

## No Sacred Cows: Adjustments in Novice Driver Licensing Processes during the COVID-19 Pandemic and Implications for the Future of Novice Driver Training

May 2024

Health and safety concerns during the COVID-19 pandemic prompted many states to temporarily adjust driver licensing processes and requirements; for novice drivers in some states, this meant waiving road tests, reducing permit holding periods, and/or offering online driver education. When these changes were no longer necessary for health and safety reasons, some states reverted to pre-COVID practices, while others made permanent changes to their driver licensing policies. The fact that these adjustments to decades-old processes were made at all indicates that state leaders *can* alter longstanding GDL processes based on evolving needs, technological capabilities, and new data about effectiveness and best practices.

### Introduction

The COVID-19 pandemic was declared an emergency by the World Health Organization and the United States Department of Health and Human Services in January of 2020.<sup>i</sup> In the months that followed, states began issuing their own emergency declarations and orders designed to protect the public health and slow the spread of disease, such as stay-at-home orders, mask mandates, and social distancing requirements.<sup>ii</sup> Nearly every part of daily life changed drastically – students switched to online learning, non-essential businesses like bars and restaurants closed to the public, and high-risk individuals were isolated from their loved ones. Despite this massive disruption to everyday life, some essential services, many provided by public entities, were still needed (*e.g.*, waste management and police and fire services). Due to health and safety concerns, state and local government agencies had to change how they prioritized and delivered these kinds of services – and driver services were no exception.

To limit in-person visits at motor vehicle bureaus, 49 states and the District of Columbia (D.C.) extended driver's license expiration dates (with some also extending learner permits), and 45 states and D.C. began allowing online license renewals. Guiding teenagers through graduated driver licensing (GDL)<sup>1</sup> programs during the pandemic proved particularly challenging, because most states require some combination of in-person driver education classes, in-car supervised driving hours with an instructor, and in-person road tests before a minor can operate a vehicle independently. As a result, at least five

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<sup>1</sup> According to the National Highway Traffic Safety Administration (NHTSA): "GDL is a three-phase system for beginning drivers, consisting of a learner permit, an intermediate license, and a full license. A learner permit allows driving only while supervised by a fully licensed driver. An intermediate license allows unsupervised driving under certain restrictions. These usually include limits on driving at night or with teenage passengers. The learner permit and the intermediate license each must be held for a specified minimum period of time." *See Graduated Driver Licensing*, NHTSA (last visited March 6, 2024), <https://www.nhtsa.gov/book/countermeasures-that-work/young-drivers/countermeasures/legislation-and-licensing/graduated-driver-licensing>.

states chose to suspend requirements for in-person road tests, and most states that require driver education classes allowed novice drivers to attend the classes online.

Some COVID-era changes proved to be popular and remain in effect today. Forty-six states and D.C. still allow drivers who meet certain qualifications (e.g., under the age of 65 and no license violations) to renew their licenses online, some states adopted permanent changes to their GDL processes, and others returned to pre-COVID practices. This report discusses changes that were made to GDL programs in five states during the pandemic, including stakeholder reactions, whether the changes remained in place after the pandemic, and why.

## **Road Test Waivers**

At least five states temporarily waived their in-person driving skills/road test requirements for GDL applicants following COVID emergency orders.<sup>iii</sup> Other states modified the skills test process to protect health and safety, requiring applicants to take the test with the car windows open, requiring a parent or guardian to sit in the vehicle during the exam with the instructor observing from outside the vehicle, etc.<sup>iv</sup> This section details processes and outcomes in three states that initially waived road tests during the pandemic.

### *Wisconsin*

In May of 2020, the Wisconsin Department of Transportation (DOT) introduced a pilot program that waived road tests for teenagers seeking their driver's licenses.<sup>v</sup> The Secretary of the Wisconsin DOT released a statement referring to the program as "[an] innovative [solution] to help Wisconsin address challenges created by the pandemic."<sup>vi</sup> To be eligible for the waiver, 16- and 17-year-olds had to be free of violations on their Instruction Permit for six months and had to have completed the required driver education and behind-the-wheel training, and at least 50 hours of supervised driving with a parent or sponsor who would sign the waiver.<sup>vii</sup> Road tests were still available to those who did not qualify for the waiver or who opted to take the test.<sup>viii</sup>

By the time the pilot program ended on December 31, 2023, approximately 171,794 waivers had been authorized.<sup>ix</sup> Although the Wisconsin Department of Motor Vehicles (DMV) "tracked the potential implications of the pilot program and found 'no negative effect' on driver safety," some driving instructors and even the novice drivers themselves felt otherwise.<sup>x</sup> A self-described "strict teacher" in Milwaukee with 19 years of experience told a local news station that he felt the program "allowed many to get their license without being prepared to drive," and that ending the program "took longer than necessary." Similarly, a local news station in Eau Claire reported that an instructor there felt the end of the program was a welcome change, explaining that he saw a few students who "maybe weren't quite ready for the road test or weren't ready to be driving."<sup>xi</sup> Two teens who spoke to reporters in Appleton shared similar feelings: one, who had utilized the waiver, said he wished he had taken the road test and the other, who missed out on the pilot program, said he "would rather do the road test."<sup>xii</sup>

It is not clear why the pilot program ended when it did. In 2021, Wisconsin Governor Tony Evers had tried to insert language into the state budget bill that would have made the pilot program permanent, but it was removed by the Assembly before the bill passed.<sup>xiii</sup> The only comment on the program's end from Wisconsin DOT came from the Deputy Administrator of the DMV, who stated that the DMV would

“continue to develop online services to provide greater convenience and efficiency for [their] customers.”<sup>xiv</sup>

### *Mississippi*

Driver license stations in Mississippi closed at the beginning of the pandemic, and when they reopened in June of 2020, they began waiving road tests for non-commercial drivers “until further notice.”<sup>xv</sup> Driver license applicants under 17 were instead required to submit an affidavit completed by a parent or guardian stating that they had completed 50 hours of supervised driving time.<sup>xvi</sup>

Just one month later, the Mississippi legislature permanently adopted this practice, removing the road test requirement and replacing it with the 50-hour supervised driving time affidavit.<sup>xvii</sup> The test had also been shortened before the pandemic. Mississippi Department of Public Safety (DPS) Commissioner Sean Tindell told a Jackson news station that the test “basically consisted of driving around the parking lot and parking the vehicle” and that the affidavit from parents or guardians is “maybe a more effective way in determining whether or not somebody is a good driver,” because the Department is “getting information from the people who are actually driving with them.”<sup>xviii</sup>

Not everyone is sold on the idea of eliminating the road test, with residents expressing concerns that novice drivers will not be ready to think quickly, react in difficult situations, or consider the safety of the other drivers on the road.<sup>xix</sup> Tindell “understands those concerns,” but told reporters that the road test will not be coming back.<sup>xx</sup> Instead, he believes it may be “more appropriate to mandate driver education classes in schools [again],” which would require legislative action.<sup>xxi</sup> While driver education has not been a requirement in Mississippi since the 1960s, some schools still offer elective courses.<sup>xxii</sup>

### *Georgia*

On April 23, 2020, Georgia governor Brian Kemp signed an executive order waiving the road test requirement for residents seeking driver’s licenses.<sup>2</sup> The executive order took effect on May 1, and the waivers were initially set to expire when the public health state of emergency ended (at the time it was set to expire two weeks later, on May 13, 2020).<sup>xxiii</sup> The Commissioner of the Georgia Department of Driver Services described the executive order to reporters as “[allowing] the teen driver to go to that next phase without having to take that road test because of social distancing problems, obviously, in trying to provide the test.”<sup>xxiv</sup> According to an Atlanta news station, the road test waiver would “help mitigate the backup of 30,000 people who want to take the test.”<sup>xxv</sup>

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<sup>2</sup> The executive order also waived the requirement that individuals hold their instruction permits for at least 12 months to be eligible for a driver’s license, instead letting teens become eligible for a license upon turning 16. This provision expired May 12, 2020.

Like in other states that waived road tests, novice drivers, parents, and educators had mixed reactions. Without a road test, it was ultimately up to parents to decide whether their child was ready to drive, based on the required 40 hours of supervised driving.<sup>xxvi</sup> A veteran driver education teacher told an Atlanta news station that he hoped “parents [wouldn’t] just sign off on those 40 hours” and that “most [would] take the time and drive with their kids.”<sup>xxvii</sup> Another teacher called the waiver “very irresponsible and very dangerous.”<sup>xxviii</sup> One

parent expressed confidence that her child would be ready, while another thought “it would be beneficial to have an unbiased set of eyes on [her] driver.”<sup>xxix</sup> One driving instructor even started a petition to have Governor Kemp reinstate the driving test that gathered more than 2,500 signatures.<sup>xxx</sup> Despite the controversy and mixed feelings about the executive order, more than 20,000 people utilized the waiver and received their driver’s licenses without a road test.<sup>xxxi</sup>

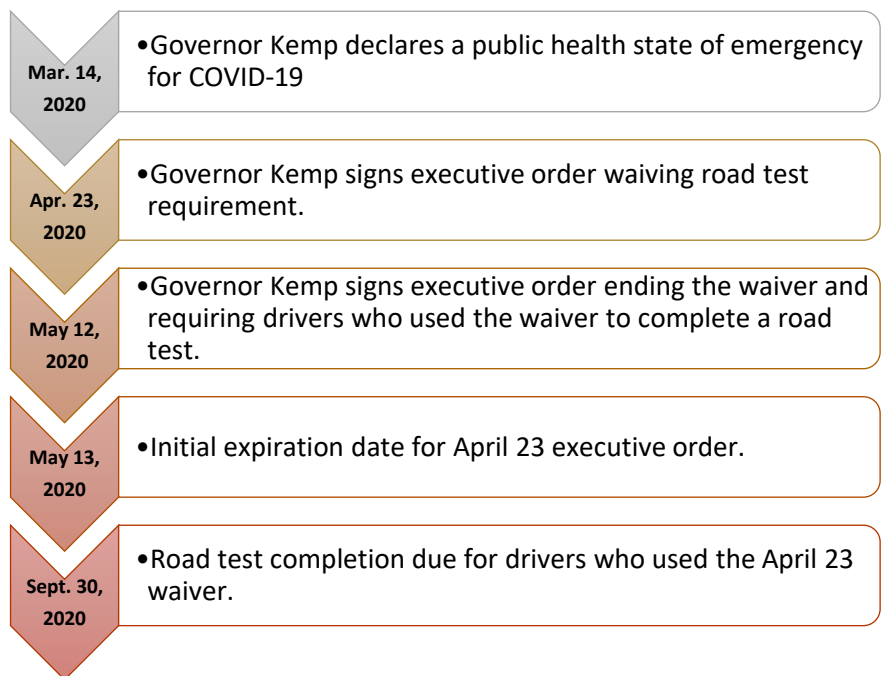
Unfortunately for those parents and novice drivers who took advantage of the temporary waiver, Governor Kemp issued a new executive order that superseded the previous one the day before it expired.<sup>xxxii</sup> The new order required the Department of Driver Services to create a process for all drivers who had used the waiver to be awarded a driver’s license without taking the road test to complete a road test by September 30, 2020 (the road test could be completed with an instructor observing the driver from outside the car). During a press conference, Governor Kemp claimed that this was always the plan – that “we just wanted to clarify that anybody who has gotten the driver’s license but hasn’t taken the test...they’re still going to have to come back and take the driver’s test.”<sup>xxxiii</sup> Today, Georgia still requires road tests for novice drivers.<sup>xxxiv</sup>

### Learner Permit Changes

All 50 states and D.C. have GDL programs in place for licensing teen drivers.<sup>xxxv</sup> GDL programs are governed solely by the states; there is no federal law that governs GDL. Therefore, states are free to make changes to their processes as they see fit, including age and holding period requirements. North Carolina chose to change the holding period for their learner permit in response to the COVID pandemic.

#### North Carolina

When North Carolina first adopted their GDL program in 1997, new drivers under 18 had to hold their learner permit for 12 months before moving on to a provisional license.<sup>xxxvi</sup> Twenty-four years later, what started as a temporary shortening of the holding period in response to the COVID pandemic eventually led to permanent changes in the GDL process.



In 2021, the General Assembly temporarily shortened the holding period from 12 to six months, with the intent of “[allowing] teens who were delayed in starting the graduated licensing process because of the pandemic to move up more quickly.”<sup>xxxvii</sup> This six-month provision was originally supposed to expire December 31, 2021, but in October the General Assembly extended the expiration date by one year, to December 31, 2022.<sup>xxxviii</sup> Once the six-month provision expired in 2023, lawmakers began hearing “complaints from parents of teens eager to get their provisional licenses as soon as possible.”<sup>xxxix</sup> Lawmakers were also hearing from supporters of the previous 12-month period who “argued that it had worked well in helping teens ease into the responsibility of driving on their own.”<sup>xl</sup> The General Assembly eventually compromised, extending the six-month learner permit for another year, but permanently changing it to nine months beginning January 1, 2024.<sup>xli</sup> This legislation also expanded passenger allowances for minors driving with their provisional licenses.

Although the General Assembly may have reached a compromise, Governor Roy Cooper was not convinced that permanently shortening the holding period for the learner permit from one year to nine months was a good idea. When the legislation made its way to his desk, he did not veto it, but refused to sign it. (Generally, if a governor does not veto but refuses to sign a bill, it will become law after a certain number of days, which varies by state; the intent behind refusing to sign a bill into law is typically to make a political statement).<sup>xlii</sup> In a statement issued by his office, Governor Cooper said:

*For years, NC’s graduated drivers [sic] license process has significantly improved safety for all motorists, however, this legislation passed by a large margin because it should help reduce the waiting time for young people wanting their license. I have concerns that this law could make our roads less safe, and I encourage the Division of Motor Vehicles and the legislature to monitor its effects closely.*<sup>xliii</sup>

## **Online Driver Education**

Before the COVID-19 pandemic, most states that require driver education for teen drivers completing the GDL program only offered driver education courses in person. Today, 20 states that require driver education currently allow students to participate online.<sup>xliv</sup> Additionally, states such as New Hampshire and Vermont offered online driver education during the pandemic but have since returned to in-person instruction only. This section explores the process and reasoning behind the permanent switch to allowing online driver education in Minnesota.

### *Minnesota*

Driving students in Minnesota need 30 hours of classroom instruction before they can take the written test for their instruction permit, which they can take as early as 15 years old.<sup>xlv</sup> Before the COVID pandemic, students 18 and under had to attend in-person classes (individuals over 18 could participate in online driver education programs).<sup>xlvi</sup> But shortly after the pandemic began in 2020, Minnesota driving schools moved all traditional classroom instruction to online remote learning for health and safety reasons.<sup>xlvii</sup> At the time, the change was not formalized by the legislature.

In 2021, a state senator introduced a bipartisan bill that would have formalized the change and permanently allowed driver education students to take their courses online.<sup>xlviii</sup> That bill was unsuccessful, but two years later, online driver education made it into an omnibus transportation policy and budget bill (HF 2887), which passed in May of 2023.<sup>xlix</sup> The new law makes appropriations for

supporting the program, requires driving schools that offer online classes to offer around-the-clock technical assistance, and requires instructors to be available to answer students' questions and monitor progress "in a timely manner."<sup>i</sup>

Discussions on the online driver education portion of HF 2887 included some back and forth on whether the flexibility and accessibility of remote learning was worth the risk of students not absorbing the material as well as they would in in-person classroom environments.<sup>ii</sup> In passing that portion of the bill, legislators emphasized the opportunity of "choice," and letting people choose the mode of instruction that works best for them.<sup>iii</sup> According to the Minnesota Department of Public Safety Driver and Vehicle Services, the state had approved 18 online driver education programs as of December 2023.<sup>iiii</sup>

## Conclusion

Many states temporarily altered their GDL processes due to the COVID-19 pandemic to comply with social distancing requirements and slow the spread of disease. As the pandemic waned, some reverted to their original practices, some permanently adopted COVID-era changes, and others landed somewhere in the middle. This case study of five states indicates that there need be no "sacred cows"; state leaders *can* make permanent changes to longstanding GDL processes based on evolving needs, technological capabilities, and new data and information. Driver licensing models that have been in place for decades can change and adapt to new evidence about effectiveness of specific measures, such as road testing or supervised driving hours. While decisions made during the pandemic were not always supported by data or best practices research, but on constituent opinions and convenience, they do present an opportunity. Policy evaluation research to study the impact of these altered provisions on novice driver safety can inform best practices in novice driver training going forward.

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