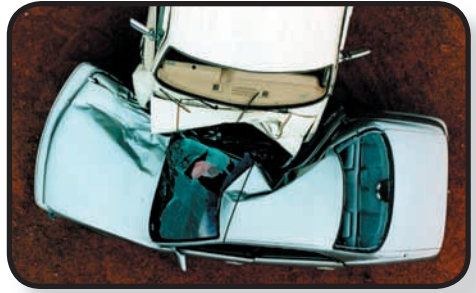


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Georgia's Family Purpose Doctrine & Teen Driving Laws

Parents: You Can Be Held Liable For Your Teen's Driving Mistakes!

Georgia law allows parents to be held financially responsible for negligent driving of a son or daughter who was authorized to use a family car. The law treats the "head" of the family as an agent of the teenage car owner. Courts view parents as better equipped than teens to pay any property damage and/or injury claims that arise from the child's negligence.

Financial Disaster Is Only One Car Accident Away!

Imagine that you bought your teenager a car for his 16th birthday. The title is in his name but you help pay some of his insurance fees. One month later, your son runs a red light and seriously injures another driver. Under Georgia's "Family Purpose Doctrine," you could lose your house, savings, and/or business to pay for the injured driver's hospital bills.

Georgia's Teen Driving Laws (Effective 1/1/2002)

- First six months after your 16 year-old receives a driver's license: prohibited from carrying anyone other than family members as a passenger.
- Second six months: No more than 3 non-family teenage passengers are allowed.
- All 16 and 17-year old drivers are prohibited from driving between midnight and 6:00 a.m. No exceptions for any reason!
- If a teen driver gets 4 points on a driver's license for moving violations within one year—license suspension will result.
- Learner's permits are required for at least one year for all drivers younger than 18 before applying for a graduated license. 40 hours of supervised driving experience is required for teen drivers who have a learner's permit. All teens driving with a learner's permit must be supervised by someone who is at least 21 years old.
- A parent or guardian must sign an affidavit that proves the teen has done the 40 hours or the teen must take a driver's ed course plus 20 hours of supervised driving. Six hours of supervised driving must occur at night.

Sticker Shock!

The Real Cost of Reckless Driving



1. Give your insurance agent a phone call today. Find out how much your teen's insurance rates would rise or fall after the following scenarios:
 - A.) Teen passes a driver's education course \$ _____
 - B.) Teen maintains a "B" average at school \$ _____
 - C.) Teen backs out of parking space at your local mall without checking the rear view mirror. A dented fender and broken tail light result from hitting an empty shopping cart. No injuries. \$ _____
 - D.) Teen runs red light and crashes into another car. Serious front-end damage to your car and side door damage to other party's car. Teen suffers a broken arm. Other driver suffers whiplash, two broken ribs, and a broken leg. \$ _____
 - E.) Teen has four passengers in car and rear ends another vehicle with four passengers at 65 mph. Both cars are totaled. All eight people involved in the accident have injuries that require at least three days of hospitalization. \$ _____
2. Call your attorney to find out more about Georgia's "Family Purpose Doctrine."
 - A.) Describe some recent court cases where parents have lost all their assets paying for a child's reckless driving.
 - B.) What is the typical dollar amount paid by the parents of a negligent teen driver?
 - C.) Why are parents held liable for a child's driving mistakes in states that adhere to the Family Purpose Doctrine?





Sticker Shock!

You could lose your house and life savings if your teen injures someone else in a car accident this week! Have you:

- Bought your teen a fast car with a powerful engine?
- Paid insurance and maintenance costs on the car?
- Sent your teen out on family errands (grocery store, chauffeuring siblings, etc.)?
- Fudged the actual hours your teen spent in supervised driver training?
- Allowed your teen to drive to a nighttime job past your state’s legal curfew?

3. Research hospital costs for the following injuries that are common among teen drivers. Could your family withstand the financial strain of your teen’s hospital stay?

| | |
|---|----------|
| Ambulance ride to hospital | \$ _____ |
| Helicopter ride to hospital..... | \$ _____ |
| Dental work to replace 4 teeth knocked out by airbag..... | \$ _____ |
| Ear surgery to fix left eardrum shattered by airbag..... | \$ _____ |
| Plastic surgery to fix multiple facial scars..... | \$ _____ |
| Broken arm with overnight hospital stay | \$ _____ |
| Surgery for collapsed lung/5 day hospital stay | \$ _____ |
| Liver surgery/3 month hospital stay..... | \$ _____ |
| Brain surgery/1 month hospital stay/1 year rehab care..... | \$ _____ |
| Paralysis/surgery/wheelchair/1 year nursing aide care | \$ _____ |



Teaching Your Teen to Drive

1. **Set A Good Example Mom and Dad!** Your teen has been watching YOU drive every day for 16 years! What are your bad driving habits? Are there any unintentional mixed messages that you are sending your teen about driving? For example, do you tell your teen to wear his seatbelt, but then allow pets to roam unrestrained in the back seat?
2. **Practice Makes Perfect!** Would you allow your teen to perform heart surgery after five hours of skimming a “how-to” manual? Teens need many, many hours of hands-on driving practice to become skilled drivers. The goal is the survival of your teen into adulthood—not just passing the licensing exam! Inexperience kills more kids in crashes than speeding or DUI.
3. **Get Out Of That Deserted Parking Lot!** New drivers need to be exposed to challenging driving conditions during the training period. Seek out varied conditions as much as possible during your practice sessions (interstate at rush hour, thunderstorms that flood streets, dark nights, rural roads, etc). Teach your teen exactly what to do in each situation.
4. **Leave Your Nerves At Home!** A nervous instructor who shouts out directions at the last minute (“Stop! Turn Left! No, Wait. Turn Right!”) can confuse and panic a new driver. All instruction should be spoken in a calm tone (“At the next stop sign, I want you to stop and then turn left”) to prevent accidents during the training period. Hire a professional instructor or ask another adult to train your teen how to drive if the experience is too stressful for you.
5. **Remember The Details!** Adjust all temperature controls, mirrors, and seatbelts BEFORE starting the ignition. Insist on turn signals EVERY time. Make sure your teen knows what street signs mean before your first practice session. Review a map prior to each session so that your teen can anticipate stops, interstate ramps, and school zones.
6. **Don’t Let The Wheels Fall Off!** Set aside at least one practice session to train your teen how to inspect a car for potential maintenance hazards. Are the tires bald or the psi pressure low? Are the windshield wipers old? Is there a headlight burned out? Is one of the seatbelts tangled? Discuss different types of accidents that occur when these problems are ignored.
7. **Prepare For The Worst!** Teach your teen what to do in the event of an accident. Keep a checklist of step-by-step instructions in the glove box that includes police and insurance company phone numbers. Have your teen help prepare an emergency kit that includes a flashlight, bandages, flares, rope, and blankets.



The Big Purchase!

What Parents Want:

- #1 Safety
- #2 Price
- #3 Vehicle Condition

Best Cars For Teens:

- Think BIG SEDAN! Experts recommend a teen's first car be a big, clunky sedan that has a lot of heavy steel in the body.
- Fit size of the driver. A teen who is shorter than 5'0 tall will have trouble driving a car built for a basketball player.
- Newer cars with airbags, antilock breaks, and three-point seat belts.
- Safest Cars In A Crash:
 - Honda Civic (2001-2002)
 - VW Beetle (1998-2002)
 - VW Passat (1998-2002)
 - Mazda 626 (2000-2002)
 - Toyota Camry (1997-2001)
 - Ford Windstar (1995-2002)
 - BMW 5 Series (1997-2002)

What Teens Want:

- #1 Price
- #2 Appearance
- #3 Safety

Worst Cars For Teens:

- Small Cars. Statistically involved in more and deadlier crashes.
- SUV's. One of the most common driving errors teen make is overcorrection. SUV's are merciless when a driver overcorrects because they often roll over.
- High powered muscle cars/sports cars. Old cars with low-quality safety features, such as two-point seat belts and no airbags.
- Worst Cars In A Crash:
 - Hyundai Ellantra (2001-2002)
 - Dodge Neon (1995-1999)
 - Mitsubishi Mirage (1997-2001)
 - VW Passat (1995-1996)
 - Nissan Maxima (1995-1996)
 - Chevy Blazer (1995-2002)
 - Dodge Dakota (1997-2002)

(Source: Insurance Institute For Highway Safety)



Got the License ...Now What?



1. **Keep Practicing!** Just because your teen passed the driver's test doesn't mean he is a skilled driver. Set aside at least one hour per week for post-license practice sessions. Focus on improving any driving skills that your child has not fully mastered (driving in icy conditions, driving on a busy interstate, driving with multiple passengers, changing a flat tire, etc.)
2. **Leave Those Fast Cars To The Indy 500 Racers!** Buying your 16 year-old a car with a powerful engine is a recipe for death (not to mention frightening insurance rates!). Telling your teen not to speed in a muscle car is like telling a preschooler not to eat the last cookie in the cookie jar. Impossible! Check out your insurance company's listing of the safest car models on the market before making any car purchase.
3. **No Free Rides!** Have your teen invest a portion of his own financial resources into the purchase, maintenance, and insurance cost of the car he will be driving. Economics theory warns us that a free good is never valued by the consumer as much as one paid for by his own sweat.
4. **Disconnect The Radio!** Ever notice your teen's favorite knob in the car is the radio dial? Changing stations while driving is a major cause of driver distraction among teens; therefore, experts recommend disconnecting the radio in the vehicle to break this habit before it ever starts.
5. **No Cell Phones Allowed!** Prohibit all cell phone use while driving. Would you allow your teen to drink a few beers before getting behind the wheel? Studies show that cell phone users often drive as (or more!) erratically than drunk drivers.





6. **Limit Passengers.** Allowing no friends in the car at any time will reduce the probability of your teen dying in a crash by 50%. At most, limit friends to one. Teens suffer from a terrible case of Jekyll/Hyde Syndrome: They drive MUCH more recklessly with peers than with you.

7. **Assign Chores!** Nothing dampens a teen’s excitement for joyriding around town faster than being assigned maintenance chores involving the car! Having your teen wash the car once a month or sit at the repair shop for hours while a tune-up is being done are two great ways to show your teen that automobiles were not created solely for fun. Caution: Avoid chores like chauffeuring siblings to school events or grocery shopping. These could subject you to “family purpose” liability if the teen gets in an accident while using the car to run family errands.

8. **Sign The Dotted Line!** Have your teen sign a Parent/Teen Driving Contract that spells out the responsibilities and consequences of getting behind the wheel. Stick to the contract without exception when infractions occur (and they will!). The Cobb County Teen Driving Awareness Committee has developed an excellent contract that can be downloaded from <http://www.nhtsa.dot.gov/people/injury/NewDriver/teendriverscontract.html> or copied from this manual.



Parent/Teen Driving Contract

Developed by the Cobb County Teen Driver Awareness Program

We, _____ hereby enter into an agreement covering the use and operation of any vehicle used by _____.

I. Background. Congratulations, you have turned 16! This is a major milestone. It provides the opportunity for significantly greater freedom but this potential freedom requires significantly greater responsibility. Driving an automobile is very expensive and can be dangerous. The statistics are overwhelming that young adults have substantially more accidents and more serious accidents than any other age group. We love you and are very proud of you. We cannot bear the thought of something happening to you, or a family member, or one of your friends riding with you. The purpose of this agreement is to establish rules and expectations regarding your use and operation of an automobile. Driving an automobile is a privilege not a right. The driver must obey traffic and other applicable laws, including courtesy to other drivers, to maintain the privilege of driving. You must comply with the terms of this agreement to maintain your privilege.

You will be required to pay for the following (write in the percent desired):

- _____ % Cost of Vehicle
- _____ % Vehicle Registration
- _____ % Cost of Fuel
- _____ % Maintenance Costs
- _____ % Damage Due To Abuse
- _____ % Full Insurance Coverage
- _____ % Under-Age-25 Insurance Costs
- _____ % Fines and Penalties
- _____ % Collision Damage
- _____ % Under-B-Average Insurance Costs
- _____ % Costs Due To Driving Record
- _____ % Other

- II. The Car. In the event you are provided with an automobile, or, if you share the family vehicle, we will ensure that it will be in good working condition. We will pay all costs associated with normal maintenance of the car. You will pay all costs associated with any accident that we believe was caused by you and any other costs that could have been avoided through prudent care of the car. It is your responsibility to be aware of the condition of the car and to let us know immediately of any unusual noises, problems, etc. For your information, the cost to repair a car for even a minor “fender-bender” typically exceeds \$500. In your car, you will always have your registration, insurance card, emergency phone numbers, jumper cables, and a fire extinguisher.

You will be responsible for the following (check those applicable):

- Check Fluids Each Fuel Fill
- Inspect and Check Tire Pressure
- Report Unusual Performance
- Clear or Clean All Windows
- Maintain 1/4 Tank of Gas At All Times
- Do Normal Maintenance
- Wash and Wax the Vehicle
- Keep Interior Clean
- Have Maintenance Done _____ Other

- III. Insurance. Your insurance rates will be established for a driver who gets a good student discount, discount for driver training, and any other discounts, and who has no traffic tickets or accidents. A “B” average or above results in a decrease in insurance costs. The cost of the insurance is \$_____. You will pay the cost of any increase in insurance rates, other than normal increases.

- IV. Traffic Tickets. You will obey all traffic laws. You must pay for any traffic tickets, and any citation will result in a reduction in driving privileges. Traffic tickets typically range from \$50 to \$200 for simple negligence with reckless acts significantly higher. For example, an underage DUI would result in a fine of at least \$300 and a mandatory loss of license.

You will lose your user privileges these number of days for each traffic offense or at-fault crash:

| | | |
|-------------------|-------|------|
| First Offense | _____ | Days |
| Preventable Crash | _____ | Days |
| Second Offense | _____ | Days |
| Serious Violation | _____ | Days |
| Third Offense | _____ | Days |
| Drugs or Alcohol | _____ | Days |

- V. Seat Belts. You agree to wear a seat belt at all times. You agree to require your passengers to wear a seat belt at all times. You may not take more passengers than the number of seat belts. Seat belts will be fastened before the car moves.

- VI. Restricted Activities While Driving. You agree to devote your complete and undivided attention to driving while operating an automobile. An unusually high number of accidents are caused (or tickets received) when the driver is distracted or engaged in other activities than driving the car. You agree not to eat or drink when driving. You will not change tapes/CDs or “fiddle” with the radio when the car is moving. You will not use your cell phone while driving.

- VII. Directions. An unusually high number of accidents are caused (or tickets received) when the driver is uncertain where he or she is going. You need to know where you are going and precisely how you will get there before leaving. If you are ever lost or uncertain, stop and ask for directions at a safe (e.g. good lighting) gas station or similar establishment. Keep your family informed of your destination and approximate time of arrival and departure as well as route taken. Check in frequently and notify your family of any delays. If you are provided with a car phone, use it only when the car is stopped in a safe place.

- VIII. Gasoline. There is no excuse for running out of gas. You agree to keep your gas tank no less than 1/4 full at all times.

- VIII. User Privileges. Understand that there is a significant amount of driving and errands that must be performed to keep our family functioning at the level we have chosen. In exchange for the use of a car, other privileges you enjoy and years of transportation, you agree to help with family driving and errands. Errands will be performed with a positive, helpful attitude. Your user privilege will be linked to your grades in school and performance at home such as:

- Doing Duties At Home Properly and On Time..... _____
- Showing Proper Respect For Parents and Others _____
- Complying with Family Regulations..... _____
- Attendance, Conduct, and Effort at School _____
- Obeying Your Curfew _____
- Other (specific to family)..... _____

X. Substance Use. You agree not to consume alcohol, use illegal drugs, or smoke. Violations will result in a loss of driving privileges as well as other restrictions. This also pertains to passengers in your vehicle.

XI. Amendments. We have used our best efforts to cover the issues surrounding the use of an automobile; however, we reserve the right to modify this agreement in the future.

You are Legally Responsible for Your Actions as a Driver. We, as your family, agree that we will also abide by the terms of this contract. We, as Vehicle Owners, Are Legally Liable for Damages Done By You as a Driver.

Signed on the _____ day of _____, 2002.

_____ Parents/Guardians

_____ Son/Daughter