necessary. Students may choose to complete more than six hours behind the wheel to compliment the supervised driving they must complete with their parents. If the required hours of instruction increase, the cost of driver education programs will increase, and increased costs will make driver education prohibitively expensive for more Minnesotans, detracting from the goal of improving driver safety through education.

¹⁵ Montana, New Mexico, and West Virginia come the closest to meeting the national standards but do not require all students under age 18 to complete a driver education program or offer alternatives to completing a lengthy classroom instruction requirement. Montana requires 42 hours of classroom instruction, six hours of behind-the-wheel lessons, and 12 hours in-car observation for those under age 16. Those over the age of 16 are not required to complete a driver education program. New Mexico requires 56 hours of classroom instruction if the student does not complete behind-the-wheel lessons. If the student completes seven hours of behind-the-wheel lessons, then 30 hours of classroom instruction is required. West Virginia requires 50 hours of classroom instruction, six hours of behind-the-wheel instruction, and ten hours of in-car observation. However, the driver education program requirements are waived if the student completes 50 hours of supervised driving with a parent or legal guardian. Furthermore, West Virginia law states that driver education will be offered in all public high schools without charge to the students.

Montana Administrative Rules, 10.13.307

Montana Department of Justice, *Montana Driver Manual*.

New Mexico Administrative Code 18.20.3.12

West Virginia Department of Transportation, *State of West Virginia Driver's Licensing Handbook*.

West Virginia Code of State Rules §126-22-3 and §126-22-2

Section 3.0 Instructor Qualifications

Minnesota's instructor qualifications are comparable with national standards.

DPS requires driving instructors to be at least 21 years old, have a valid driver's license for at least three years, and a high school diploma or the equivalent. They must also have an acceptable driving record and pass background checks by the Minnesota Bureau of Criminal Apprehension and the Federal Bureau of Investigation. Additionally, they must pass a written examination and a driving evaluation administered by the Office of Driver Education. Once driving instructors are licensed or approved, DPS staff annually reviews their driving records.

Due to Board of Teaching requirements, training and some qualifications for public school driving instructors differ from those for commercial driver training instructors. Licensed commercial driver training schools train prospective instructors in classroom and behind-the-wheel teaching techniques to prepare them for evaluation by the Office of Driver Education. Instructors in public schools and community education programs must meet additional licensure requirements from the Board of Teaching. The licensure requirements are a bachelor's degree, completion of a state-approved teacher preparation program, and passing the Minnesota Teacher Licensure Examinations. Additionally, they must have certification of driver education on their teacher licenses. Instructors earn certification by completing a program offered by St. Cloud State University.

Formerly, DPS required prospective commercial driver training instructors to complete a 40-hour training course before receiving licensure. In 2004, training course requirements were replaced in DPS administrative rules with classroom and behind-the-wheel competencies in which instructors must become proficient. The competencies include curriculum knowledge, oral instruction techniques, and the ability to demonstrate vehicle operation and control. State evaluations are based on these competencies to determine instructor readiness for licensure. The Task Force recommends that Minnesota continue to require instructors to demonstrate proficiency in the competencies instead of requiring a specific number of training hours.

Minnesota's list of instructor competencies is equivalent to the national standards recommendation that driving instructors complete 120 hours of training.

The Task Force determined that Minnesota does not meet national continuing education recommendations for driving instructors. The Task Force recommends that DPS apply existing Minnesota rules to require continuing education for driving instructors.¹⁶

¹⁶ Minnesota Rule 7411.0690 states, "The department shall require instructors to complete driver and traffic safety education periodically when the education is approved, provided, or supervised by the commissioner." This rule could be applied to require programs to provide annual continuing education for their employees, which can include updates from DVS regarding changes in driver education and driving laws.

Currently, some commercial driver training school managers provide continuing education opportunities for their employees. Public school instructors may fulfill Board of Teaching continuing education requirements with driver education specific opportunities. The Task Force recommends that Minnesota create greater consistency in continuing education requirements by requiring commercial driver training schools and public schools to provide annual continuing education and professional development for instructors. The Task Force believes that this requirement would encourage program managers to keep their employees informed about changes in driver education and driving laws. Commercial driver training schools will certify completion of continuing education on their license renewals and note it in their instructors' files.

Section 4.0 Parent Involvement

In Minnesota, the GDL program corresponds with national standards by encouraging parent involvement in the driver education process. Those under the age of 18 are required to obtain an instruction permit and have their driving supervised for at least six months prior to obtaining a provisional license. The provisional license is valid for two years and has more restrictions than a regular driver's license because of the inexperience of novice drivers. Parents help enforce provisional license restrictions. After teens obtain a provisional license, they are required to complete at least ten additional supervised driving hours so their parents can ascertain their readiness to drive unsupervised.

For the first six months, the provisional license holder may not operate a motor vehicle with more than one passenger under the age of 20 who is not an immediate family member unless accompanied by a parent or guardian. Additionally, the provisional driver's license holder has restrictions on driving between the hours of midnight and 5 a.m. unless accompanied by a licensed driver age 25 or older. During the subsequent six months of licensure, a provisional license holder may not have more than three passengers under the age of 20 in the vehicle without a parent or guardian present. No provisional license holders may talk on a cell phone while driving, with or without a hands-free device, and every occupant of the vehicle must wear a seatbelt.

The national standards recommend that following completion of behind-the-wheel instruction, driving instructors debrief parents about their teen's performance. Minnesota administrative rules require driving instructors to provide feedback following completion of behind-the-wheel curriculum. Instructors complete a written evaluation of the student's driving skills that includes a plan for future improvement. Parents may use these evaluations to guide their teen and focus on specific skills during supervised driving. The Task Force encourages driver education instructors to communicate with parents about their teen's behind-the-wheel performance and provide guidance about skills that require further practice.

Legislation passed in 2014 improved Minnesota's requirements for parent involvement with driver education. It established the primary driving supervisor as an individual who is at least 21 years of age with a valid driver's license who supervises the majority of a teen's driving time. The legislation also increased the number of required supervised driving hours from 30 hours of

supervised driving time with 10 of those hours at night to a minimum of 50 hours of supervised driving with 15 of those hours at night.

Driver education programs are required to offer primary driving supervisors a 90-minute, supplemental parental curriculum about the graduated driver's license program, including restrictions for provisional license holders, the potential influence of adults on the driving behavior of teens, and the safety risks associated with teen driving. If the primary driving supervisor attends the class, then he or she is required to complete only 40 hours of supervised driving with their teen.

Minnesota's requirements for parental involvement have improved, but they do not meet the national standards. The national standards recommend all students complete 50 hours of supervised driving and all parents attend a class to learn about GDL programs. The national standards state, "...hours of supervised practice driving required in GDL [graduated driver's license] should not be reduced by a novice driver's participation in other driver education... nor should any other activity be considered a substitute."¹⁷

Minnesota law allows primary driving supervisors to substitute 90 minutes of classroom time for 10 hours of supervised driving time. However, the Task Force believes that the laws already in place are moving in the correct direction, and many parents do complete 50 hours or more of supervised driving with their teens prior to provisional licensure. These changes require more analysis by DVS and the proposed advisory board of stakeholders to determine if further improvements to parental involvement are necessary.

Section 5.0 Coordination with Driver Licensing

Minnesota meets or exceeds many of the national standards for coordination with driver's licensing, parents and other agencies.

Oversight of driver education programs is the responsibility of the Department of Public Safety Division of Driver and Vehicle Services (DVS). The DVS Office of Driver Education communicates changes to the licensing or examination process to driver education programs. As a result, programs should be up-to-date on driver licensing laws and regulations that describe the programs' role in educating teen drivers.

The 2014 Graduated Driver License law has improved communication with parents regarding supervised driving requirements. Previously, parents certified the completion of 30 hours of supervised driving on applications for provisional license. The new statute requires the primary driving supervisor to record on the driving log the date and length of each trip, along with a

¹⁷ National Highway Traffic Safety Administration, *Novice Teen Driver Education and Training Administrative Standards*.

signature. The driving log improves parent and primary driving supervisor awareness of the required number of driving hours a teen must complete before obtaining a provisional driver's license. This increases the likelihood that the primary driving supervisor will accurately report the number of supervised driving hours the teen completed.

The Task Force recommends that DPS improve coordination with law enforcement and the judiciary. Many in law enforcement and the judiciary are unaware of GDL provisions and restrictions placed on teen drivers. Better communication with the judiciary and law enforcement may increase enforcement of graduated driver's license laws, leading to improved safety for all drivers. DVS, the Office of Traffic Safety, and the State Patrol can collaborate to better communicate this information.

The national standards recommend that a state “develop and implement a valid and reliable driver's knowledge test.”¹⁸ DPS has a strong knowledge examination with a large pool of questions based on the Minnesota Driver's Manual. The DPS Test Maintenance Committee regularly reviews the knowledge examination, including potential test questions from driving instructors and other stakeholders. Some Task Force members believe that DPS needs more outside feedback about the format and style of the exam. These members recommend DPS contract with a third party to assess the knowledge examination for clarity, style, and content.

¹⁸ National Highway Traffic Safety Administration, *Novice Teen Driver Education and Training Administrative Standards*.

Conclusion

DPS and driver education programs in Minnesota are dedicated to improving safety among teen drivers. The Novice Driver Education Improvement Task Force determined that driver education in Minnesota meets many of the national standards promulgated by NHTSA's *Novice Teen Driver Education and Training Administrative Standards*.

Parent involvement with driver education has improved since the Task Force began its work in 2013. The increase in required number of supervised driving hours and the addition of supplemental parental curriculum has increased awareness of GDL provisions and the importance of parents in the process of training novice drivers.

The majority of the Task Force found that it would be difficult for Minnesota to adopt the national standard recommending the increasing of the number of required hours of classroom and behind-the-wheel instruction. The Task Force recognizes the benefits of additional lessons, but believes that increasing the required number of hours of instruction may result in driver education becoming prohibitively expensive for many families. This change could result in fewer teen drivers receiving driver education, and many choosing to wait until they are over the age of 18 to obtain an instruction permit.

Minnesota law does not require novice drivers who are 18 and over to complete a driver education program unless the driver has been unsuccessful after four attempts to pass the skills examination. The driver would then be required to complete six hours of behind-the-wheel lessons before retesting.

A minority of the Task Force strongly disagrees and believes Minnesota should require additional hours of classroom and behind-the-wheel lessons, as well as an in-car observation component. These Task Force members believe that additional training with a driving instructor will improve the safety of Minnesota teens and reduce fatalities and injuries.

After much discussion over the course of eight meetings, the Task Force recommends that Minnesota adopt the following:

- An advisory board of stakeholders interested in novice driver education and safety to meet at least annually and continue the discussion the Task Force began
- A requirement that all driver education programs provide continuing education to their instructors, so driver training instructors are better informed about changes in driver education and laws
- Increased staffing for the Office of Driver Education to provide additional oversight of driver education programs
- Collaboration among DVS, the Office of Traffic Safety, and the State Patrol to improve communication with law enforcement and the judiciary about teen drivers and the GDL process in order to strengthen compliance with GDL laws; and
- A third-party review of the state's knowledge exam to ensure clarity in style and content. A request for proposal process would be used to ensure that the state receives an unbiased review of the exam.

Creation of an advisory board, continuing education for driving instructors, and additional oversight of driver education programs will enhance the quality of driver education. Improved communication with law enforcement and the judiciary about GDL laws will increase awareness. Finally, a third party review of the written driver examination will help to ensure its fairness for all test takers.

Appendix A: Novice Driver Education Improvement Task Force Membership

Chair

Pat McCormack, Director, Driver and Vehicle Services

Members

Jim Cagle, A-1 Drivers Training

Joe Christensen, Minnesota Driver and Traffic Safety Education Association

Pat Cochrane, Minnesota Driver and Traffic Safety Education Association

Tracie Dewberry, Minnesota State Parent Teacher Association Office

Doug Erickson, Minnesota Association of Student Councils

Jennifer Freeburg, Mothers Against Drunk Driving

Pete Hosmer, A+ Driving School North, Inc.

Pat Irsfeld, Minnesota Driver and Traffic Safety Education Association

Bea Kehr, Minnesota Driver and Traffic Safety Education Association

James Kilibarda, Elite Driving School LLC

Lisa Kons, Minnesota Safety Council

Natalie Larkin, Minnesota Association of Student Councils

Mary Madden, Range Driver Training

Hugo McPhee, Minnesota Chiefs of Police Association

Dean Opatz, Minnesota Sheriffs' Association

Doug Riles, Minnesota Driver and Traffic Safety Education Association

Amy Stein, Minnesotans for Safe Driving

Cindy Thienes, Safeway Driving School

Tara Donohue Weiss, Minnesota State Parent Teacher Association Office

Christine Zimmer, AAA Minnesota/Iowa

Appendix B: Legislative Directive

Laws of Minnesota, Chapter 117, Section 37

NOVICE DRIVER EDUCATION IMPROVEMENT TASK FORCE.

(a) The Novice Driver Education Improvement Task Force is established to ensure driver education programs in Minnesota meet the Novice Teen Driver Education and Training Administrative Standards published by the United States Department of Transportation, National Highway Traffic Safety Administration.

(b) The task force consists of 21 members:

- (1) the commissioner of public safety or the commissioner's designee;
- (2) two representatives from and designated by the Minnesota Association of Student Councils;
- (3) one representative from and designated by Mothers Against Drunk Driving;
- (4) one representative from and designated by Minnesotans for Safe Driving;
- (5) two representatives from law enforcement organizations, such as the Minnesota Chiefs of Police Association and the Minnesota Sheriffs' Association, appointed by the commissioner;
- (6) one representative from and designated by the American Automobile Association;
- (7) one representative from and designated by the Minnesota Safety Council;
- (8) two representatives from and designated by the Minnesota PTA;
- (9) five driver educators from the Minnesota Driver and Traffic Safety Education Association, designated by the commissioner; and
- (10) five driver educators from commercial driving schools, designated by the commissioner.

(c) Any vacancies shall be filled by the appointing or designating authorities.

(d) Members shall serve without compensation.

(e) Members shall be appointed or designated by August 1, 2013.

(f) The commissioner or the commissioner's designee shall convene the first meeting of the task force after all appointments have been made. At the first meeting, the task force shall elect a chair from among its members by majority vote. The first meeting must take place by September 1, 2013.

(g) The duties of the task force are to examine and compare Minnesota law and rules concerning driver education with the Novice Teen Driver Education and Training Administrative Standards, identify discrepancies, and determine to what extent, if any, state law should be modified to conform with federal standards.

(h) The commissioner shall provide support staff and administrative services for the task force.

(i) The task force shall submit a report no later than August 31, 2015, to the chairs and ranking minority members of the committees in the house of representatives and senate having jurisdiction over transportation policy and finance, containing its recommendation as to whether or to what extent Minnesota's driver education programs should conform to national standards referenced in paragraph (a), and if so, providing draft legislation necessary or desirable to achieve the recommended level of federal conformity. The report may present recommendations for improving Minnesota's driver education curriculum and identify associated costs.

EFFECTIVE DATE. This section is effective the day following final enactment and is repealed September 1, 2015, or the day after the task force submits its report, as required in paragraph (i), whichever occurs first.

Appendix C: Novice Teen Driver Education and Training Administrative Standards

1.0 Program Administration

All entities delivering driver education and training should be treated fairly and equitably, meet the same quality standards, and have equitable access to State driver education and training resources.

Most States may have a multitude of public and private novice teen driver education and training programs. Each State may have different administrative and provisional structures. Alternative delivery (e.g., online, parent-taught, and correspondence) programs can be either public or private, may not have a physical location, and are subject to varying requirements set forth by the State.

1.1. Management, Leadership, and Administration

Each State should:

1.1.1 Have a single agency, or coordinated agencies, (informed by an advisory board of stakeholders) and charged with overseeing all novice teen driver education and training programs. That agency should have authority and responsibility for the implementation, monitoring, evaluation, and enforcement of these standards. This agency should also be charged with developing and executing communication strategies to inform parents and the public about driver education and training issues. In addition, the agency should inform providers in a timely fashion about changes to laws, regulations, and procedures.

1.1.2 Carefully choose a State agency that is best suited and ideally not a direct provider of driver education to administer a statewide education and training program that can provide needed and appropriate regulatory environment, oversight, monitoring, evaluation, review and approval processes, professional development, and all other administrative actions that make available a quality driver education and training program to all age-eligible residents.

1.1.3 Have a full-time, funded State administrator for driver education and training. This individual should meet or exceed the qualifications and training required by the State for a novice teen driver education and training instructor and/or school owner or possesses equivalent experience or qualifications. This administrator should be an employee of the agency that has oversight of driver education and training.

1.1.4 Have standardized monitoring, evaluation/auditing, and oversight procedures to ensure that every driver education and training program uses a curriculum with written goals and objectives.

1.1.5 Have a program renewal process to ensure that curriculum material and procedures are current.

- 1.1.6 Adopt an instructor certification-renewal process.
- 1.1.7 Approve driver education and training programs that conform to applicable State and national standards.
- 1.1.8 Deny or revoke approval of driver education and training programs that do not conform to applicable State and national standards.
- 1.1.9 Ensure that programs reflect multicultural education principles and are free of bias.
- 1.1.10 Administer applications for licensing of driver education and training instructors, including owner/operators of public and private providers.
- 1.1.11 Develop and execute monitoring, evaluation, and auditing procedures to ensure standards are met by public and private providers.
- 1.1.12 Adopt goals, objectives, and outcomes for learning.
- 1.1.13 Develop criteria to assess and approve programs, curricula, and provider effectiveness. Financial and/or administrative sanctions for non-compliance with the State application and approval processes and/or standards should be provided to all applicants and provide remediation opportunities to driver education and training programs when sanctions are issued.
- 1.1.14 Establish and maintain a conflict resolution system for disputes between the State agency and local driver education and training programs.
- 1.1.15 Require, provide, or ensure the availability of ongoing professional development for instructors to include updates in best education and training methods and material.
- 1.1.16 Require all public and private driver education and training providers to report program data to the designated State agency so that periodic evaluations of the State's driver education and training programs can be completed and made available to the public.
- 1.1.17 Ensure that student information submitted to the agency or used by the agency remains confidential, as required by applicable State and Federal regulations.
- 1.1.18 Ensure that all novice teen driver education and training programs, instructors, and associated staff possess necessary operating licenses and credentials required by the State.
- 1.1.19 Ensure that each driver education and training provider has an identified person to administer day-to-day operations, including responsibility for the maintenance of student records and filing of reports with the State in accordance with State regulations.
- 1.1.20 Ensure that all materials, equipment, and vehicles are safe and in proper condition to conduct quality, effective driver education and training.
- 1.1.21 Refer to a general standard for online education such as those established by the North American Council for Online Learning in the absence of national standards specific to the delivery of online driver education or online teacher preparation.

1.1.22 Ensure that the instruction of novice teen drivers is completed using concurrent and integrated classroom and in-car instruction where the bulk of the classroom instruction occurs close in time to the in-car instruction to ensure the maximum transfer of skills.

2.0 Education/Training

2.1 Each State should:

2.1.1 Have driver education and training that meets or exceeds current nationally accepted content standards and benchmarks.

2.1.2 Approve curricula that are based on nationally recognized standards such as ADTSEA [American Driver and Traffic Safety Education Association] and DSAA [The Driving School Association of the Americas]. Each State retains authority in determining what curricula meet its State standards. Other resources include AAA [American Automobile Association] and NIDB [National Institute for Driver Behavior].

2.1.3 Regulate the use of simulation and driving ranges.

2.1.4 Require an approved end-of-course knowledge and skill assessment examination based on the stated goals and objectives to graduate from the driver education and training program.

2.1.5 Require a course provider to conduct valid post-course evaluations of driver education and training programs to be completed by the students and/or parent for improving the effectiveness of the program (a resource for help in conducting these evaluations is the AAA Foundation for Traffic Safety).

2.1.6 Require core driver educational hours that focus on the driving task and safe driving practices sufficient to meet the criteria established by the end-of-course examination. To enable States to select the appropriate guidelines for contact hours to meet the desired outcomes, the following instructional time should be:

- First stage education:
 - Minimum of 45 hours of classroom/theory;
 - Minimum of 10 hours of behind-the-wheel instruction;
 - 10 hours in-car observation;
- Second stage education;
 - Minimum of 10 hours; and
 - The in-car instruction can be enhanced with simulation or driving range instruction.

2.1.7 Require distributive learning.

3.0 Instructor Qualifications

3.1 Each State should:

3.1.1 Require the following prerequisites for instructors receiving certification and recertification:

- a) possession of a valid driver’s license, as recognized by the State.
- b) have an acceptable driving record as determined by the State, pass a Federal and State criminal background check.
- c) meet health or physical requirements as determined by the State.
- d) achieve a minimum academic education requirement as determined by the State.
- e) meet a minimum age requirement as determined by the State.

3.1.2 Require instructors to complete approved standardized instructor training that applies to instructors and teachers in all public and private driver education and training programs. This preparation should include a course of study that is no less than 120 hours of preparatory time.

3.1.3 Require instructors to receive training in accepted best practices in course delivery and evaluations using various delivery modalities.

3.1.4 Require that an instructor pass a State-approved practical and/or written exam (e.g., Praxis II, National Teacher Certification Program [available at www.ADTSEA.org]).

3.1.5 Require annual continuing education and professional development hours for instructors.

3.1.6 Require an annual driving record review for instructors.

4.0 Parent Involvement

4.1 Each State should:

4.1.1 Require the parent of a teen driver education and training student to attend a parent seminar, pre-course, or the initial session of the teen’s driver education and training course. This session should outline the parent’s responsibility and opportunity to reduce his or her teen’s crash risk in several ways, including modeling safe driving behavior. Information conveyed to the parent in this session should include, but not be limited to the following known best practices of GDL and parental involvement:

- a) Manage the novice driver’s learning-to-drive experience to determine the readiness of the teen to begin the process, and supervise the teen’s driving so that the parent can better determine the teen’s readiness to advance to the next licensing stage and assume broader driving privileges;
- b) Supervise an extended learner permit period of at least six months that provides at least weekly opportunities for the novice driver to accumulate a minimum of 50 hours of supervised practice driving in a wide variety of increasingly challenging circumstances. Hours of supervised practice driving required in GDL should not be reduced by a novice driver’s participation in other driver education and training programs, nor should any other activity be considered a substitute.
- c) Supervise an extended intermediate license period that temporarily restricts driving unsupervised with teen passengers and during nighttime hours until the State’s GDL requirements have been met **and** the parent determines the teen’s readiness to drive unsupervised in these high risk conditions; and
- d) Negotiate and adopt a written agreement between the teen and parent that reflects the expectations of both teen and parent and clearly defines the restrictions, privileges, rules,

and consequences that will serve as the basis for the teen to earn and for the parent to grant progressively broader driving privileges.

4.1.2 Require a parent to complete a debriefing with the driver training instructor to inform the parent of the progress and proficiency of the teen driver. This final session should include a reminder that it is the parent who must ultimately determine the teen's readiness to obtain a license with full driving privileges, as it is the parent's responsibility to help the teen become a safe driver.

5.0 Coordination with Driver Licensing

5.1 Each State should:

5.1.1 Have a formal system for communication and collaboration between the State driver education and training agency and the State driver licensing authority. This system should allow sharing of information between driver education and training program/course administrators and the State's driver licensing authority.

5.1.2 Have a GDL system that includes, incorporates, or integrates driver education and training. Completion of driver education and training should not reduce the time requirements in the GDL process.

5.1.3 Provide information and education on novice teen driving requirements and restrictions to judges, courts, and law enforcement officials charged with adjudicating or enforcing GDL laws.

5.1.4 Ensure that sanctions for noncompliance with GDL requirements by novice teen drivers are developed and enforced uniformly.

5.1.5 Require a parent to submit State-specified documentation that certifies completion of required supervised hours in a manner that reduces the possibility of fraudulent entries.

5.1.6 Ensure that State licensing tests are empirically based and reflect performance competencies of the standards-based driver education and training program outlined in the previous sections of this document.

5.1.7 Develop and implement a valid and reliable driver's knowledge and skills test that assesses factors associated with the novice teen driver's ability to reduce driving risks.

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