

## **SAFE HABITS FOR INEXPERIENCED DRIVERS**

Establish with your inexperienced driver, in advance, your firm insistence on a written agreement.

You must be willing to state (and mean) that you will not allow your loved one to drive independently until an agreement is reached, signed and followed.

If possible, if two parents or guardians are involved, they should reach an agreement about the contract before it discussed with the teenager.

**Use this contract as a model.**

Feel free to edit it and personalize it to your situation.

If you have questions, please email [Bill@CarolinaAttorneys.com](mailto:Bill@CarolinaAttorneys.com)

Sign the contract and provide a copy to everyone. It's not a bad idea to keep a copy of the agreement in the car to be driven where it may be periodically seen as a reminder.

**IT'S PREFERABLE NOT TO ALLOW A TEENAGER TO DRIVE INDEPENDENTLY UNTIL THE AGREEMENT IS NEGOTIATED, WRITTEN, REVISED, AND SIGNED.**

Set a date to revise your agreement after a period of time.

Schedule the review date and put it on the calendar.

On this review date, go through it and change the agreement a little (or a lot) based on experience.

Make it stricter if the behavior with the car warrants that. Make it a bit more lenient, perhaps, if everything is doing well.

We recommend you **start with a fairly strict agreement.**

### **Your Local Laws:**

Many states now have graduated driver's license laws, which place restrictions on new/younger drivers.

If you have questions, call Bill Powers at Powers Law Firm PA 704-342-4357. Feel free to email Bill at [Bill@CarolinaAttorneys.com](mailto:Bill@CarolinaAttorneys.com)

### **We do NOT charge for consultations on these matters.**

This agreement will likely be restrictive than statewide and local laws. Some jurisdictions have separate ordinances regarding curfews.

### **Consequences:**

This contract establishes only one consequence for violations of the contract, including suspension of independent driving privileges.

Over the years, we have removed most language involving recommending specific lengths of time because each individual situation is so different.

The only difference between Category A and Category B rules is that parents may choose to give a warning for the first violation of Category B rules.

Category A rules call for immediate suspension independent driving privileges *by the parent.*

### **Alcohol and drug use:**

While the agreement has the young driver acknowledging that underage drinking is illegal, it also includes a statement that if the young person drinks, he or she will not drive for 24 hours.

Some parents read this as permission to drink. It is, rather, an acknowledgment that people break laws and do reckless things.

### **Limits on passengers:**

This is an essential rule.

There is a very direct relationship between the number of passengers in the car with a teenage driver, and the likelihood of an accident.

It also, of course, increases the number of potential deaths or injuries.

We highly recommend not exceeding a limit of 1 passenger during the first year of driving.

### **“I get it”**

Younger drivers may quickly sign the agreement, without really “learning” the rules.

Even if they do learn them, they may soon forget their meaning and importance.

We encourage you to think of creative ways to assure that they have really understood and retained the rules.

Suggestions include:

- Require your loved one to read the entire agreement to you, aloud
- Sit down, take your time
- Take turns reading the agreement
- Discuss items that are particularly important to you
- Occasionally ask questions like, “What do we agree about curfew?”

# Driving Agreement

Initial each point to show it is read and understood:

**Driving a car is an extremely serious matter. I recognize that...**

\_\_\_\_\_ I will obey laws regulating driving. I will observe and obey posted speed limits. I will obey rules established by my parents. I recognize these are for my protection and the protection of others.

\_\_\_\_\_ I understand that the car I drive is **property of my parents**. Even a car that is a “gift” to me is still, legally, the property of my parents. I drive the car **only with permission**.

\_\_\_\_\_ I understand that my parents and I must be able to reach this **written agreement** in order for me to be permitted to drive. I understand that the terms of this agreement may be changed, to be more or less strict, based on how I handle the freedom and responsibility of driving.

\_\_\_\_\_ In some cases, this contract is more restrictive than the law. I understand that my parents have the right to place more restrictions on my driving than is called for by the law.

**This contract establishes penalties for violating driving rules.**

**The penalties involve suspending my independent driving privileges for a length of time to be determined by my parent(s).**

**During this time, I will not be allowed to drive without a parent, guardian, or other responsible adult (determined by the parent), in the car.**

**RULES CALLING FOR SUSPENSION OF INDEPENDENT DRIVING PRIVILEGES WITHOUT FURTHER WARNINGS**

These rules, if violated, will lead to the losing my independent driving privileges.

I will not be let off with a warning.

I understand that I may lose my independent driving privileges ***for as long as my parents decide*** if any one of these is violated even once.

- If my parents deny me permission to drive, for whatever reason, I will obey this and give them my keys immediately with no argument or debate.
- If I drive in defiance of my parents' order not to drive, this contract is cancelled and no independent driving (driving without a parent or guardian in the car) will be permitted until further notice.
- I will not leave the scene of an accident, no matter how minor, without the permission of police officers and/or my parents.
- **No alcohol.** It is illegal for me to drink alcohol. However, if I do break the law by drinking anything with alcohol in it, I will not drive for 24 hours.
- **No illegal use of drugs or medications.** I will not drive for 48 hours after my last use of a controlled substance. "Substance" means any drug or chemical (including but not limited to marijuana, pills, inhalants, and other drugs) which would be expected *by my parents* to alter my ability to drive. There is no acceptable amount of any substance of this kind. This rule may include medications prescribed to me or over-the-counter medications. In the cases of legal medications, I will inform my parents of any such medications I have taken so that they can judge whether taking these medications will interfere with my driving ability.
- **No alcohol or drugs in car.** I will not allow alcohol or illegal drugs in the car. This includes over-the-counter medications (cough medicines, etc.) when I have reason to believe someone has them



in their possession for purposes of abuse. My parents will hold me responsible for any alcohol or drugs in the car, even if they don't belong to me or it is the fault of someone riding in my car.

- **No riding with others who have used alcohol or drugs.** I will not ride as a passenger with any driver who has consumed alcohol or any substance as defined above.
- **Alternatives to riding with others who have used alcohol or drugs.** If I find myself in a situation as described above, I will contact my parents or another designated adult to arrange for transportation. I understand that my parents will appreciate that behavior and will make every effort to avoid asking me a lot of questions about it.
- **NO TEXTING, CELL PHONES.** I will not use cell phones or any other electronic device while driving. I will pull over for other operations of cell phones and electronic equipment to enter or amend navigation coordinates. I will not read, write, or respond to texts. I will not use social media. I will not watch videos, TikTok, or YouTube while driving.
- **Limit on Passengers.** I understand the presence of other teenagers in the car with me will increase the chances of an accident. I will, therefore, always have limits on passengers while I am a teenage driver. Immediately after I receive my license, I will not be allowed to have any teenage passengers except by permission of my parents for a specific situation, such as carpooling to school. As I gain experience, I will be allowed one passenger. Over time, this will be subject to review.
- **No thrill-seeking, No stunts.** I will not engage in any thrill-seeking behavior while driving. I will not drive for recreation. Driving too fast, racing of all kinds, and any kind of "stunt" involving a car is NOT ALLOWED. Driving is for transportation ONLY.
- **Must wear seatbelts.** I will wear my seatbelt at all times and require all passengers to wear them. I will check to make sure all belts are fastened before I drive. **This includes ANY driving of any**

**distance with more passengers than the vehicle is designed to carry.**

- **Inform parents about accidents and police encounters.** I will *immediately* inform my parents about any and all tickets, accidents, and encounters with police (including warnings.)
- **No firearms or other weapons.** I will not drive with any guns or other deadly weapons in the vehicle.

## **RULES WHICH MAY RESULT IN A WARNING OR SUSPENSION OF INDEPENDENT DRIVING PRIVILEGES**

First violation may lead to warning or suspension of driving privileges. If a violation is repeated after a warning, independent driving privileges will be suspended for a length of time to be determined by my parents.

- **Permission to Drive.** When I first begin driving by myself, I must ask permission to drive each time I drive. Exceptions to this rule will be given for regularly scheduled transportation to school, work, regular meetings, etc. I will ask permission to drive to specific locations and will discuss the route planned. I will be certain that my parents know where I am. I will not make unscheduled stops or side trips.
- **Curfew.** When I first begin driving by myself, I may not drive after 10:00 p.m. This curfew will be reviewed and possibly revised on the date of contract review.
- **Staying in touch.** When I am away from my parents, I will inform them of exactly where I am. I will call my parents when I have arrived at the intended location, before I change locations, and before I start my trip home. If my first call does not reach my parents, I will try all available numbers and leave messages at each.
- **Off Limit Areas.** I will not drive on streets, highways, or in areas that are designated by my parents as “off limits.” I understand that greater flexibility in these matters will come as I gain

experience and show that I am honoring the agreement. For the time being, the following roads and areas are to be avoided:

- **No one else drives vehicle.** I will not permit any other person to drive the car without my parents' specific permission for each specific case.
- **Car audio system.** For the **first month** I drive, I will not have the car stereo on. After the first month, after clearing this with my parents, I will be allowed to have the stereo on but will make no adjustments to it other than changing the volume while driving.
- **Weather and road conditions.** I will respect weather and road conditions, slowing down as needed for safety. I will contact my parents to discuss weather or poor road conditions when I am out driving.
- **Emotional upset.** Knowing that judgment and driving skills are altered by emotions, I will not drive when I am upset or angry. If upset, I will contact my parents for transportation and I reserve the right to maintain my privacy regarding personal matters. My parents agree not to ask a lot of unnecessary questions.
- **Taking care of vehicle.** It is my responsibility to protect the vehicle I drive. I will keep it reasonably clean and maintained. I have some specific responsibilities regarding the maintenance of the car as noted below:



NOTE: These are strict rules, some of which may be revised when we review this contract in a few weeks.

- **Get permission.** Friends ride only with their parents' permission. When transporting my friends, I will be reasonably sure that they have their parents' permission to ride with me.
- **No Smoking.** I will not allow smoking in the car. I will not smoke in the car.
- **No eating & driving.** I will not eat while driving.
- **No rushing.** Accidents are more likely to happen when I rush. I am more likely to rush when I leave late. Therefore, my parents reserve the right to not allow me to drive unless I leave by a time they specify. For example, if my parents tell me that I must allow 20 minutes to get to something that starts at 7:00, I may not leave later than that. In such cases, my parents will attempt to provide alternative transportation, to whatever extent possible.
- **Attention to driving.** I will not do things while driving that distract me from the road. No applying makeup, getting things in and out of a purse or back-pack, etc.

## **RIDING WITH OTHER YOUNG DRIVERS**

The most common age at which people are killed as passengers in cars is when they are teenagers. Therefore, my parents will set limits on who I may ride with and under what conditions I may ride with them.

- I must ask **permission** every time I ride with any driver other than my parents. I promise to truthfully inform my parents who the driver is, how many passengers will be in the vehicle, and truthfully answer any other questions they ask me.
- I may not ride with any **new driver** who has had their license for less than six (6) months.

- I will not ride with drivers or passengers who have recently used **alcohol or drugs** or who it would be reasonable to think may have recently used alcohol or drugs. I will not ride when I know or suspect alcohol or drugs are in the vehicle.
- I will not ride in a car unless I can use a **seatbelt** and I will, in all cases, use the seat belt. I will not ride in the back “bed” of a truck.
- I will not ride in a car when guns or weapons are in the car.
- Rather than ride in an unsafe situation, I will contact my parents or another designated adult to arrange for transportation.
- If I feel unsafe while riding with someone, I will do what I can to get out of the car and contact my parents.

## **SPECIAL ITEMS**

- **Tickets and Moving Violations** will result in suspension of my driving privileges for a period to be determined by my parents. My parents have no obligation to pay my fines for driving-related tickets.
- **Financial.** I will make financial contributions to the purchase of the vehicle, maintenance of the vehicle, and/or insurance. My contributions are currently as follows:
  
- **Right to clear expectations.** My parents have a right to expect me to be responsible. I have a right to be told what this means. For this reason, I may ask my parents for clarification of their requirement that I "be responsible."
  
- **Changes in this agreement.** I understand that this contract will be made stricter at any time my parents believe that is the best thing to do. I understand that if I consistently abide by these rules that my parents will work with me to make the contract less strict as I gain experience. However, I understand that--

bottom line--it is my parents' choice and responsibility to change or not change the contract.

- We will review this agreement and perhaps make changes to it on \_\_\_\_\_(date) or earlier if my parents or I wish to do so.

**Summary:** I agree to abide by the rules in this contract and I accept the consequences and penalties if I do not.

I recognize my parents' authority in deciding if I may drive.

That authority is final until I am an adult living independent of my parents.

I further agree that "forgetting" something in this contract is not a valid excuse.

**Signed this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.**

\_\_\_\_\_ Driver

\_\_\_\_\_ Parent(s)

**THIS AGREEMENT WILL BE REVIEWED AND POSSIBLY REVISED ON**

\_\_\_\_\_ (date).

For more information and videos about underage driving, possession of alcohol or drugs, etc., go to [CarolinaAttorneys.com](http://CarolinaAttorneys.com) or email Bill Powers at [Bill@CarolinaAttorneys.com](mailto:Bill@CarolinaAttorneys.com)