A Brief Overview of

New York State

Graduated Driver Licensing Law (GDL)

A Parent's Guide

New York State

all counties except

New York City and Long Island

NOTE: This guide provides a brief overview of the GDL. For more detailed information, parents should visit DMV's web site at DMV.ny.gov.

Before your teen jumps behind the wheel, there a few things you both need to know.

The bad news: Because of inexperience, teens are more likely to crash.

Younger drivers are involved in more crashes than other age group. The crashes that involve teens also tend to be more serious. The first year of unsupervised driving is the most dangerous due to lack of experience.

The good news: Graduated Driver Licensing Laws Save Lives.

Crashes are preventable. New York State's (NYS) Graduated Driver Licensing (GDL) law is designed to prevent teen crashes by helping teens gradually and safely build their skills and gain experience behind the wheel. Need proof?

The NYS GDL law is responsible for a 60% decrease in crashes for 16 and 17 year-old drivers. There is a basis for every restriction in the law (limit on number of passengers, curfew, etc.)

Research shows that these strategies work.

What can you do to keep your teen driver safe?

When your teen is in the driver's seat, you're more than just a passenger. You're the #1 influence for your teen driver. Use this guide to become familiar with the law so you can help your young driver navigate through both the roads and the process to getting an unrestricted license!

This guide describes GDL restrictions for junior permit and junior license holders who drive in Upstate NY (all counties excluding New York City and Long Island).

Restrictions apply to where your teen drives, not where you live.

The phases of licensing

There are three phases of licensing for young drivers:

1 Junior Permit/ Junior Motorcycle Permit

- Minimum age is 16.
- Need to pass written test.
- Must have parental supervision while driving.
- See page 3 for more info.

2 Junior License/ Junior Motorcycle License (restricted)

- Allows for unsupervised driving with curfew and passenger restrictions.
- See page 5 for more info.

3 Unrestricted Driver/ Motorcycle License

- Minimum age is 18, or age 17 with driver education.
- This is an unrestricted license (not subject to GDL restrictions).
- See page 9 for more info.

Going through all three phases of licensing gives your teen the time and experience they need to become a safer driver.

Remember: Like everything else, you know your child best. The restrictions described in this guide are the minimum safety rules your teen must follow. You may choose to be more restrictive if you feel your child is not ready for added responsibility behind the wheel.

PHASE 1: JUNIOR PERMIT

This is the learning phase. It allows young drivers to learn the basics of operating a motor vehicle through restricted driving.

To apply for a junior permit your child must:

- Be at least 16 years-old.
- Have proof of identification (e.g., passport, social security card) and bring it to the test.
- Study the New York State Driver's Manual (printed copies of the Manual are available at local DMV offices and an online version is available at http://dmv.ny.gov/driver-license/drivers-manual-practice-tests).
- Complete an application (DMV form MV-44).
- Pass the written test and eye test.

For more information about getting a junior permit, test, forms, and fees, visit the NYS DMV website at:

http://dmv.ny.gov/driver-license/get-learner-permit

Set your teen up for success!

Before your teen hits the road, sit down together and create a driving agreement to set safe driving behaviors, rules, and consequences for breaking them. For a sample agreement, visit:

www.safeny.ny.gov/SRO-Toolkit/contract.html

Now the driving practice begins!

The single most important factor in developing a safe driver is practice. Before your teen can take their road test, they must complete a **minimum** of 50 hours of parent certified supervised driving, with 15 of those hours required after sunset. Use a Driving Practice Log to keep track of the number of hours you and your teen have driven together. You may also want to jot down skills practiced, those mastered, and new ones to work on. A log is available on page 25 of the NYS Teen Driver Resource Guide at:

http://www.nxtbook.com/nxtbooks/nysdmv/teenresourceguide/#/30

Junior Permit Restrictions
Upstate New York

Activity Allowed = ✓ Activity Not Allowed = ✗

	Day 5am-9pm	Night 9pm-5am
Junior permit holders may drive only under supervision	✓ Must be under supervision of a 21+, NYS license holder.	✓ Must be under supervision of 21+, NYS license holder who is parent, guardian, driver education teacher/driving school instructor, or person designated *in loco parentis*[1].

- No front seat occupant except supervising driver.
- **With parent/guardian as supervising driver:** no restrictions on number of back seat passengers. **If supervising driver is not a parent/guardian (daytime only):** only one passenger under 21 allowed, unless passengers are immediate family.
- Each passenger must wear a seat belt and every child passenger must use a correct child restraint. For more information about the NYS Occupant Restraint Law, visit www.safeny.ny.gov/sesa-ndx.htm.
- For permit holders to drive in NYC, the vehicle used must have dual controls (dual brakes). See NYC GDL guide for additional restrictions. No driving on the Cross County, Hutchinson River, Saw Mill River, or Taconic State parkways, on any street within a park in NYC, on any bridge or tunnel under the jurisdiction of the Tri-borough Bridge and Tunnel Authority.
- Junior permit for motorcycle license: supervising driver must have a driver license valid to operate the same class vehicle your teen is driving, and must exercise general supervision and control by remaining within one-quarter mile. No passenger unless that passenger has a valid, unrestricted motorcycle license.

Penalties: fines $75-$300 Jail: maximum of 15 days

in loco parentis[1] = A person who has, on a regular/extended basis, assumed the character of a parent and is discharging parental duties as a result of the death, disability, or absence of a natural parent.

To move to Phase 2 (junior license) your teen must:

- Hold their junior permit for a minimum of six months.
- Take a pre-licensing course or driver education course (also called a “5 hour course”).
- Complete 50 hours of parent certified supervised driving, with 15 of those hours required after sunset, prior to taking the road test.

  (A practice log is available on page 25 of the NYS Teen Driver Resource Guide at http://www.nxtbook.com/nxtbooks/nysdmv/teenresourceguide/#/30)
- Complete DMV form MV-262 Certification of Supervised Driving. http://dmv.ny.gov/forms/mv262.pdf
- Schedule and take the road test.

PHASE 2: JUNIOR LICENSE

This is the training phase. It allows the young driver to practice and improve on the lessons learned during the junior permit phase. Additional privileges begin at this point.

The restrictions for junior license holders described in this guide are the minimum safety rules your teen must follow. You may choose to be more restrictive if you feel your teen is not ready for added responsibility behind the wheel.

Junior License Restrictions
Upstate New York

Activity Allowed = ✓ Activity Not Allowed = X

Junior license holders may drive without supervision to:	Day 5am-9pm	Night 9pm-5am, directly to and from home:	
School Courses[2]	✓	✓	For authorized activities, your teen must have documentation signed by their instructor or employer.
Work	✓	✓	
All other activities including school extracurriculars, sports, and social events	✓	X	Your teen may **not** drive during course of employment (deliveries, etc).
			For all nighttime activities, your teen may drive with a supervising driver[3].

- **Without supervising driver[3]:** only one passenger under 21 allowed, unless passengers are immediate family. **With supervising driver[3]**: no restrictions on number of passengers.
- Every occupant must be properly restrained by safety belt or child safety seat.
- Junior motorcycle license: supervising driver need exercise only general supervision and control over the learner when operating a motorcycle. No passenger unless that passenger possesses a valid, unrestricted motorcycle license.
- Driving in NYC, for any reason, is prohibited with a junior license. In addition, no driving on any street within a park in NYC, on any bridge or tunnel under the jurisdiction of the Tri-borough Bridge and Tunnel Authority, on the Cross County, Hutchinson River, Saw Mill River, or Taconic State parkways.

Penalties: fines $75-$300 Jail: maximum of 15 days

School Course[2] = Instruction, education or training that is licensed or approved by a state agency or department, or training conducted by the U.S. Armed Forces. The term "school course" does NOT include extracurricular activities, sports or social events for which no scholastic credits are given.

Supervising Driver[3] = A 21+, NYS license holder who is the parent, guardian, driver education teacher/driving school instructor, or a person designated *in loco parentis*.

Suspensions & Revocations

Using any electronic device while driving is against the law for all drivers.

Penalties:

The first conviction of a cell phone use or texting violation results in a 120-day junior permit suspension and 5 points.

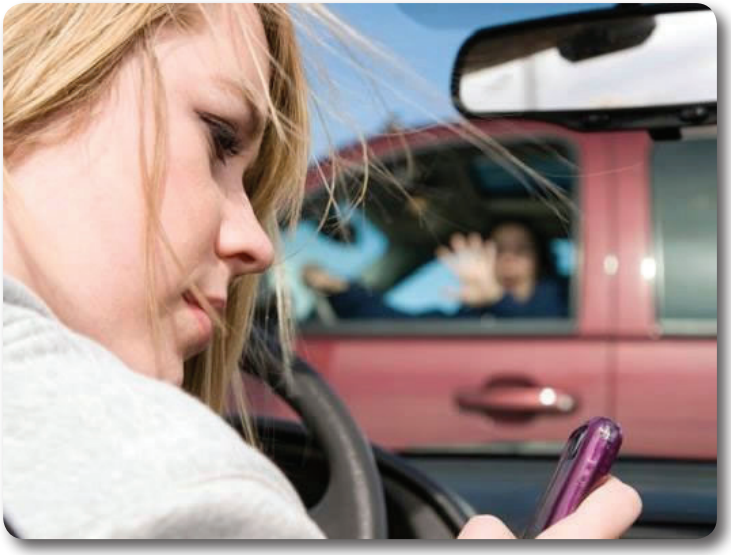
A second conviction within six months of the restoration of the permit results in a revocation of at least one year for a permit and 5 points.

Under the NYS "Zero Tolerance Law," a driver under the age of 21 cannot legally drive with a blood alcohol content of .02 or above (a level that may occur from using mouthwash or cough syrup).

Penalties:

6-month license suspension, a $125 civil penalty, and a $100 suspension termination fee.

Each additional offense will result in junior permit revocation for at least one year or until age 21 (whichever is longer), plus a $125 civil penalty, and a $100 permit re-application fee.



What happens if they have more than one of the following violations?

Your teen's junior permit or license will be suspended for 60 days if they are convicted of two violations committed while they held a junior permit or license.

Their license will also be suspended for 60 days if they are convicted of one "serious traffic violation" (usually carrying three points or more), such as speeding or texting while driving. After the suspension ends, if your junior driver is convicted within 6 months of one serious traffic violation or two other violations, their junior permit or license will be revoked for 60 days.

If a license is suspended, your teen can drive again once the suspension period is over. If a license is revoked, then it is lost completely, and your teen will have to start all over again and apply for a license after 60 days.

Monitor your teen's driving!

Enroll in the TEENS Program with the NYS DMV – you'll receive a notification when specific events (tickets, traffic violation convictions, driver license suspensions, and certain accidents) are added to your teen's driving record.

http://dmv.ny.gov/dmv-records/monitor-my-teen-driver-teens

You control the keys.

As the parent or guardian who consented to the issuance of a junior permit or license to your teen, you have the right to cancel your teen's permit or junior license if you feel they should not be allowed to drive. Complete DMV form MV-1W (Withdrawal of Consent) and submit it to a DMV.

http://dmv.ny.gov/forms/mv1w.pdf

PHASE 3: UNRESTRICTED LICENSE

A full, unrestricted license will be sent in the mail to anyone holding a junior license after their 18th birthday. An unrestricted license is the same license that adults have and allows your teen to drive anywhere in NYS without curfew or passenger restrictions.

Teens who have taken a driver education course:

Your teen can apply for their full license at age 17 if they received a Student Certificate of Completion (DMV form MV-285) from an approved driver education course. Once your 17 year-old driver has passed their road test and surrendered the MV-285 to a DMV they are issued an unrestricted license. If your teen does not surrender their MV-285 form, they will still be considered a junior license holder and must continue to follow GDL restrictions.

Safe Driving Takes Practice

Obtaining an unrestricted license does not signify the end of learning to drive. It takes years before an individual is proficient behind the wheel. Teens may even know people at their school or from other schools that have died or been seriously hurt in crashes. They are still at greater risk than the general population. Urge them to keep learning and practicing safe driving behavior.

KEY POINTS

JUNIOR PERMIT

- Practice, practice, practice.
- Can only drive with a supervising driver.
- Must wait at least six months before taking the road test.
- If driving in New York City, must have a vehicle with dual brakes.
- Must pass the road test to receive a junior license.
- See page 4 for more details.

JUNIOR LICENSE

- Driving between 9pm and 5am is restricted.
- Can only have one passenger under the age of 21.
- Cannot use electronic devices while driving (applies to all drivers).
- Cannot drive in NYC.
- See page 6 for more details.

Remember: junior permit and license restrictions apply to where you drive, not where you live.

For questions about this publication or to order copies, contact:

New York State Department of Health

Bureau of Occupational Health and Injury Prevention

Phone: (518) 402-7900

Email: injury@health.ny.gov

For more information about the Graduated Driver Licensing Law, visit the New York State Department of Motor Vehicles website:

www.dmv.ny.gov/youngerdriver

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