

***The Safe Teen and Novice Driver Uniform Protection Act of 2009
(STANDUP Act)***

Summary of Provisions

Section 1: Short title

Section 2: Findings

Section 3: State Graduated Driver Licensing Laws

MINIMUM REQUIREMENTS: A state complies if it has a GDL law that includes, for novice drivers under the age of 21, the following –

- A **3-stage licensing process** (learner's permit and intermediate stages before unrestricted driver's license granted starting at age 18);
- A **prohibition on nighttime driving** during the learner's permit and intermediate stages;
- A **passenger restriction** during the learner's permit and intermediate stage (no more than 1 non-familial passenger under the age of 21 unless a licensed driver over 21 years of age is in the vehicle);
- A **prohibition on non-emergency use of cell phones** and other communication devices during the learner's permit and intermediate stages;
- Age for issuance of **learner's permit is 16** and **unrestricted license at 18**;

DISCRETIONARY REQUIREMENTS:

- **Any other requirement adopted by the Secretary of Transportation**, including at least 30 hours behind-the-wheel, supervised driving by licensed driver 21 years of age or older; automatic delay of full licensure if permit holder commits offense, such as DWI, misrepresentation of true age, reckless driving, unbelted driving, speeding, or other violations as determined by the Secretary.

RULEMAKING: The Secretary shall issue regulations to implement this section.

Section 4: Incentive Grants

For **3 fiscal years** following enactment, States complying with the Minimum Requirements section will receive grants based on the same ratio used to apportion funds under the section 402 highway safety program. The annual authorization level is **\$25 million for fiscal years 2010 through 2012**, to be taken **from the Highway Trust Fund**.

Section 5: Withholding of Funds for Non-Compliance

For States that do not comply with the minimum requirements section **by October 1, 2012**, the Secretary shall withhold a percentage of certain federal highway construction program funds otherwise required to be apportioned to that State. The withholding percentage increases each year for the first three years after the incentive grant program ends. Funds withheld for noncompliance in the first two fiscal years of withholding will be returned to States that later come into compliance within three years following the year for which funds were withheld. Withheld funds that are not recovered by a State within the three-year period, and any other funds withheld for other fiscal years, will be returned to the U.S. Treasury.

March 6, 2009