

# 2013



American Association of  
Motor Vehicle Administrators

## Best Practices Guide to Reducing Suspended Drivers



Suspended/Revoked  
Working Group

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# Executive Summary

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The suspension of driving privileges has been used for decades to address poor driving behavior, and research has proven that it can be effective in reducing traffic crashes. However, what was originally intended as a sanction to address poor driving behavior is now used as a mechanism to gain compliance with non-highway safety, or social non-conformance, reasons. Across the country, at any given time, approximately seven percent of drivers are suspended. In 2002, drivers suspended for social non-conformance reasons represented 29 percent of all suspended drivers. By 2006, this group represented 39 percent of all suspended drivers. Drivers are now commonly suspended for reasons such as bounced checks, fuel theft, truancy, vandalism and many more.

Some studies<sup>1</sup> have shown that suspending driving privileges for non-highway safety related reasons is not effective. The costs of arresting, processing, administering, and enforcing social non-conformance related driver license suspensions create a significant strain on budgets and other resources and detract from highway and public safety priorities.

When licenses are suspended for social non-conformance reasons, the suspension is “watered down” in value; it becomes less serious in the minds of law enforcement, the courts and the public. It was estimated that as many as three-fourths of suspended or revoked drivers continue to drive. This fact indicates that driver license suspension is no longer the solution to force compliance. Data shows that drivers suspended for traffic safety related reasons are three times more likely to be involved in a crash than drivers suspended for social non-conformance reasons; therefore, our limited resources should be focused on dangerous drivers. To best serve the community, the penalties for social non-conformance violations should not include the suspension of an individual’s driving privileges.

Eliminating driver license suspensions for non-highway safety violations will significantly reduce the burden on departments of motor vehicles (DMV’s), law enforcement, the courts and society. DMV’s for example, incur exorbitant costs to create, program systems and process these newly legislated suspension types.

When a law enforcement officer encounters a suspended driver, their ability to help ensure the safety of drivers on the roadways and their availability to respond to calls for service are reduced. The officer must take appropriate action for the violation and later appear in court for adjudication of the ticket(s). While the officer is in court, there may be little or no enforcement presence in their patrol area. Officers are made unavailable for 911



*It is the recommendation of the Suspended / Revoked Working Group that legislatures repeal laws requiring the suspension of driving privileges for non-highway safety related violations.*

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<sup>1</sup> See [http://apps.dmv.ca.gov/about/profile/rd/r\\_d\\_report/Section\\_6/S6-238.pdf](http://apps.dmv.ca.gov/about/profile/rd/r_d_report/Section_6/S6-238.pdf)

responses, crash investigation, criminal interdiction, and other enforcement activities, potentially increasing the threat to public safety.

Eliminating 39 percent of suspended drivers will result in fewer citations for driving while under suspension and partially alleviate clogged court dockets. Individuals whose offense is unrelated to highway safety will retain their driving privileges, their ability to earn a living, and their ability to contribute to the economy.

Whereas government has a legitimate interest in seeking methods to gain social compliance in a wide variety of areas, this report provides analysis and alternatives to driver license sanctioning. These alternatives pose significantly less burden on the entities charged with safeguarding highway safety while still meeting the needs of our communities.

It is the recommendation of the Suspended/Revoked Working Group that legislatures repeal state laws requiring the suspension of driving privileges for non-highway safety related violations.


# 1.0 Introduction

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When license suspensions were first instituted, there were three primary goals for suspending driving privileges; to remove dangerous drivers from the road, to change driving behavior, and to punish unsafe drivers. A fourth goal subsequently emerged- to change non-highway safety related, sometimes referred to as social non-conformance, behavior. Examples of social non-conformance violations include fuel piracy/theft, failure to pay taxes, minor in possession of alcohol, false public alarm, illegal solid waste burning, vandalism, failure to pay alimony, selling alcohol to a minor, truancy, unlawful possession of firearms, prostitution, and many more (a complete list may be found in Section 4). However, there is no empirical evidence which indicates that suspending a person’s driving privilege for social non-conformance reasons is effective in gaining compliance with the reason for the original non-driving suspension. Research indicates that approximately 75 percent of all suspended drivers continue to drive. The addition of suspensions for social non-conformance reasons has however, dramatically increased the number of suspended drivers on our roads resulting in a tremendous burden on law enforcement, departments of motor vehicles, the courts, and local communities.

## Suspension Related to Traffic Safety

Most people would agree that driving, and the possession of a valid driver license is vitally important to almost everyone. The common belief that a driver license suspension provides effective, sustainable motivation to encourage individuals to comply with court ordered or legislated mandates to avoid suspension is not supported by empirical evidence. Throughout the U.S. and Canada, on an increasingly frequent basis, driver licenses are suspended for indeterminate periods of time for social non-conformance violations. In other words, the suspension remains in place until proof of compliance is provided. Once suspended, the individual is required to not only satisfy the original obligation to the court, but must also fulfill additional requirements mandated by the DMV before driving privileges are reinstated (*e.g., pay a reinstatement fee*).



*The common belief that a driver license suspension provides effective, sustainable motivation to encourage individuals to comply with court ordered or legislated mandates to avoid suspension is not supported by empirical evidence.*

Under the auspices of the AAMVA Suspended and Revoked Working Group (herein after referred to as the Working Group) a research study titled, “Enhanced Analysis of Suspended / Revoked Drivers Related to Crashes”<sup>2</sup> was commissioned in 2005 to analyze driver record data from eight (8) geographically and demographically diverse states.

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<sup>2</sup> Robert Eger III, Ph.D. “Enhanced Analyses of Suspended/Revoked Drivers Related to Crashes.” Florida State University. 2011.

A total of 114,626 driver records were analyzed for highway safety and non-highway safety related suspensions. The research identified significant driving behavior differences between drivers suspended as a result of driving offenses, and those suspended for social non-conformance reasons. Despite the seriousness of failure to comply and/or driving while suspended consequences, individuals do in fact continue to drive while suspended.

*Drivers suspended for highway safety related reasons are almost three times more likely to be involved in a crash than drivers suspended for social non-conformance reasons.*

The study validated the fact that violation recidivism and crash involvement varies between the two groups, and that driving violations after suspension are more pronounced for individuals suspended for driving reasons. Taking suspension action for dangerous driving behavior is appropriate. The research indicates the premise that imposing a driver license suspension as a penalty for non-highway safety related offenses is ineffective.<sup>3</sup>

Currently, all 50 states, the District of Columbia, as well as many Canadian provinces, have laws that either require, or permit the courts to withdraw driving privileges for social non-conformance reasons. In order to determine the prevalence of these suspensions, AAMVA completed a survey of their members in the summer of 2011. Forty-three jurisdictions responded. All indicated that they suspend for social non-conformance reasons. Table 1-1 shows the most common social non-conformance reasons for suspension/revocation of a person’s driver license.

### Increased Suspension for Social Non-Conformance Violations

Each year state and provincial legislatures impose new mandates for the suspension of driving privileges for individuals who fail to comply with non-highway safety violations. Many of these suspensions have no relationship to an individual’s ability to drive, their moving violation history, or any other factors related to the operation of a motor vehicle.

Reason for Suspension	# of jurisdictions who suspend for reason (out of 43 respondents)
Failure to comply with a child support order	43
Minor – alcohol possession/consumption	26
Fuel piracy / theft	23
Failure to pay a non-moving violation	21
Fraud / Misuse of a Driver License	21
Truancy / fail to attend school	15
Controlled substances	14

Table 1-1

A significant increase in legislated social non-conformance suspensions has diluted the effectiveness of driving sanctions, and increased the burden on law enforcement, driver licensing authorities, and the criminal justice system. Unfortunately, the dramatic increase in suspensions has led to changes in public perception of the seriousness of this action. Consequently, law enforcement, courts and society in general view suspensions less seriously<sup>4</sup>. As a result, the system is less effective in keeping dangerous drivers off the road, which was the original intent of driver license suspensions.

<sup>3</sup> Eger III, Robert, Ph.D., Florida State University, 2011

<sup>4</sup> National Cooperative Highway Research Program, Report 500, Volume 2

## Current Status of the Suspended / Revoked Driver Problem

Drivers who have been suspended for social non-conformance related offenses are often trapped within the system. Some cannot afford to pay the original fines, and may lose their ability to legally get to and from work as a result of the suspension. Many make the decision to drive while suspended. The suspension results in increased financial obligations through new requirements such as reinstatement fees, court costs and other penalties.<sup>4</sup>

While there is a clear societal interest in keeping those who are unfit to drive off the roads, broadly restricting licenses for violations unrelated to an individual's ability to drive safely may do more harm than good. This is especially true in areas of the country that lack alternative means of transportation. For those individuals, a valid driver license can be a means to survive. Local communities, employers and, employees all experience negative consequences as a result of social non-conformity suspensions, including unemployment, lower wages, fewer employment opportunities and hiring choices, and increased insurance costs.<sup>5</sup> People who are able to legally drive are more likely to have stable employment.<sup>6</sup>

A report, authored by the Motor Vehicles Affordability and Fairness Task Force, which was created by New Jersey statute to study the impact of social non-conformance related suspension of driving privileges, substantiates these negative economic effects. In New Jersey, 42% of drivers lost their job after their driving privilege was suspended. Of those drivers, 45% were unable to find new employment. Of those that were able to find another job, 88% reported a decrease in income.<sup>7</sup>

One out of five traffic fatalities nationally involves a driver who is operating a motor vehicle while suspended or who has no license at all, according to the Transportation Research Board of the National Academies.<sup>8</sup>

*Local communities, employers and employees all experience negative consequences as a result of social non-conformity suspensions . . . People who are able to legally drive are more likely to have stable employment.*

Nationally, more than 3.1% of licensed drivers are involved in a crash, while 19% of drivers with a suspended license for traffic safety reasons are involved in a crash. This represents a six fold increase in crash occurrence.<sup>9</sup> Drivers suspended for traffic related reasons are many times more likely to be involved in a crash than those drivers who are not suspended.

<sup>5</sup> Alan M. Voorhees Transportation Center. *Motor Vehicles Affordability and Fairness Task Force: Final Report*. Edward J. Bloustein School of Planning and Public Policy, Rutgers University and New Jersey Motor Vehicle Commission, 2006.

<sup>6</sup> Margy Waller. "High Cost or High Opportunity Cost? Transportation and Family Economic Success." *The Brookings Institution Policy Brief*, Center on Children and Families, no. 35, December 2005.

<sup>7</sup> Alan M. Voorhees, Transportation Center, 2006.

<sup>8</sup> National Cooperative Highway Research Program, Report 500, Volume 2

<sup>9</sup> Eger III, Robert, Ph.D., Florida State University, 2011



## Impacts on Highway Safety

It is estimated that as many as three-fourths of suspended or revoked drivers continue to drive.<sup>10</sup> The Enhanced Analysis of Suspended / Revoked Drivers Related to Crashes shows that approximately 34 percent of drivers suspended for highway safety related reasons commit a moving violation while under suspension.<sup>11</sup> That compares to approximately 7 percent of drivers suspended for social non-conformance related reasons who commit a moving violation while under suspension for driving related reasons. Almost 19 percent of drivers suspended for highway safety related reasons are involved in a crash, compared to less than 7 percent of drivers suspended for social non-conformance related reasons who are involved in a crash.<sup>12</sup> Drivers suspended for highway safety related reasons are almost three times more likely to be involved in a crash than drivers suspended for non-highway safety related reasons.<sup>13</sup> Findings show drivers suspended for bad driving are indeed bad drivers. However, not all suspended drivers behave the same and therefore can, and perhaps should, be treated differently by driver licensing authorities, law enforcement, and the courts.

*"Public policy should weigh the public safety risks prior to including non-traffic offenses as a method of directing behavior."*

**Rob Mikell, Georgia  
DDS Commissioner**

According to Rob Mikell, Commissioner of the Georgia Department of Driver Services, "Across the nation, suspending a driver's license for non-traffic offenses has become far-reaching. The spectrum of offenses ranges from the violation of local ordinances to the failure to pay child support. In many cases, these violations are cascading and result in confusion by the driver. Most people place a high value on their driving privilege. However, the multitude of suspend able offenses has resulted in the devaluing of the license which in turn causes additional violations of driving with suspended license. Public policy should weigh the public safety risks prior to including non-traffic offenses as a method of directing behavior."

*"Reducing law enforcement roadside encounters with suspended drivers by up to 39% would result in significant time savings allowing officers to be available for calls for service and other proactive activities".*

**Chief John Batiste,  
Washington State Patrol**

Chief John Batiste of the Washington State Patrol provided his expert opinion, "A roadside encounter with a suspended driver is a time consuming endeavor for officers. Drivers suspended for non-driving reasons represent 39% of all suspended drivers, and are not the threat to the motoring public as other suspended drivers. Reducing law enforcement roadside encounters with suspended drivers by up to 39% would result in significant time savings allowing officers to be available for calls for service and other proactive highway safety activities."

<sup>10</sup> National Cooperative Highway Research Program, Report 500, Volume 2

<sup>11</sup> Eger III, Robert, Ph.D., Florida State University, 2011

<sup>12</sup> Eger III, Robert, Ph.D., Florida State University, 2011

<sup>13</sup> Eger III, Robert, Ph.D., Florida State University, 2011

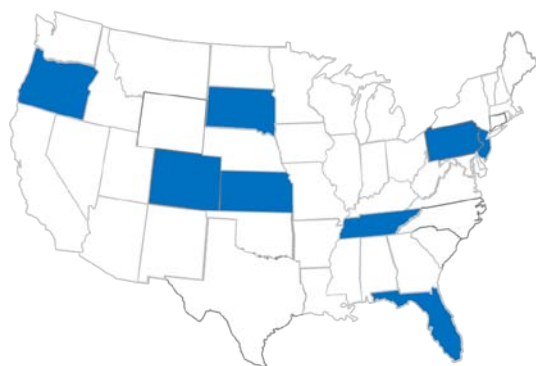
### *A Burden to Law Enforcement and Motor Vehicle Agencies*

The dramatic increase in social non-conformance suspensions creates a burden for law enforcement, driver licensing authorities, and courts. The impact of non-highway safety violations on these entities are discussed in detail in Sections 3 and 4. Law enforcement, the courts and the DMVs could better focus on drivers arrested for impaired driving, aggressive driving, serious traffic violations, and other risky behavior if they were not required to take action against individuals suspended for social non-conformance related offenses.

# 2.0 Research

## Introduction

In 2005, the Working Group commissioned Robert Eger III, PhD, Florida State University, to analyze driver record data from six (6) states. In 2011, two states were added to provide validation of the findings. The research focused on driver license suspensions, categorized by highway safety related and non-highway safety related violations, and subsequent driving behavior. The research analyzed post-suspension activity to determine whether driver license suspension is effective in achieving compliance with non-highway safety violations.



*Researchers reviewed nearly 115,000 driver records from eight (8) geographically and demographically representative states.*

Driver records from Florida, New Jersey, Colorado, Tennessee, Kansas, South Dakota, Oregon and Pennsylvania were analyzed. The eight (8) states were geographically and demographically representative of the entire nation.

Researchers applied the AAMVA Code Dictionary (ACD) to provide consistent category definitions of all driver record violations. The ACD provides guidelines for the uniform exchange of violation information between state motor vehicle agencies.

The outcome revealed that the two groups of suspended drivers – those suspended for highway safety related violations and those suspended for social non-conformity violations - differ from the national percentage of licensed drivers involved in crashes. Those suspended for highway safety reasons have a much higher percentage of crashes than drivers suspended for social non-conformity violations. The two groups also differ in the length of driver license suspension and the relationship between the length of suspension and the frequency of crashes. These results validate the finding that the two groups of suspended drivers appear to behave differently and thus should not be treated as a homogenous group in regard to highway safety policy. It follows that less traffic enforcement of highway safety violations occur as suspensions for social non-compliance increase. These analyses support a repeated call for suspended driver policy options that address the differences between the two groups. See Appendix B for the full study.

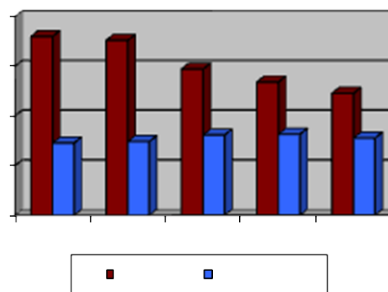


Table 2-1

Data from 2002 to 2006 was analyzed to assess activities of drivers whose licenses had been suspended. The total number of suspended drivers during the study period decreased from approximately 25,000 in 2002 to approximately 20,000 in 2006. (See Table 2-1) This represents a 21 percent decrease over the time period. A concurrent result of the downward trend in suspensions over the analysis period was an increasing proportion of drivers suspended for social non-conformance violations.

*Both groups of suspended drivers (highway safety and social non-conformance) negatively affect highway safety, but clearly those suspended for highway safety reasons are the more dangerous group.*

In 2002, drivers suspended for social non-conformance reasons represented 29 percent of all suspended drivers. By 2006, this group represented 39 percent of all suspended drivers.

Findings indicate that 75,948 drivers, or about 66 percent of the sample population, were suspended for highway safety reasons while 38,678 of drivers, or about 34 percent of the sample were suspended for non-highway safety reasons. (See Table 2-2) More than one-third of the drivers with suspended licenses lost their driving privileges for reasons that were completely unrelated to driving.

Of those suspended for highway safety reasons, 9.2 percent commit a subsequent non-highway safety related offense compared to 24.2 percent of drivers suspended for social non-conformity reasons. This shows that more drivers suspended for social non-conformity reasons commit subsequent non-driving offenses than those suspended for highway safety reasons. The fact that 24.2 percent of drivers with a suspended license commit a subsequent non-highway safety offense indicates that suspending their license does not make social violators comply. (See Table 2-2)

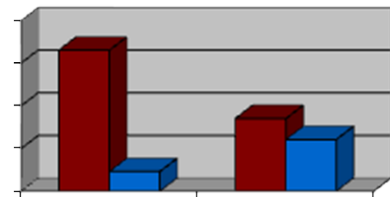


Table 2-2

Regarding crashes, study results show that 18.9 percent of drivers (14,318 of 75,948) suspended for highway safety related reasons are involved in a crash during the suspension period, while 6.9 percent of drivers (2,669 of 38,678) suspended for social non-compliance reason are involved in a crash. When looking at repeat offenders, the results show that 44.2 percent of drivers (11,786 of 26,689) suspended for highway safety related reasons are involved in a crash, while 21.1 percent of drivers (2,427 of 11,499) suspended for a social non-conformance reasons are involved in a crash (See Table 2-3). Bottom line - drivers suspended for driving related reasons are involved in more crashes. If after reviewing this document policy makers agree that there should be a direct nexus between license suspensions and traffic safety, and then state laws requiring suspensions for non-traffic safety reasons should be repealed. To explore

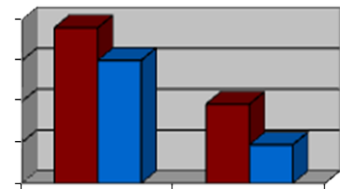


Table 2-3

the relationship between suspended driver crashes and crashes involving all drivers, the number of crashes was analyzed.

More than 3.1 percent of licensed drivers were involved in a crash during the study period. The number of drivers suspended for highway safety reasons involved in a crash was 19 percent: six (6) times the rate of crash involvement of all drivers. The percentage of drivers suspended for non-highway safety reasons who were involved in a crash was 6.9 percent; more than double the crash involvement rate of drivers suspended for highway safety reasons. Both groups of suspended drivers appear to negatively affect highway safety, but clearly those suspended for highway safety reasons are the more dangerous group.

### Supporting Research

A new California Department of Motor Vehicles (DMV) study found that suspended/revoked drivers are much more hazardous than validly licensed drivers and nearly three times more likely to cause a fatal crash.

The study, entitled *Fatal Crash Rates for Suspended/Revoked and Unlicensed Drivers*<sup>14</sup>, used crash data over a 23-year period and looked at two-vehicle fatal crashes where only one driver was at fault.



*If policy makers agree that there should be a direct nexus between license suspensions and traffic safety, then licenses should be suspended only for driving related reasons.*

### Conclusions

The outcome of this research indicates that driver license suspension for non-highway safety related reasons is ineffective in achieving compliance with non-highway safety violations. Study results verify that the two groups should not be treated as a homogenous group in regard to traffic safety policy. These analyses support a repeated call for a suspended/revoked driver policy that strongly emphasizes suspensions for driver behavior violations.

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<sup>14</sup> See [http://apps.dmv.ca.gov/about/profile/rd/r\\_d\\_report/Section\\_6/S6-238.pdf](http://apps.dmv.ca.gov/about/profile/rd/r_d_report/Section_6/S6-238.pdf)

# 3.0 Impact to the Criminal Justice System

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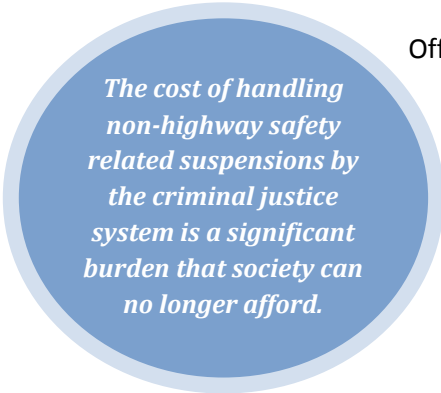
## Introduction

The cost of handling non-highway safety related suspensions by the criminal justice system is a significant burden that society can no longer afford. Untold hours of personnel time and other resources could be saved if these types of suspensions are eliminated. In addition to the cost of the law enforcement officer's time - jailers, corrections officers, judges, judicial clerks, bailiffs, prosecutors, support staff, and defense attorneys are all potentially involved in the process and could potentially benefit from the elimination of social non-conformance suspensions. Statistics from 2006 found that 39 percent of suspended drivers lost their license for a social non-conformance related reason. Eliminating 39 percent of suspended drivers will result in fewer citations for driving while under suspension and help alleviate already clogged court dockets.

## The Impact on Law Enforcement

In most jurisdictions, actions taken by law enforcement for individuals caught driving while suspended or revoked do not differ based upon the underlying reason for the suspension. A driver caught driving while suspended, whether suspended for impaired driving or littering, receives a ticket and may be arrested according to the laws of the jurisdiction. The officer may impound the vehicle if allowed or required by law or policy. Found guilty, the person's driving privilege is suspended or revoked a second or subsequent time.

And there are unintended consequences. In Orange County, Florida, the number of unlicensed drivers on local roads has doubled. The Florida Department of Highway Safety and Motor Vehicles reports more than 100,000 drivers out of a licensed driving population of 876,077 are under suspension in Orange County alone and law enforcement has seen a significant increase in hit and run crashes by individuals who do not have a valid license. If a driver is suspended and involved in a collision, whether they are at fault or not, they are usually not inclined to await a police response. In 2010, there were 25 hit and runs every day in the Orlando area. That number is double what it was the previous year.



*The cost of handling non-highway safety related suspensions by the criminal justice system is a significant burden that society can no longer afford.*

Officer safety is also of primary concern. In the U.S. in 2011, 166 law enforcement officers were killed or died as a result of injuries received in the line of duty.<sup>15</sup> According to the National Law Enforcement Officers Memorial Fund, a nonprofit that tracks police deaths, 2010 statistics show that traffic fatalities were the leading cause of officer deaths, with 73 officers killed. Each time an officer stops a driver who is suspended; it increases the officer's exposure and increases the possibility of an incident that may lead to injury or death.

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<sup>15</sup> *Thousands On Local Roads Without License*, WFTV News, Orange County, Florida, December 23, 2010

The fact that a driver may be suspended for a non-highway safety related violation makes no difference in the action taken by the officer. When a law enforcement officer encounters a suspended driver, their ability to help ensure the safety of drivers on the roadways and their availability to respond to calls for service are reduced. The officer must take appropriate action for the violation and later appear in court for adjudication of the ticket(s). While the officer is in court, there may be little or no enforcement presence in their patrol area. Officers are made unavailable for 911 responses, crash investigation, criminal interdiction, and other enforcement activities, potentially increasing the threat to public safety.

*The fact that highly trained law enforcement officers must routinely deal with social non-conformance violations takes valuable time and resources away from other traffic and public safety efforts.*

There is significant and increasing frustration in the law enforcement community as a result of the increased administrative workload and time and energy required for non-driving related offenses.<sup>16</sup> Law enforcement agencies throughout the country are facing significant resource challenges as a result of budget reductions. Law enforcement agencies must make difficult choices about where to best focus limited resources. In order to ensure time is spent productively, officers often use their discretion and issue warnings instead of traffic tickets, choose not to impound a vehicle, and/or arrest the suspended driver, further de-valuing the overall impact of driver license suspensions in their entirety.

Technology is contributing to the increased workload caused by the suspended driver population. The increased use of automated license plate readers (ALPRs) for example, has resulted in another method of detection, and an increase in traffic stops involving suspended drivers. ALPR technology allows officers to detect drivers who do not have valid driving privileges without having to observe another violation. As they become more widely used, ALPRs will continue to increase the burden on enforcement officers as they encounter drivers who continue to operate motor vehicles in violation of non-traffic safety related suspensions.

### The Impact on Prosecutors and Courts

*Court dockets are already overwhelmed with too many cases for the available number of judges.*

Traffic offenses represent the largest number of charges prosecuted in many state and local courts. According to the National Center for State Courts, Court Statistics Project, there were 58,264,848 traffic violations reported by state courts in 2009.

Traffic offenses are generally seen as less serious than other crimes. They do not receive an equal degree of focus despite the greater risk of a crash resulting in injuries or death than those received as the victim of other crimes. Charges involving driving while suspended are seen as even less important.

<sup>16</sup> Sandra Gustitus, Melody Simmons, and Margy Waller. "Access to Driving and License Suspension Policies for the Twenty-First Century Economy." The Mobility Agenda, 2008.

In many cases, prosecutors discretion in determining whether to pursue charges against a suspended driver, and if so, what charges are appropriate. Rather than further punish a person suspended for financial reasons, a prosecutor may request the court to give the defendant time to satisfy the obligation. Prosecutors and judges must continue to have the discretion to impose appropriate sanctions based on the underlying offense.

State and local courts are entrusted with the administration of justice involving a wide variety of offenses in both felony and misdemeanor categories. Court dockets are overwhelmed with too many cases for the available number of judges. Adding cases for driving while suspended as a result of a non-driving violation simply adds to that burden.

Suspended license cases also have a significant impact on the courts. According to Judge John Pickrel, Presiding Judge of the Dayton Ohio Municipal Court, “If we could streamline things, we wouldn’t see the same people coming back again and again. It would free up resources and allow people to keep working without running the risk of getting arrested.” Judge Pickrel suggests “giving judges the authority to require drivers entangled in fines, court costs and reinstatement fees to complete a specified number of hours of community service, agree to an installment or payment plan, or limit his/her driving privileges.” Judges would then have more time to focus on truly dangerous drivers, and as a result, roadway safety would be improved.”<sup>17</sup>

### **Fiscal Impact to the Criminal Justice System**

Law enforcement agencies spend millions of dollars and lose thousands of personnel hours each year in the administration of social non-conformance related suspensions. Eliminating these non-highway safety suspensions, will result in significant cost savings to the criminal justice system. In Union County, Ohio for example, it takes an average of nine (9) hours to arrest and prosecute an individual for Driving Under Suspension (DUS).

Entity	Approximate Time Required	Activities
Officer	7hours	roadside stop, tow truck wait time, transport to jail, paperwork, court appearance
Corrections officer	30 minutes	booking process
Prosecutor	1 hour	prepare and present case
Judge	30 minutes	hear and/or adjudicate case

*Driving While Suspended violations cost Union County Ohio nine (9) hours of officer and court time.*


To provide further context, another example is extrapolated from data provided by the Washington State Patrol. In 2011, State Patrol troopers issued 22,519 citations for Driving While Suspended or Revoked. Applying a national average of 39 percent of all suspensions being for social non-

<sup>17</sup> McCall and Page, 2011



conformance, 8,782 drivers were suspended for non-highway safety related reasons in the state. Using the nine (9) hours as the case/time multiplier, more than 79,041 personnel hours are expended every year in the arrest and adjudication of drivers caught driving while suspended for non-highway safety related reasons.

The number of cases and the time estimate associated with each case will vary by jurisdiction, but without a doubt, a tremendous amount of time and resources are expended by state and local entities to deal with and process non-highway safety related suspensions. Significant state and local government cost savings could be realized by utilizing alternatives to suspending drivers for non-highway safety related reasons.



*The Washington State Patrol  
expends nearly 80,000 hours  
/year dealing with drivers  
suspended for non-highway  
safety related reasons.  
Eliminating social non-  
conformance violations  
would allow resources to be  
better focused on highway  
safety efforts.*

# 4.0 Impact to Motor Vehicle Agencies

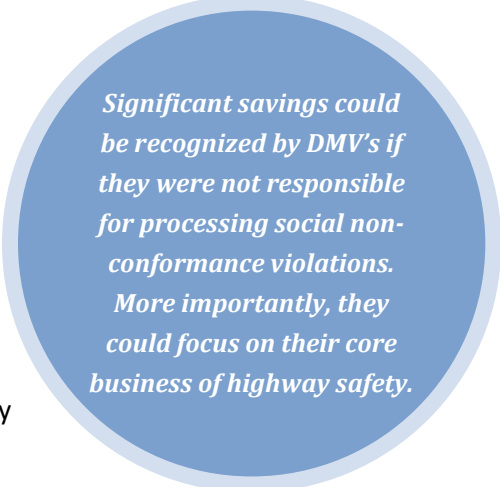
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## Introduction

A critical mission of every department of motor vehicles (DMV) is to help ensure the safety of the nation's roads and highways. To that end, they are charged with ensuring that individuals behind the wheel of a motor vehicle know the driving laws of the state and that they qualify for a driver license by demonstrating their ability to safely operate a motor vehicle. When an individual fails to follow the rules of the road, s/he may lose their privilege to drive.

Since passage of federal child support enforcement laws, DMVs have assumed responsibility for an ever increasing burden beyond their highway safety mission. For decades, state legislatures have looked to the driver license to help solve social issues. Driver license suspensions have become the answer – an ineffective one – to a variety of social ills. Many believe that suspension will result in conformance. The reality however, is quite different.

When new laws are passed requiring suspension action, DMV business units must develop business rules. IT staff writes system design specifications, develops source code, and completes a variety of system testing before moving the new code to production. Field, call center and central office staff must be trained to process suspensions and reinstatements and to respond to inquiries. Forms creation or revision may be needed. In addition to staff time, additional expenses include mainframe processing costs, stakeholder training, increased postage, and supply costs.



*Significant savings could be recognized by DMV's if they were not responsible for processing social non-conformance violations. More importantly, they could focus on their core business of highway safety.*

eDriver license suspension is not the universal remedy that legislators and others often believe it to be. Drivers do not immediately comply with the original violation simply because they've lost their privilege to drive. Many suspended individuals not only fail to comply, but continue to drive while under suspension.

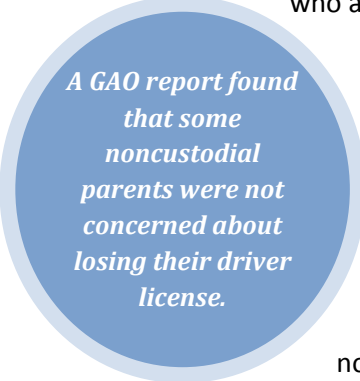
Significant savings could be recognized by DMV's if they were not responsible for processing social non-conformance violations. Perhaps more importantly, they could focus all of their energies on their core business of highway safety.

## Background

Today all 50 states, the District of Columbia, and many Canadian provinces have laws that require the withdrawal of driving privileges for non-highway safety related reasons. The reasons for which a person's driving privilege may be suspended for social related violation increases during each legislative session.

As a result, the entities responsible for administering suspensions and enforcing subsequent actions – the courts, law enforcement and the DMVs – are increasingly burdened with non-driving compliance actions.

What was originally intended as a sanction to address poor driving behavior eventually came to be used for compliance with social non-conformance. The first case of this is a federal law related to child support enforcement. In 1975, the Congress established a national child support enforcement program to ensure that noncustodial parents financially support their children. The act required states to have laws requiring procedures to suspend, withhold, or restrict the driver licenses of noncustodial parents who are delinquent in child support payments.



*A GAO report found that some noncustodial parents were not concerned about losing their driver license.*

A GAO study found that driver license suspension alone, or a suspension in conjunction with other enforcement actions, does lead some noncustodial parents with past-due support to make their child support payments. However, the GAO report also identified circumstances in which driver license suspension was not effective in motivating noncustodial parents to pay the support they owe. The most common circumstance cited by officials for suspension not being effective was that some noncustodial parents were not concerned about losing their driver licenses.

## **A Growing Problem**

Since the implementation of driver license suspensions for child support enforcement, the number of non-traffic safety suspension programs continues to grow each year, increasing the challenge to already burdened agencies and budgets even further.

There are many challenges facing DMVs related to the suspension of driver licenses for non-highway safety related violations. A core responsibility of the DMV is to issue driver licenses to individuals who have proven their understanding of the rules of the road and to impose sanctions against those who are unsafe drivers. The forced focus on non-highway safety violations takes attention away from the DMVs core mission.

Over the past decade, DMVs have been burdened by the dramatic and continued increase in non-highway safety suspensions. Significant dollars and employee hours are spent each year in the administration and enforcement of non-highway safety suspensions. Research shows individuals continue to drive while suspended, meaning they are not complying with the original violation.

## **Fiscal Impact to DMV's to Impose a New Suspension**

When new laws are passed requiring suspension action, it results in significant fiscal impact to DMV's. Following are examples of the various costs required by motor vehicle agencies. It should be noted that only one example contains the total cost of processing non-driving suspensions.

### Colorado

The Colorado Motor Vehicle Division (MVD) completed an analysis of their cost to create and administer a new non-driving suspension code. The MVD projected that 8,566 hours of manual employee processing time is needed on an annual basis to process 16,800 anticipated suspensions. That equates to 4.22 full time employees (FTE). A breakdown of required effort follows.

Administrative Processing Task	FTE Hours / Year
analyze and data enter the documents	480
reinstate the suspension	2,244
answer telephone inquiries	1,680
respond to subpoenas	1,232
mail verifications	60
issue probationary license	2,856
document scanning	14
<i>Total Hours</i>	8,566
<i>FTE</i>	4.2197

In addition to processing staff, Colorado projected that 10,080 hours of hearing officer time would be needed on an annual basis to hold hearings and issue findings. That total is based on the assumption that 60 percent of suspended drivers will request a hearing and that each hearing is an hour in length. That equates to 4.84 hearing officers.

Information technology staff is required to enhance the driver license computer system to create the new suspension action and accommodate data entry, data access, and forms generation. It is estimated that 200 hours of IT staff time is required to create the action.

DMVs do not always receive the funding necessary to implement and support new suspensions. Even when funded, these costs pose a significant burden on the state. Suspending licenses for non-driver related reasons is a problem that extends beyond motor vehicle departments.

### Missouri

The Missouri Department of Revenue Drivers License Bureau employs two full-time staff to process non-traffic related suspensions. Processing responsibilities include examination of the non-compliance documents, keying information into the computer system, mailing information, processing reinstatements, and handling phone calls and written inquiries. In addition to staff salaries and supervisory support, the Department spends \$21,000 each year on postage, envelopes, and paper to communicate with drivers suspended for social non-conformance violations.

### Arkansas

The Arkansas Department of Finance and Administration processed nearly 42,000 suspensions for non-highway safety related violations in 2010. Nearly four FTEs were required to process related paperwork and more than \$20,000 was spent in postage alone.

### **Oregon**

The Oregon Department of Motor Vehicles employs 1.66 persons, and spends an average of \$12,525 a year on forms and postage costs for communication with suspended drivers for non-highway safety related suspensions.

### **Florida**

Florida spent \$72,314 in 2010 on paper, envelopes and postage to communicate with drivers suspended for non-highway safety reasons.

### **Quebec**

In Quebec, there were 289,919 unpaid fines in 2009, including parking violations, for which a suspension was issued. The cost to the province is \$22 for each suspension resulting in a total cost of \$6,378,218.

### **New Jersey**

In 2010, New Jersey had 6.1 million drivers of which 289,600 were suspended drivers. Non-highway safety related suspensions represent 75-80% of all suspension orders in New Jersey, equating to 173,760 drivers suspended for non-highway safety related reasons.

## **Non-Highway Safety / Administrative Suspensions Survey Data**

Currently, all 50 U.S. states, the District of Columbia as well as all 13 Canadian jurisdictions have laws that permit the motor vehicle agency and/or the courts to withdraw driving privileges for at least some non-highway safety reasons. A survey was conducted by the AAMVA Suspended/Revoked Working Group in November 2011 to determine the reasons for which jurisdictions suspend or revoke driving privileges for non-highway safety violation(s). Forty-three (out of 64) jurisdictions responded to the survey. The table below summarize the reasons states suspend driver licenses for non-driving related reasons. For the sake of brevity, suspension types were often combined, so the chart below should not be viewed as a detailed and comprehensive list of the reasons driver licenses are suspended for non-highway safety related reasons.

The chart includes a general description of the reason for the suspension, the total number of jurisdictions who suspend for that reason and a list of jurisdictions who suspended for each violation.

<b>Non-Moving Violation</b>	<b>#</b>	<b>Suspending Jurisdictions</b>
Abandoned Vehicle	1	NY
Advocate Overthrow of Government	1	NY
Altering, Defacing Signs/Signals	1	SC
Assaulting a Traffic Officer	1	NY
Assembling / Operating Amusement Park Ride While Intoxicated	1	TX
Auto / Cargo Theft	3	CA, GA, MN
Boating While Intoxicated	1	TX

Non-Moving Violation	#	Suspending Jurisdictions
Bomb Threat/Volatile Chemical	3	MI, NY, TX
Bounced / Bad Check	11	AR, CO, FL, LA, ME, MD, MN, NB, RI, UT, VT
Buy/Sell Liquor without a License	1	AZ
Child in Need of Services	1	NH
Controlled Substances	14	AR, GA, IN, IA, MI, MN, MT, NY,OR, PA, TN,TX, UT, VA
Department of Health Overpayment	1	TX
Dispensing Gas to a Dirt Bike	1	MD
Failure to Appear / Comply / Pay (non moving violations)	21	AZ, AR, CT, FL, HI, ID, IA, LA, ME, MI, MT, NB, NH, NF, OR, SK, TX, UT, VA, WI, WV
Failure to Complete Education Program	4	CT, SC, TX, VT
Failure to Obtain Hack License	1	NY
Failure to Pay Alimony	1	NE
Failure to Pay Child Support	43	AZ, AR, CA, CO, CT, FL, GA, HI, ID, IL, IN, IA, LA, ME, MD, MI, MN, MO, MT, NB, NH, NM, NY, NF, ND, OH, ON, NT, NE, OR, PA, SK, SD, TN, TX, UT, VT, SC, VA, WA, WI, WY, WV
Failure to Pay Parking Violation(s)	4	IL, MI, MN, RI
Failure to Pay Tax	3	LA, OR, SC, VT
Failure to Pay Tolls	2	IL, ME
Failure to Submit to Genetic Test	1	FL
False Public Alarm	1	VT
Felony	1	MT
Fictitious Plate/Registration/Inspection	2	CT, TX
Flying While Intoxicated	1	TX
Fraud / Misuse of a Driver License	21	AR, CA, CO, FL, GA, ID, LA, MI, MN, MT, NB, ND, OR, PA, RI, SK, SD, UT, WA, WI, WV
Fuel Piracy / Theft	23	AR, CO, FL, GA, IL, IN, IA,LA, MD, MI, MN, MO, MT ND, OH, OR, PA, SC, TN, TX, UT, WA, WV
Handicap Space / Placard Violation	2	AR, IL
Immigration / VISA Expiration	2	MN, TX
Identity Theft	1	CT
Littering / from a Motor Vehicle	2	AR, OR
Minor - Alcohol Possession / Consumption	26	AR, CA, CO, CT, GA, ID, IN, IA, MD, MI, MT, NH, NM, OH, OR, PA, RI, SC, SD, TN, TX, UT, VT, VA, WA, WI
Minor - Controlled Substances	3	CA, IA, WA
Minor – Using False ID to Purchase Alcohol	8	IN, MD, MI, NY, TN, TX, VT, VA
Minor – Possession of a Firearm	5	AZ, CA, FL, VA, WA

Non-Moving Violation	#	Suspending Jurisdictions
Minor – Tobacco Violation	3	OR, TX, VT
Minor in a Bar	1	UT
Open Container / Possession - Passenger	5	FL, IL, MI, MN, NM
Outstanding US District Court Citation	1	MD
Parental Withdrawal	11	CO, GA, IA, MN, ND, TX, VT, MO, MT, SC, UT
Perjury	1	OH
Prostitution/Solicitation/FTA John School	3	CA, FL, SK
Providing False Info to Law Enforcement	1	MI
Public Intoxication / Consumption	2	IA, TX
Sell/Buy Alcohol to/for a Minor	6	MN, SD, TX, VT, VA, WY
Sex Offender Violation	2	NH, TX
Soliciting with HIV	1	OH
Solid Waste Burning	1	VT
Theft	1	FL
Tow Truck Driver Graft	1	CA
Truancy / Failure to Attend School	16	AZ, CA, FL, GA, ID, IL, IA, LA, NM, OH, OR, PA, TX, VA, WI, WV
Unattended Child in a Running Auto	1	WA
Unpaid College / Student Loan	2	IA, MT
Unruly Child / Juvenile Suspension	1	OH
Use of MV to Distribute Tobacco	2	ON, QB
Vandalism / Graffiti	3	CA, FL, TX
Weapon / Threat in School	8	AR, IN, IA, OH, OR, PA, TN, VA

*Information in this table was derived from responses to a survey of DMVs.*

Several agencies were able to provide totals on the number of suspensions imposed for 2010 by suspension type. It was not uncommon for a jurisdiction to report very low volumes, or even zero, suspensions for a particular violation.

Once the legislature passes the requirement for driver license suspension for a non-moving violation, the motor vehicle agency must prepare for receipt of said violations. The fact that the suspensions are not being utilized makes the process even more cumbersome and costly. Let's look at fuel theft/piracy for example. Twenty-three jurisdictions reported having such a requirement. Fourteen were able to provide counts on the number of suspensions imposed for the violation. Those 14 reported imposing 258 total suspensions for fuel piracy in 2010. Four jurisdictions reported zero suspensions for the year. Extrapolating the Colorado numbers for development of a new suspension type, the 14 states spent 2,800 hours of developer staff time suspend 258 drivers for fuel piracy. That equates to 10 hours of developer time per suspension. The fact that entities are not utilizing driver license suspension for non-

moving violations, even though they have the ability to do so, is yet another reason to eliminate suspensions for social non-conformance reasons.

## Summary

The creation and implementation of suspensions for non-highway safety related reasons generates unnecessary costs to the jurisdiction and creates a burden on driver licensing authorities, the courts and law enforcement through financial limitations and expenditures of resources. The cost to create the suspension in the agencies computer system, as well as the cost in personnel time and supplies is an expense that is not justified by the end result.

The costs to the jurisdiction for processing suspensions for non-highway safety related reasons should be examined to determine the financial feasibility and effectiveness of the suspension. A significant cost saving to the state could be realized by utilizing alternatives to suspending drivers for non-highway safety related reasons. The overall economic value, by ensuring continued employment of drivers, is a significant factor that must be considered. Suspending for non-traffic safety related reasons requires the driver licensing authority to operate outside of their core mission of ensuring highway safety.



# 5.0 Alternatives to Driver License Suspension

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## Introduction

In order to reduce the number of suspended drivers on our roadways, states are encouraged to revise current laws to more appropriately consider the traffic risks of the offenders to whom they apply. Toward that end, the SRWG assembled a legislative subcommittee to draft sample legislation for jurisdiction specific legislative proposals and is not intended for the repeal of any federal laws. Eliminating driver license suspensions for non-highway safety violations will significantly reduce the burden on state driver licensing authorities, law enforcement and the courts. This section provides examples of alternative solutions that may be considered by states in lieu of suspension.

## Legislative Action Needed

Sanctioning drivers with non-traffic safety related suspensions poses a significant administrative and fiscal burden to prosecutors, courts, driver licensing authorities and law enforcement. Research verifies that drivers suspended for social non-conformance reasons pose a comparatively lower safety risk compared to those who are suspended for driving related reasons.<sup>18</sup>

State legislatures are encouraged to reconsider the value of license suspensions for non-traffic safety related reasons. There are an increasing number of drivers who are suspended or revoked each year for non-driving related reasons. From 2002 to 2006 from a sample population of eight states, approximately 115,000 drivers were suspended. Thirty-four percent of the sample population was suspended for non-traffic safety reasons.<sup>19</sup> As many as three-fourths of them continue to drive, threatening the integrity of the licensing system.<sup>20</sup> Of the drivers suspended for non-highway safety reasons, about 43% are subsequently convicted of a violation while their driving privileges are suspended compared to 47% of drivers who were suspended for highway safety reasons.<sup>21</sup> This finding indicates that driver license suspension is not an effective sanction for gaining compliance.

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<sup>18</sup> Michael A. Gebers and David J. DeYoung. *"An Examination of the Characteristics and Traffic Risk of Drivers Suspended/Revoked for Different Reasons."* California Department of Motor Vehicles, 2002.

<sup>19</sup> Robert Eger III, Ph.D., Robert. "Enhanced Analyses of Suspended/Revoked Drivers Related to Crashes." Florida State University. 2011

<sup>20</sup> Neuman, Pfefer, Slack, Kelly Kennedy Hardy, and Patricia Waller. *"National Cooperative Highway Research Program Report 500: Guidance for Implementation of the American Association of State Highway Officials (AASHTO) Strategic Highway Safety Plan, Volume 2: A Guide for Addressing Collisions Involving Unlicensed Drivers and Drivers with Suspended or Revoked Licenses."* Transportation Research Board, 2003.

<sup>21</sup> Eger III, Ph.D., Florida State University, 2011.

In order to increase compliance with social non-conformance offenses and to reduce the burden on state driver licensing authorities, law enforcement and the courts, states should revise current laws to more appropriately reflect the traffic risks of the offenders to whom they apply. Social non-conformance offenses such as vandalism, truancy, theft of gasoline, and the purchase of tobacco by a minor unduly burden state driver licensing authorities and the criminal justice system. Suspension of driver licenses should only be imposed for highway safety related offenses. The multitude of state specific laws that require driver license suspension for non-highway safety related offenses should be modified to eliminate license suspensions and instead, alternative solutions should be adopted.

*In order to reduce the number of suspended drivers, states are encouraged to revise laws to more appropriately consider the traffic risks of the offenders to whom they apply.*

It should be noted that many of the practices described in this section have not been scientifically validated as part of this project. Therefore, considerations should be given before adopting any of the practices listed herein. States considering implementing any of the alternatives described may wish to contact the appropriate entity for recommendations on implementation.

## **Alternative Solutions**

The following pages describe alternative solutions to the suspension or revocation of driver licenses for social non-conformance violations.

### ***Garnishment of Wages in Lieu of Driver License Suspension***

Wage garnishment occurs when an employer is legally obligated to withhold a portion of an individual's earnings for the payment of a debt. By implementing garnishment of wages, collection of the debt is guaranteed. The driver is held accountable while being allowed to legally drive, and the burden on the state driver licensing authority and law enforcement is eliminated.

Examples of garnishment programs follow.

#### **California Delinquent Vehicle Registration Collections – Bank Account/Wage Garnishment**

The California Department of Motor Vehicles (DMV) mails an annual renewal notice to the last known registered vehicle owner approximately 60 days prior to the vehicle registration expiration date. If the vehicle owner fails to pay the amount due by the expiration date, the DMV sends an additional notice when the registration is 30 days delinquent. That notice advises the owner that the unpaid account has been referred to the Franchise Tax Board (FTB) for collection action. FTB is the income tax agency for California and serves as a collection agent for a host of state and local entities. They have access to tax refunds, bank accounts, and wage garnishments as collection tools.

By the time the FTB receives an account referral, the debt is generally 90 days delinquent. FTB issues a Demand for Payment Notice to the registered owner. If the debtor does not respond to the notice within 10 days, the FTB begins involuntary collection actions, including bank and wage levies.

Once a bank or wage levy is issued, FTB provides the debtor 10 days from the notice date to pay the debt. After 10 days, the bank automatically forwards funds from the individuals account to the FTB or before the debtor's employer begins withholding up to 25 percent of the debtor's disposable income. As DMV's collection agent, FTB forwards all funds collected to the DMV. DMV then makes the appropriate disbursements to various state and county agencies and updates the vehicle registration record to reflect payment.

Throughout the collection process, DMV retains responsibility for all referred accounts. When the registration is up to date, the account is removed from collection. Both DMV and FTB maintain call centers to resolve disputes. Customers may also deal directly with their local DMV field office if that is their preference.

### **Texas Office of the Attorney General's Child Support Division Wage Withholding Program**

Under this program, employers are required to withhold a portion of an employee's pay for payment of child support. Upon receipt of an order/notice from a court to withhold income, an employer must begin withholding income from the employee named and remit the amount withheld. To comply with the order/notice, an employer will:

- begin withholding for child support no later than the first pay period that occurs after the date the order/notice is received,
- deduct child support on the regular pay dates, similar to deductions for federal income tax withholding,
- mail payments to the address specified in the order/notice on the pay date or for payments made by electronic funds transfer or electronic data exchange, transmit payments no later than the second business day after the pay date, and
- withhold according to the terms of the order/notice until otherwise notified.

The Texas Family Code limits the amount of garnishment for child support to 50% of an employee's "disposable earnings." Disposable earnings are defined as remaining earnings after deductions from any amount required by law to be withheld (e.g., federal taxes), retirement contributions, and medical, hospitalization, and disability insurance coverage.

Income withholding has become the most successful and efficient tool for collecting child support. Today, employers withholding employees' wages constitutes over 80 percent of all collections in cases enforced by the Office of the Attorney General's Child Support Division.

### **New York Wage Garnishment of Scofflaw City Workers for Non-Payment of Parking Tickets**

New York City hall pursued municipal employees who did not pay their parking tickets. More than 4,600 individuals had 12,000 outstanding tickets that were worth a total of \$1.6 million.

Warning memos were sent to employees advising that their wages could be seized and bank accounts frozen if they did not pay the fines. The warning letters recovered \$600,000 in outstanding fines from 2,600 workers who paid 5,600 tickets, but fines still remained. The city turned to the New York City Finance Department to garnish the wages of city employees who failed to heed the warnings to pay their fines.

### **Chicago Wage Garnishment of Scofflaw City Workers for Non-Payment of Parking Tickets**

The city of Chicago cracked down on city employees who owed more than \$2 million in unpaid parking tickets and water bills. More than 10,000 city employees were facing wage garnishment, work suspension and possible termination for failing to pay \$2.4 million owed to the Department of Revenue. The department collected more than \$3 million from employee scofflaws. More than 3,300 city employees had their wages garnished.

Wage garnishment has been the most effective means of collecting delinquent payments since most employees submit payment as soon as they receive a notice because individuals do not want to jeopardize their employment because of a relatively minor debt. The city collected more than \$15 million in the first five years of this program. The city also started booting the vehicles of employees in city-owned lots in an effort to increase collections.

### ***Monetary Programs in Lieu of Driver License Suspension***

Through implementation of any of the programs described below, the driver is allowed to continue to legally drive and earn wages enabling the individual to earn a living enabling child support payments. These approaches eliminate the burden on the state driver licensing authority and law enforcement is eliminated.

### **Suspension Exemptions for Federal Child Support Mandate**

A report released by the Government Accountability Office (GAO) entitled, *“License Suspensions for Non-driving Offenses: Practices in Four States that May Ease the Financial Impact on Low-Income Individuals”* support practices in Washington, Maryland and New Jersey in which individuals are exempt from driver license suspension for non-payment of child support if such suspension is found to be an impediment to employment.<sup>22</sup>

- **Washington Rev. Code § 74.20A.322(4) Noncompliance with a Child Support Order, License Renewal and Reinstatement**
  - This Washington law provides that licenses of non-custodial parents will not be suspended if it is determined that it places a burden on the person and if at a hearing they demonstrate a good faith effort to comply with the support order. The determination of a good faith effort to comply is made by the administrative law judge based on the responsible parent’s payment history, ability to pay, and efforts to find and maintain gainful employment. The administrative law judge creates a payment schedule for the individual.

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<sup>22</sup> Government Accountability Office, License Suspensions for Non-Driving Offenses: Practices that May Ease the Financial Impact for Low-Income Individuals

- **Maryland Code Ann., Fam. Law § 10-119(c)(4) Suspension of Driving Privileges for Arrearages**
  - This Maryland law states that the Child Support Enforcement Administration of the Department of Human Resources sends written notice to an individual who is 60 days or more non-compliant with child support payments. The individual is provided the right to request an investigation because suspension of his/her driver license would be an impediment to current or potential employment or would place an undue hardship on the individual because of documented disability resulting in a verified inability to work or inability to comply with the court order.
  - After the Child Support Enforcement Administration receives a request for investigation, an investigation is completed to determine if undue hardship would exist as a result of the license suspension. Upon completion of the investigation, the Child Support Enforcement Administration will notify the individual of the results and their right to further appeal. If grounds do exist, the Child Support Enforcement Administration will not send a suspension request to the Motor Vehicle Administration. The Child Support Enforcement Administration attempts to reach an agreement with the individual to create a payment schedule.
- **New Jersey Statute Ann. §2C:35-16 – Forfeiture or Postponement of Driving Privileges**
  - This New Jersey law states that licenses of individuals who are non-compliant with child support requirements will not be suspended if the suspension of the individual’s license will result in extreme hardship and if alternative means of transportation are not available.
- **Ohio’s Revised Child Support Laws**

Ohio made changes to state child support laws to discontinue the practice of suspending the driver or professional licenses of an individual who fails to pay child support if the parent pays at least half of their court-ordered financial support.

Another provision lets parents remove past child support-related suspensions from their driving record. The measure is aimed at encouraging parents to work. The majority of child support is owed by parents who are unable, not unwilling, to pay. Two-thirds of the money is owed by people who earn less than \$10,000 a year.

County child-support enforcement agencies must look back 90 days to see if at least 50% of child support obligations have been paid. If the requirement hasn’t been met, officials will send a pre-suspension notice, which gives parents another chance to pay. A parent who fails to do so could lose his or her driver license. To have it reinstated, a parent must pay in full or prove that employment has been found.

Of those who lost a driver license, they collectively paid only 19 percent of their court-ordered child support. About 60 percent paid nothing.

Efforts have changed because the recession is making it harder for many parents to provide financial support.

### **Arizona Tax Intercept Program for Non-Payment of Debts**

Arizona law allows refunds from income tax and earned credit property taxes to be used to pay debts the taxpayer owes to the state or the court. The agency or court can intercept the refund which is then used to pay the individual's debt. The agency or court must notify the taxpayer by mail of their intention to pay the debt using the tax refund and advise the individual of their right to appeal or to request a review within thirty days of the mailing of the notice. If there is no appeal, the agency will draw and deliver a warrant in the amount of the available refund up to the amount of the debt and notify the taxpayer of the action by mail.

### ***Amnesty Programs***

In March 2012, DMV offices in South Carolina hosted a Driver Suspension Eligibility Week. Drivers who have lost their driving privileges for suspensions included in the program were given the ability to reduce or clear the remaining time of their suspension. The program assisted the following types of suspended drivers: Underage drivers suspended for excessive points; those suspended for operating an unlicensed taxi or vehicle; drivers suspended for operating an uninsured vehicle that they did not own; those suspended for operating or allowing operation of an uninsured vehicle; drivers suspended for driving under suspension, excluding alcohol or drug related convictions. To qualify, drivers must meet all of the conditions of their suspensions. All fees must be paid and SR-22 insurance must be filed, if required. If a driver had more than one suspension, DMV recalculated the suspension time. Drivers with suspensions not covered by the program will still need to serve that suspension. Drivers with a clear record could apply for a driver's license. Depending on the type of suspension, they may be required to take the vision, knowledge and road skills tests before getting a new driver's license

### ***Diversion Programs***

#### **Community Service (in lieu of suspension, not in lieu of payment)**

By requiring community service instead of a license suspension, the individual is allowed to legally drive, and the burden on the state driver licensing authority and law enforcement is eliminated. Following is an example of a successful diversion program.

- **City of Lake Mills Municipal Court Wisconsin**
  - The Municipal Court has jurisdiction over persons between 12 and 17 years of age. If a juvenile is found guilty of a traffic violation and fails to pay the fine within 60 days, his/her driver's license may be suspended for up to two (2) years. If the juvenile is found guilty of a non-traffic ordinance violation, a fine is imposed with an alternative number of community service hours. The length of community service required is based on the severity of the offense and the amount of the fine, if one is imposed.

### ***Other Programs***

#### **Opt Out Program for Federal Drug Offenses**

Federal law, 23CFR 192 – Drug Offenders Driver's License Suspension

Federal law requires states to suspend or revoke the driver licenses of anyone convicted of a violation of the Controlled Substance Act or any drug offense.

States can “opt out” of this requirement by submitting a certified statement by the Governor opposing enactment or enforcement of the law and a resolution by the State legislature expressing opposition to such a law. Ten states have passed resolutions in opposition to the Act. In addition, numerous states modified their laws to allow for restrictive licenses. However, this legislation created another opportunity for people with addiction histories to suffer an additional collateral consequence of their conviction.<sup>23</sup>

By opting out of the Federal Drug Offenders Suspension Act instead of imposing a license suspension, individuals convicted of drug offenses are allowed to legally drive, which permits them to continue to earn a living and ease their burden. The violation was not based on the individual’s ability to drive safely and the burden to state driver licensing authority and law enforcement is eliminated. Following are examples of opt-out programs.

- **Wisconsin Act 8**
  - In April 2009, the state legislature passed Wisconsin Act 8, which changed the federally-imposed six-month suspension of a driver license for a non-driving related drug conviction from mandatory to discretionary by the sentencing judge. This change eliminated 11,000 non-driving related suspensions each year among mostly low-income drivers.
  
- **Maryland Code: 16-205. Alcohol or Drug Offenses; Revocation**
  - Maryland’s statute authorizes the suspension or revocation of licenses only when the offense is related to the ability to drive safely. It limits the length of suspension or revocation to not more than 60 days for a first offense and not more than 120 days for two or more offenses.

#### **West Virginia Court Costs, Fines and Restitution**

50-3-2a (b). Payment plan (prior to suspension or other action). May collect a portion of any costs, fines, fees, forfeitures, restitution or penalties using payment plan. (If not paid within 180 days, then referred for suspension of driver’s license). 50-3-2a (f). Abstract of judgment and record as lien if not paid within 180 days.

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<sup>23</sup> Vaughn, Becky and Gabrielle de la Gueronniere Memo to Karen Richardson, Obama Administration Transition Team, State Associations of Addiction Services and National Policy at the Legal Action Center, Washington, D.C.. 14 Jan. 2009.

# 6.0 Appendices

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## Appendix A – Sample Legislation

### Introduction

The following Sample Law was prepared by the SRWG Model Legislation Subcommittee for Jurisdictions to use as a starting template for drafting their jurisdiction specific legislative proposal.

#### PREAMBLE / DECLARATIONS

1. Traffic safety is the primary goal of driver licensing and sanctioning laws of this state.
2. Suspending or revoking a driving privilege is an effective deterrent and enforcement tool for compliance with traffic safety laws and regulations.
3. Historically, suspending or revoking a driving privilege has also been used as an enforcement tool for compliance with non-traffic related laws and regulations.
4. The increase in legislated non-highway safety suspensions or revocations has diluted the effectiveness of driving sanctions, created inefficiencies and inequities, and increased the burden on law enforcement, driver licensing authorities and the criminal justice system.
5. Of all license suspensions, approximately 39 percent are for non-traffic reasons.
6. Drivers suspended for traffic related reasons are three times more likely to be involved in a crash than a driver suspended for non-traffic reasons.
7. Maintaining full valid driving privileges should be contingent on compliance with traffic safety related laws.
8. The suspending or revoking of driving privileges for civil, criminal, or administrative offenses that involve neither the operation of a motor vehicle, nor the knowledge, skills, or physical qualifications to drive, is not related to traffic safety.
9. To best serve traffic safety, the penalties for non-traffic safety violations should not include the suspension or revocation of driving privileges.
10. Alternatives exist to suspension or revocation of driving privileges for non-traffic safety related violations.

#### DEFINITIONS

“Traffic safety laws and regulations” shall refer to those laws and regulations relating directly to the operation of a motor vehicle, the knowledge, skills or physical qualifications to safely operate a motor vehicle, the financial responsibility required for the operation of a motor vehicle, and the failure to appear in court or otherwise respond to a charge relating directly to the operation of motor vehicle.

“Withheld Non-Compliant” shall refer to licensing sanctions for non-traffic safety related offenses.



## LICENSING SANCTIONS<sup>24</sup>

1. The state driver licensing authority shall:
  - a. Review each driver license sanction authorized by the laws and regulations of this state and shall define each as either traffic safety related or as not related to traffic safety.
  - b. Promulgate rules adopting the definition scheme authorized by this section.
  - c. Create a separate driver privilege status for all sanctions determined to be non-traffic safety related. Said status shall be reported as “Withheld Non-Compliant”.
  - d. Not issue or renew any driver license to an individual whose privilege to drive in this state is sanctioned either for traffic safety related or for non-traffic safety related reasons.
  - e. Not report individuals whose privilege to drive is sanctioned only as “Withheld Non-Compliant” to the National Driver Register, the Problem Driver Pointer System, or the Commercial Driver License Information System. The exception is reporting of suspensions for federally mandated suspensions such as child support.
  
2. Withheld Non-Compliant<sup>25</sup>:
  - a. Notwithstanding any provision of the law to the contrary, [insert penalty]<sup>26</sup>
  - b. No violator shall be subject to any further administrative, civil or criminal sanction for violation of this paragraph.
  - c. It shall be unlawful for any local jurisdiction to impose sanctions not authorized by this paragraph.

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<sup>24</sup> Jurisdiction should reference or incorporate existing penalties or other sanctions as now exist, or as may be deemed appropriate, for violation of licensing provisions relating to traffic safety laws and regulations.

<sup>25</sup> NOTE – requires creation of new definition of “withheld non-compliant” rather than having to change existing laws and regulations and language.

<sup>26</sup> Jurisdiction should insert or reference existing or appropriate sanctions of withheld non-compliant violations.

## Appendix B – Full Research Report

### Introduction

The SRWG commissioned Robert Eger III, PhD, Florida State University, to analyze driver record data from six (6) states. In 2011, two states were added to provide validation of the findings. The research focused on driver license suspensions, categorized by highway safety related and non-highway safety related violations, and subsequent driving behavior. Robert J. Eger III, Ph.D. acknowledges Spencer Brien for his exemplary research assistance and data analysis.

This report is composed of four sections adding to the prior research found in DOT HS 811 092. In the first section, the AAMVA Code Dictionary (ACD) is applied to non-commercial vehicles found in DOT HS 811 092. A re-evaluation of all the outcomes found in DOT HS 811 092 using the ACD application is presented. In section two, Pennsylvania and Oregon are added to the suspended/revoked data to complete the representative sample of states within the contiguous United States. After adding the two states, a complete analysis of suspended/revoked drivers in the eight representative states is undertaken. The third section assesses suspended/revoked drivers using the length of initial suspension/revocation for drivers within the eight states, which is followed by section four which provides an enhanced analysis based on a non-sampled data set of suspended/revoked drivers.

All four sections of analyses follow the DOT HS 811 092 methodology by separating suspended/revoked drivers into two categories. The two categories are defined as “highway safety related” and “non-highway safety related” following the descriptions of “highway safety” and “non-highway safety” articulated in the ACD Manual, Release 3.0.0, June 2008 (Effective November 3, 2008). This provides consistent category definitions of all data to the metrics offered in the ACD manual. This report begins with an overview of the prior research found in DOT HS 811 092, “Reasons for Drivers License Suspension, Recidivism and Crash Involvement among Suspended/Revoked Drivers”.

### Enhanced Analyses of Suspended/Revoked Drivers Related to Crashes

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This report incorporates four analyses that advance understanding into the effects of suspended/revoked drivers on highway safety issues in a nationally representative sample of eight states. Section one identifies and applies the AAMVA Code Dictionary (ACD) to the prior results found in DOT HS 811 092, “Reasons for Drivers License Suspension, Recidivism and Crash Involvement among Suspended/Revoked Drivers”. This is followed by section two which adds two states to the DOT HS 811 092 data and then evaluates the outcomes found in DOT HS 811 092. Section three investigates the representative sample states through an evaluation of crash occurrences and the number of days (length) of suspension/revocation. Section four provides an enhancement and robustness test for the length of suspension and crashes by examining a large data set of suspended/revoked drivers.

The results of these analyses are summarized as follows:

- Recoding of the data from DOT HS 811 092 into ACD codes indicates that prior conclusions from the DOT HS 811 092 are consistent across the ACD coding, however they are not

identical. The ACD coding has improved measurement of all traffic safety events since the coding is consistent across all states.

- Applying the ACD coding to the DOT HS 811 092 crash data indicates that about 13.1% of drivers suspended for highway safety related reasons are involved in a crash while 1.9% of drivers suspended for a non-highway safety reason are involved in a crash. This differs from the results found in the DOT HS 811 092 report that indicated the percentages at 3.4% and 0.9%. The resulting outcome indicates that the ACD coding provides for a more refined outcome allowing an improved focus on crashes.
- Adding the two states to complete the representative sample of states, the results show that about 18.9% of drivers suspended for highway safety related reasons are involved in a crash while 6.9% of drivers suspended for a non-highway safety reason are involved in a crash. As noted in DOT HS 811 092 the lack of data available from states linking crash data to drivers' licenses information provided a caution due to crash reporting differences (some states report all crash involvement regardless of fault determination). The additional data incorporating all eight states has increased the crash data compared to the DOT HS 811 092 report. The result is an enhanced linking of the suspended driver's license to the improved data across the eight states. This should provide a better picture of the crash behavior of suspended drivers. The states added to the report are consistent in linking crash, regardless of fault, to the driver's licensure information, however caution is repeated regarding at fault crash behavior since at fault is not determined in many states.
- Using data available from the Federal Highways Administration (FHWA), the data indicate that nationally over 3.1% of licensed drivers are involved in a crash during the time period 2002-2006. Comparing this national percentage of crashes to the suspended drivers for the representative states, the percentage of drivers suspended for highway safety reasons and involved in a crash is approximately 19%. Therefore, the percentage of drivers involved in a crash who are suspended for highway safety reasons is over 6 times the percentage of national drivers involved in a crash for this time period.
- Turning attention to drivers suspended for non-highway safety reasons in the representative states, about 6.9% of these drivers are involved in a crash during the time period. When compared to the national percentage of drivers involved in a crash, the percentage of drivers suspended for non-highway safety reasons that are involved in a crash is about 2.2 times that of the national average.
- Using the initial suspension date to the restoration date, the result shows that drivers suspended for highway safety reasons have longer average suspension lengths in days. This outcome is further evidenced by looking at the percentage differences between the two suspended driver groups where 60% of drivers suspended for highway safety reasons have restoration dates of one year or less while 69% of drivers suspended for non-highway safety reasons have restoration dates of one year or less.
- The suspension category, 30 days or less, has a higher crash percentage for non-highway safety suspended drivers than those suspended for highway safety reasons, which may indicate a short term behavioral response to driving by those suspended for highway safety reasons.

- There are crash trends observed for drivers suspended for highway safety reasons and length of initial suspension in days. The first trend is that the percentage of crashes associated with drivers suspended for highway safety reasons increases as the length of suspension increases for suspension lengths up to a 180 days. This trend ends at suspension length of 181-210 days and then is repeated in the 211 through 300 day suspension length. A suspension in excess of 301 days through four years (1460 days) indicates a constant crash percentage for highway safety related suspensions. Suspension length beyond four years indicates a precipitous increase in the percentage of crashes for this group's drivers.
- Drivers suspended for non-highway safety reasons see a decline in the percentage of crashes for the first 180 days of suspension. This group's trend is a constant percentage of crashes through 300 day suspensions, with an increase occurring from 366 days of suspension through four years, with a precipitous decline in the percentage of crashes for suspensions exceeding four years.
- The overall outcome is that the two groups of suspended drivers differ from the national percentage of licensed drivers who are involved in a crash. The two groups have large differences in their crash percentages indicating that the two groups have differing effects on traffic safety issues. Those suspended for highway safety reasons have a much higher percentage of crashes than drivers suspended for non-highway safety reasons. The two groups differ in length of suspensions and the relationship between length of suspension and crashes. These results support the findings in DOT HS 811 092 that the two groups of suspended drivers appear to behave differently and thus should not be treated as a homogenous group with regard to traffic safety policy. These analyses support a repeated call for suspended/revoked driver policy options that address the differences between the two groups.

## Overview of Prior Research in DOT HS 811 092

In DOT HS 811 092, "Reasons for Drivers License Suspension, Recidivism and Crash Involvement among Suspended/Revoked Drivers", the objectives focused on the number of drivers that are suspended<sup>27</sup> under state laws allowing a driver's license to be suspended for non-driving offenses, determining the number of suspended drivers that are subsequently cited for driving while suspended, determining the extent of crash involvement by those drivers, and exploring the relationship between driving behavior and violations of suspended driver laws. The analysis focused on six states in the contiguous United States providing 78,123 individual driver's records based on each state's motor vehicle coding. The data were then separated into two groups, driver's suspended for driving reasons and driver's suspended for non-driving reasons. The coding of the groups was based on the research team's review of suspension reasons in each of the six jurisdictions and interpretation of the description of the suspensions recorded for each driver.

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<sup>27</sup> Similar to DOT HS 811 092, for convenience suspended is used to indicate both suspended and revoked drivers within the data analysis.

The results indicated that 53,875 drivers, or about 69% of the sample, were suspended for driving reasons while 24,248 drivers, or about 31% of the sample, were suspended for non-driving reasons. In the suspended for driving reasons group, about 42 percent (22,424) of the drivers were subsequently convicted of a driving or non-driving violation while their driving privileges were suspended. This was compared to drivers suspended for non-driving reasons of which about 38 percent (9,288) were subsequently convicted of a driving or non-driving violation while their driving privileges were suspended. The two groups were compared with regard to moving violations in which the results indicated that approximately 30 percent of drivers suspended for driving reasons (15,850 of 53,875) commit a moving violation while under suspension compared to approximately 15 percent of drivers suspended for non-driving reasons (3,613 of 24,248).

Two additional comparisons were assessed in DOT HS 811 092, driving on a suspended license and crashes. The findings show that approximately 3.4 percent of drivers suspended for driving reasons (1,832 of 53,875) are convicted of driving while suspended compared to 2.7 percent of drivers suspended for non-driving reasons (656 of 24,288). Regarding crashes, the results are that less than one percent (0.90%) of drivers suspended for non-driving reasons (218 of 24,248) are involved in a crash while their driver's license is suspended compared to over three percent (3.4%) of drivers suspended for driving reasons (1,835 of 53,875).

Recidivism for the two groups was assessed by observing the number of days until a crash, a moving violation, a non-moving violation, or a driving while suspended offense. The outcome was that differences were found between the two groups except for the number of days until a crash. The results of the analysis indicated that the two groups were different, thus raising the policy question of whether or not the two groups should be treated the same with regard to traffic safety policy.

This section re-evaluates the analyses prepared for DOT HS 811 092 to assess the application of the AAMVA Code Dictionary (ACD) regarding non-commercial vehicles. The application of ACD codes begins by comparing the ACD coding to the description provided in DOT HS 811 092.

This report follows the DOT HS 811 092 report methodology separating suspended/revoked drivers into two categories, highway safety related and non-highway safety related. To define highway safety related and non-highway safety related, this report uses the descriptions found in the AAMVA Code Dictionary (ACD) Manual, Release 3.0.0, June 2008 (Effective November 3, 2008).

## **Comparing DOT HS 811 092 and ACD Application**

Comparing the ACD coding to the description provided in DOT HS 811 092 finds that many of the ACD code definitions are applicable or identical to the wording in the six states descriptions contained in the DOT HS 811 092 data.

The first non-comparison that arises is that crashes, not identified within the Hit & Run Behavior after crashes (HRB) Group of the ACD codes, lack enough information to assess the underlying violation to

allow identification within the ACD codes. The effect is that only 12 percent of vehicle crashes within the database can be coded using the ACD coding. This issue is addressed by considering all crashes highway safety related following the same definition as found in DOT HS 811 092.

The next non-comparison that arises is for failure to appear (FTA) and failure to pay a fine (FTP). In DOT HS 811 092, FTA and FTP were considered driving offenses if the data indicated that the FTA or FTP was related to a traffic violation. This was accomplished by looking at the description of the driver's history. The ACD codes look at the FTA/FTP differently. Since the ACD codes require further detail, this analysis codes the violation preceding the FTA/FTP offense as the violation related to the FTA/FTP, thereby providing an indicator of the FTA/FTP violation.

The next non-comparisons that arise are for ACD code B41, possess or provide counterfeit or altered driver license (includes DL, CDL, ID, and Instruction Permit) and D16, show or use improperly – driver license (includes DL, CDL, and Instruction Permit). In DOT HS 811 092, obtaining driver's license by fraud and improper use of DL or ID card were considered a non-driving offense. The ACD codes allow for a more detailed classification.

## Re-Evaluation of Results

Table A1.1 shows the total number of suspended drivers by year in the sample population and the proportion of total suspended drivers by suspension type for the years 2002-2006. As shown in the table, the total number of suspended drivers decreases over the analysis period from approximately 19,000 in 2002 to approximately 14,000 in 2004-2006. This represents a 26 percent decrease over the time period. A concurrent result of the downward trend in suspensions over the analysis period is the increasing proportion of drivers suspended for non-highway safety reasons in the population of all suspended drivers over the time period. In 2002, drivers suspended for non-highway safety reasons represented 21 percent of all suspended drivers. By 2006, they represented 29 percent of all suspended drivers. This outcome is very similar to outcome for Table 9 in the DOT HS 811 092 report.

Differences are noted between the DOT HS 811 092 report in the number of drivers, an increase from 78,123 as found in DOT HS 811 092 to 78,984 in this report. The difference in the number of drivers found in the DOT HS 811 092 report is due to updates of the dataset by several states since the 2009 report and a proportional change due to the ACD coding of highway safety vs. non-highway safety suspensions. This change in categories is particularly noted in the driver's license, vehicle registration & title, miscellaneous duties (DRM), misrepresentations (MIS), financial responsibility and insurance other than filing (FRI) and failure to appear or pay (FTAP) groups of which several categories in the DOT HS 811 092 report were considered non-driving suspension and are considered highway safety suspensions using the ACD coding.

Table A2.1: Highway Safety vs. Non-Highway Safety Suspensions

Year	Total Suspended Driver Records In Sample	Suspended For Highway Safety Reasons		Suspended For Non-Highway Safety Reasons	
		Number	% of total	Number	% of total
2002	19,104	15,014	79%	4,090	21%
2003	17,669	13,872	79%	3,797	21%
2004	14,262	10,946	77%	3,316	23%
2005	13,764	10,197	74%	3,567	26%
2006	14,095	10,030	71%	4,065	29%
Total	78,894	60,059	76%	18,835	24%

After grouping the events into highway safety and non-highway safety based on the ACD manual, the analyses examined the driving records of suspended drivers over the period of time to document how frequently the four types of events, crash, moving violation, non-highway safety, and driving after withdrawal (DAW), occurred for each suspended driver’s record. The database consists of 60,059 drivers suspended for highway safety reasons of which about 42 percent (25,073) are subsequently convicted of a violation while their driving privileges are suspended. Of the 18,835 drivers suspended for non-highway safety reasons, about 33 percent (6,181) are subsequently convicted of a violation while their driving privileges are suspended. This outcome of the ACD coding is consistent with the DOT HS 811 092 report.

As shown in table A2.2, the total number of events entered on suspended driver records is relatively higher for highway safety related suspensions when compared to non-highway safety suspended drivers. On average, over the five year time period, drivers suspended for highway safety reasons logged 2.9 events, while drivers suspended for non-highway safety reasons logged 2.1 events. This outcome differs from the DOT HS 811 092 report which found that the suspended for driving reasons group was 2.7 and the non-driving reasons group was 2.6. This is due to the changes provided within the ACD coding in which highway safety codes differ from the suspended for driving or non-driving reasons in the DOT HS 811 092 report.

Table A2.2: Average Number of Times Drivers are Observed during Their Period of Suspension

Type of Suspended Driver	Average Times Observed in Database
Suspended for Highway Safety Reason (N=60,059)	2.9
Suspended for Non-Highway Safety Reason (N=18,835)	2.1

Table A2.3 shows the mean and median number of days until an event is recorded in the database. Drivers suspended for highway safety reasons receive a moving violation within 8 months (259 days) compared to over 1 year (381 days) for drivers suspended for non-highway safety reasons. Those suspended for highway safety reasons were involved in a subsequent crash within about 10 months (10.1 months or 312 days) while drivers suspended for non-highway safety reasons were involved in a crash within about 11 months of suspension (11.4 months or 351 days). Drivers who were suspended for highway safety reasons were subsequently convicted of driving while suspended within about 13 months (13.4 or 411 days) compared to about 11 months (11.2 months or 344 days) for drivers suspended non-highway safety reasons. The two groups differ when considering the number of days until the moving violation, non-driving offense, and driving while suspended events. This table is consistent with the results found in the DOT HS 811 092 report.

Table A2.3: Days to Event Occurrence among Suspended Drivers

Type of Event	Drivers Suspended for Highway Safety Reasons			Drivers Suspended for Non-Highway Safety Reasons		
	Mean	Median	95% Confidence Interval	Mean	Median	95% Confidence Interval
Crash	312	213	(298, 326)	351	283	(297, 406)
Moving violation	259	129	(254, 263)	381	248	(367, 395)
Non-driving offense	411	301	(398, 424)	354	270	(342, 366)
DAW	401	303	(388, 414 )	344	240	(314, 373)

Examining violation recidivism among drivers suspended for highway safety reasons versus those suspended for non-highway safety reasons, table A2.4 shows both the number of events and the percentage of events occurring after the initial drivers' suspension during the period of study. As shown in the table, moving violations are committed by 29.3 percent of drivers suspended for highway safety reasons after their initial suspension while 14.5 percent of those suspended for non-highway safety reasons commit a moving violation after their initial suspension. Looking at non-driving offenses, we see that 15.3 percent of drivers suspended for non-highway safety reasons commit a subsequent non-driving offense compared to 5.1 percent of those suspended for highway safety reasons. When considering driving on a suspended license, 4.4 percent of drivers suspended for highway safety reasons are convicted of this offense while 2.3 percent of drivers suspended for non-highway safety reasons are convicted of this offense. This table is consistent with the results found in the DOT HS 811 092 report.



Table A2.4: Drivers Subsequently Convicted of an Event during Their Suspension Period

Type of Event	Drivers DAW for Highway Safety Reasons (N=60,059)		Drivers DAW for Non-Highway Safety Reasons (N=18,835)	
	Number of events	Percentage	Number of events	Percentage
Moving Violation	17,595	29.3	2,735	14.5
Non-Driving Offense	3,067	5.1	2,884	15.3
DAW	2,641	4.4	432	2.3

The final table, table A2.5, examines crash involvement among suspended drivers to determine if patterns of crash involvement differed between drivers suspended for highway safety vs. non-highway safety reasons. Table A2.5 shows that about 13.1% of drivers suspended for highway safety related reasons are involved in a crash while 1.9% of drivers suspended for a non-highway safety reason are involved in a crash. Focusing on only those that have been involved in any of the events after suspension of their driver’s license, the results are that about 9.1% of drivers suspended for a non-highway safety reason are involved in a crash while 33.5% of drivers suspended for highway safety related reasons are involved in a crash. This table differs with the results found in the DOT HS 811 092 report, indicating that the ACD coding provides for a more refined outcome.

Table A2.5: Suspended Drivers Involved in a Crash during Their Suspension Period

Type Of Suspended Driver	Repeat Offenders			All Suspended Drivers		
	N	Number of events	Percentage	N	Number of events	Percentage
Suspended for Highway Safety Reason	17,907	6,006	33.5	60,059	7,842	13.1
Suspended for Non-Highway Safety Reason	3,775	342	9.1	18,835	361	1.9

## Re-Evaluation Conclusion

Results using the recoding of the data from DOT HS 811 092 into ACD codes indicates that prior conclusions from the DOT HS 811 092 are consistent across the ACD coding, however they are not identical. The ACD coding has improved measurement of all traffic safety events since the coding is consistent across all states.

As offered in the DOT HS 811 092 report, the state case study groupings are derived by AAMVA regions. In DOT HS 811 092, only one (1) state was analyzed from Region I, two (2) states were analyzed from Region II, two (2) states were analyzed from Region III, and one (1) state was analyzed from Region IV. The under-representation from both Regions I and IV were noted in DOT HS 811 092. To address this limitation, data were requested from the states of Pennsylvania and Oregon following the identical methodology as presented in DOT HS 811 092. These analyses add to the prior analyses as found in Section 1 of this report while incorporating the additional states of Pennsylvania and Oregon. Adding these two states allows for an assessment of the suspended driver data and provides for full representation of AAMVA's four regions with each region represented by two states. Table 1 identifies each state used in this analysis. Bolded states in table A2.6 indicate those states added in this report to those analyzed in DOT HS 811 092.

Table A2.6: Suspended/Revoked Jurisdictions

Region I	Region II	Region III	Region IV
New Jersey (large)	Florida (large)	Kansas (medium)	Colorado (medium)
<b>Pennsylvania (large)</b>	Tennessee (medium)	South Dakota (small)	<b>Oregon (medium)</b>

### Additional States Results

Table A2.7 shows the total number of suspended drivers by year in the sample population and the proportion of total suspended drivers by suspension type for all eight states for the time period 2002-2006. The states of Pennsylvania and Oregon provided samples of 20,000 suspended drivers, following the methodology presented in DOT HS 811 092. Of the 40,000 sampled, about 36,000 records were usable. The unusable records were distributed equally among the two states and were found to lack the initial identification of why the original suspension occurred or the data were incomplete within the records.

As shown in table A2.7, the total number of suspended drivers decreases over the analysis period from approximately 25,000 in 2002 to approximately 20,000 in 2006. This represents a 21 percent decrease over the time period. A concurrent result of the downward trend in suspensions over the analysis period is the increasing proportion of drivers suspended for non-highway safety reasons in the population of all

suspended drivers. In 2002, drivers suspended for non-highway safety reasons represented 29 percent of all suspended drivers. By 2006, they represented 39 percent of all suspended drivers.

Differences are noted between the DOT HS 811 092 report and this analyses in the proportional change in the two groupings. This is due to the ACD coding of highway safety vs. non-highway safety suspensions.

This change in categories is particularly noted in the driver’s license, vehicle registration & title, miscellaneous duties (DRM), misrepresentations (MIS), financial responsibility and insurance other than filing (FRI) and failure to appear or pay (FTAP) groups of which several categories in the DOT HS 811 092 report were considered non-driving suspensions and are considered highway safety suspensions using the ACD coding. This outcome is similar to table A2.1 in this report.

Table A2.7: Highway Safety vs. Non-Highway Safety Suspensions

Year	Total Suspended Driver Records In Sample	Suspended For Highway Safety Reasons		Suspended For Non-Highway Safety Reasons	
		Number	% of total	Number	% of total
2002	25,249	17,978	71%	7,271	29%
2003	25,015	17,597	70%	7,418	30%
2004	22,780	14,709	65%	8,071	35%
2005	21,543	13,396	62%	8,147	38%
2006	20,039	12,268	61%	7,771	39%
Total	114,626	75,948	66%	38,678	34%

After grouping the events into highway safety and non-highway safety based on the ACD manual, the analyses examined the driving records of suspended drivers over the period of time to document how frequently any of the four types of events, crash, moving violation, non-highway safety, and driving after withdrawal (DAW) occurred for each suspended driver’s record. The database consists of 75,948 drivers suspended for highway safety reasons of which about 47 percent (35,362) are subsequently convicted of a violation while their driving privileges are suspended. Of the 38,678 drivers suspended for non-highway safety reasons, about 43 percent (16,729) are subsequently convicted of a violation while their driving privileges are suspended. This outcome of the ACD coding is consistent with the DOT HS 811 092 report.

As shown in Table A2.8, the total number of events entered on suspended driver records is relatively higher for highway safety related suspensions when compared to non-highway safety suspended drivers. On average over the five year time period, drivers suspended for highway safety reasons logged

3.4 events, while drivers suspended for non-highway safety reasons logged 2.8 events. This outcome differs from the DOT HS 811 092 report which found that the suspended for non-driving reasons group was 2.6 and the driving reasons group was 2.7, while it is a consistent outcome for table A2.2. This is due to the changes provided within the ACD coding in which highway safety codes differ from the suspended for driving or non-driving reasons in the DOT HS 811 092 report.

Table A2.8: Average Number of Times Drivers are Observed during Their Period of Suspension

Type of Suspended Driver	Average Times Observed in Database
Suspended for Highway Safety Reason (N=75,948)	3.4
Suspended for Non-Highway Safety Reason (N=38,678)	2.8

Exploring the number of days until an event occurs, table A2.9 shows the mean and median number of days until an event is recorded in the database. Drivers suspended for highway safety reasons receive a moving violation within 8 months (254 days) compared to over 10 months (301 days) for drivers suspended for non-highway safety reasons. Both groups were in a subsequent crash within about 10 months (10.3 months or 313 days for those suspended for highway safety reasons vs. 10.9 months or 330 days for drivers suspended for non-highway safety reasons). Drivers who were suspended for highway safety reasons were subsequently convicted of driving while suspended within 12.8 months (389 days) compared to 10.9 months (332 days) for drivers suspended for non-highway safety reasons. The two groups differ when considering the number of days until the moving violation, non-driving offense, and driving while suspended events. This table is consistent with the results found in the DOT HS 811 092 and table A2.3.

Table A2.9: Days to Event Occurrence among Suspended Drivers

Type of Event	Drivers Suspended for Highway Safety Reasons			Drivers Suspended for Non-Highway Safety Reasons		
	Mean	Median	95% Confidence Interval	Mean	Median	95% Confidence Interval
Crash	313	211	(302, 325)	330	236	(304, 355)
Moving violation	254	120	(250, 258)	301	173	(293, 310)
Non-driving offense	337	185	(328, 346)	273	178	(267, 279)
DAW	389	297	(375, 404)	332	218	(302, 361)

Examining violation recidivism among drivers suspended for highway safety reasons versus those suspended for non-highway safety reasons, table A2.10 shows both the number of events and the percentage of events occurring after the initial drivers' suspension during the period of study. As shown in the table, moving violations are committed by 33.7 percent of drivers suspended for highway safety reasons after their initial suspension while 16.7 percent of those suspended for non-highway safety reasons commit a moving violation after their initial suspension. Looking at non-driving offenses, we see that 9.2 percent of those suspended for highway safety reasons commit a subsequent non-driving offense compared to 24.2 percent of drivers suspended for non-highway safety reasons. When considering driving on a suspended license, 3.8 percent of drivers suspended for highway safety reasons are convicted of this offense while 2.4 percent of drivers suspended for non-highway safety reasons are convicted of this offense. This table is consistent with the results found in the DOT HS 811 092 and table A2.4.

Table A2.10: Drivers Subsequently Convicted of an Event during Their Suspension Period

Type of Event	Drivers DAW for Highway Safety Reasons (N=75,948)		Drivers DAW for Non-Highway Safety Reasons (N=38,678)	
	Number of events	Percentage	Number of events	Percentage
Moving Violation	25,528	33.7	6,458	16.7
Non-Driving Offense	6,930	9.2	9,342	24.2
DAW	2,904	3.8	929	2.4

The final table, table A2.11, examines crash involvement among suspended drivers to determine if patterns of crash involvement differed between drivers suspended for highway safety vs. non-highway safety reasons. Table A2.11 shows that about 18.9% of drivers suspended for highway safety related reasons are involved in a crash while 6.9% of drivers suspended for a non-highway safety reason are involved in a crash. Focusing on only those that have been involved in any of the events after suspension of their driver's license, that is the driver is driving after withdrawal of their driver's license, the results are that about 44.2% of drivers suspended for highway safety related reasons are involved in a crash while 21.1% of drivers suspended for a non-highway safety reason are involved in a crash. As noted in DOT HS 811 092 the lack of data available from states linking crash data to drivers' licenses information provided a caution due to crash reporting differences (some states report all crash involvement regardless of fault determination). The enhanced data in this analysis section has increased the crash data compared to the DOT HS 811 092 report. Table A2.11 differs with the results found in both the DOT HS 811 092 report and table A2.5 due to enhanced linking of the suspended driver's

license and data base improvements across the eight states. This should provide an improved picture of the crash behavior of suspended drivers. The states added to the report are consistent in linking crash, regardless of fault, to the driver’s licensure information, however caution is repeated regarding at fault crash behavior since at fault is not determined in many states.

Table A2.11: Suspended Drivers Involved in a Crash during the Period of Suspension

Type Of Suspended Driver	Repeat Offenders			All Suspended Drivers		
	N	Number of events	Percentage	N	Number of events	Percentage
Suspended for Highway Safety Reason	26,689	11,786	44.2	75,948	14,318	18.9
Suspended for Non-Highway Safety Reason	11,499	2,427	21.1	38,678	2,669	6.9

### Overview Estimating National Crashes

To explore the relationship between suspended drivers crashes and crashes across the nation, the analysis estimates the percentage of licensed drivers who have crashed during the time period 2002-2006. Using data available from the Federal Highway Administration’s (FHWA) Highway Statistics Table DL1C, table A2.7 offers the total number of crashes nationally as a percentage of the number of licensed drivers nationally. To provide a similar context, data are analyzed for the same time period. Caution must be observed since this aggregate data is estimated not observed; a licensed driver may be involved in more than one crash per year and the number of licensed drivers varies across the year while the count is a point in time during the year. Moreover, the state data incorporated in this report is assumed as representative of the 48 contiguous states, while the national data includes all 50 states.

### Comparing Suspended Driver Crashes to National Crashes

Given the caution presented regarding the estimates of national crashes over the time period, table A2.7 indicates that nationally over 3.1% of licensed drivers are involved in a crash during the time period. Comparing this to the suspended drivers, the percentage of drivers suspended for highway safety reasons involved in a crash is approximately 19%. Therefore, the percentage of drivers involved in a crash who are suspended for highway safety reasons is over 6 times the percentage of national drivers involved in a crash for this time period. Turning attention to drivers suspended for non-highway safety reasons, about 6.9% of these drivers are involved in a crash during the time period. When compared to the national percentage of drivers involved in a crash, the percentage of drivers suspended

for non-highway safety reasons that are involved in a crash is about 2.2 times that of the national average. Thus both groups of suspended drivers appear to negatively affect highway safety, however their impacts differ.

Table A2.7: Estimated National Crashes and Licensed Drivers from 2002-2006

Year	Fatal	Injury	Property Damage Only	Total Crashes	Total Licensed Drivers	Percentage of Licensed Drivers in Crashes
2002	38,491	1,929,000	4,348,000	6,315,491	194,295,633	3.25%
2003	38,477	1,925,000	4,365,000	6,328,477	196,165,666	3.23%
2004	38,444	1,862,000	4,281,000	6,181,444	198,888,912	3.11%
2005	39,252	1,816,000	4,304,000	6,159,252	200,548,922	3.07%
<u>2006</u>	<u>38,588</u>	<u>1,746,000</u>	<u>4,189,000</u>	<u>5,973,588</u>	<u>202,810,438</u>	<u>2.95%</u>
Total	193,252	9,278,000	21,487,000	30,958,252	992,709,571	3.12%

Data Source: Crash data from DOT HS 810 819, January 2008; Driver's License Data from Federal Highway Administration, Highway Statistics, Table DL1C, for each year.

### Additional States Conclusion

In this analysis two states are added to provide for a representative and balanced sample based on AAMVA regions. The outcome of the analyses have resulted in few changes outside the crash data outcomes when compared to DOT HS 811 092 or the ACD coding analyses presented in Analysis 1. Concerning are the changes found in the crash data, which are extremely important in traffic safety. Given the changes and the reporting propensity of the states (some provide no crash data, some provide at-fault crash data, and some provide crash data regardless of fault), similar to that found in DOT HS 811 092, caution in interpreting the crash data is appropriate here. Crash data can be misconstrued due to differentials in reporting across states. Since states define at-fault differently, with some states not determining fault, crash data are suspect. It appears, regardless of reporting style by the states that those suspended for highway safety reasons are involved in crashes at a much higher rate than drivers suspended for non-highway safety reasons. Although this conclusion is consistent across reports, drivers suspended for non-highway safety reasons appear to be involved in crashes at a high percentage when compared to the percentage of licensed drivers involved in crashes across the United States. In this analysis the focus is on the length of individual suspensions not the aggregate time of suspension as offered in DOT HS 811 092, Analysis 1, and Analysis 2 in this report. This analysis uses the initial suspension to explore crashes based on the provided restoration date. All data are for initial suspension with subsequent suspensions for drivers over the 2002-2006 time-period removed. Methodologically, the two groups are not the same as in the prior analyses offered in DOT HS 811 092, Analysis 1, and Analysis 2. This is due to the fact that restoration dates are not provided consistently among states.

Some states offer an exact day of the restoration, some states offer a month only, and some states do not provide the restoration date (the suspended driver exits the data base in that year). In this analysis the focus is on the two groups of drivers in which the exact day of restoration is present in the data bases. Although the percentage of driver's who crash is provided, the focus is to look at the pattern associated with the crash percentages and not the percentage itself. This differs from the previous analyses which focused on the percentage and numerical outcomes specifically.

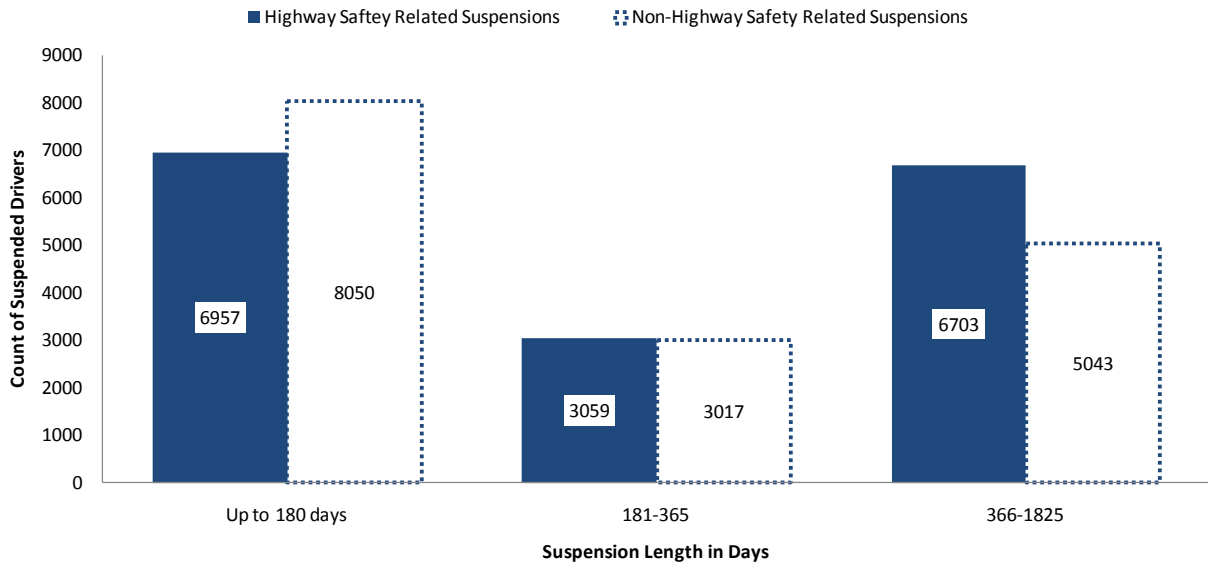
### **Length of Suspension by Suspension Group**

To begin the analysis, this section looks specifically at the initial length of suspension for the two groups, highway safety related suspended drivers and non-highway safety related suspended drivers. Figure A2.1 provides the numerical count of drivers within each of the three lengths of suspension categories, up to 180 days, from 181 to 365 days, and from 366 days to 1825 days. The first observation is that of the two groups, highway safety related suspended drivers (N=16,719) and non-highway safety related suspended drivers (N=16,110) have about the same number of represented drivers. This differs from the previous analyses in which the highway safety suspended drivers were approximately 66% of the total observations. Next observe that although the groups are about equal in size, there are more non-highway safety suspended drivers in the up to 180 day category and less non-highway safety suspended drivers in the 366-1825 day category, indicating that drivers suspended for highway safety reasons have longer suspensions. This outcome is further evidenced by looking at the percentage differences between the two suspended driver groups where 60% of drivers suspended for highway safety reasons have restoration dates of one year or less while 69% of drivers suspended for non-highway safety reasons have restoration dates of one year or less.

To provide insight into the different number of drivers within the suspension length categories, Figure A2.2 and figure A2.3 break down each suspension length category into 30 day periods. The findings indicate that the two suspended driver groups are similar in days to restoration in the up to 30 day category, accounting for about twelve (12) percent of the total drivers in each of the suspension groups. The two suspended driving groups differ in both lengths of suspension categories 61-90 days and 91-120 days which incorporate about 20% of the entire group of suspended drivers for non-highway safety reasons. Figure A2.2 indicates a downward trend in the number of drivers suspended for highway safety reasons as the length of suspension increases to 180 days.



**Figure A2.1: Suspended Drivers with Restoration Dates by Suspension Length in Days**



**Figure A2.2: Suspended Drivers with Restoration Dates within 180 Days**

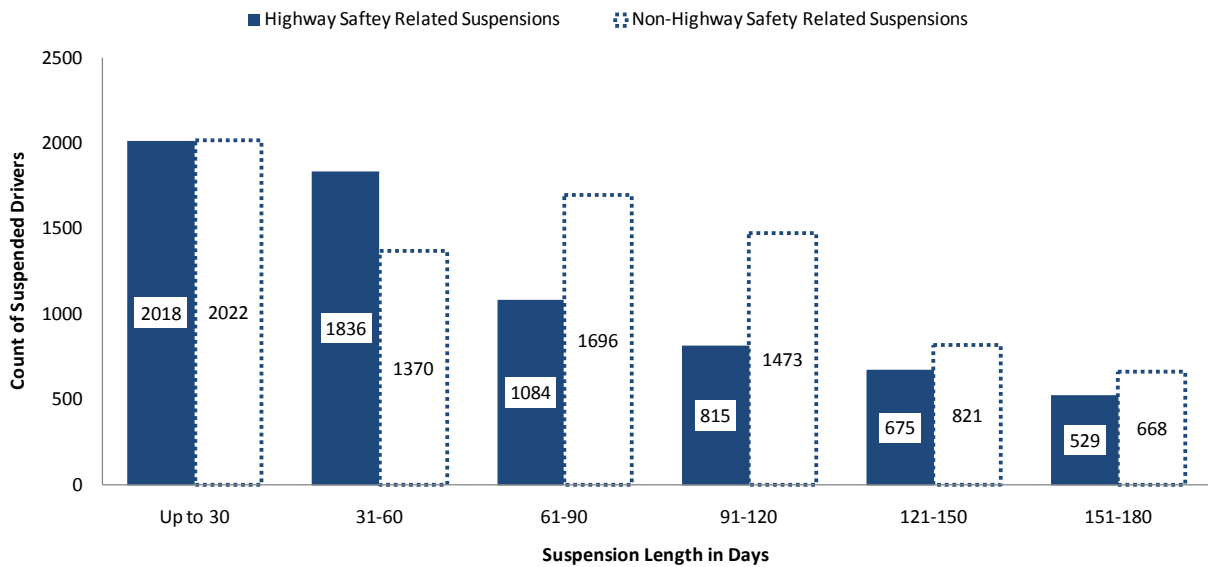


Figure A2.3 shows that for those suspended for a period of 181 days through 1 year (365 days), about one-third (32.4%) are drivers suspended for highway safety reasons in the category of suspension length between 181 day and 210 days. Figure A2.4 shows a similar result to figure A3.2 and figure A2.3 indicating that the beginning of these lengths of suspension categories incorporates the largest number of drivers suspended for highway safety reasons or non-highway safety reasons.

**Figure A2.3: Suspended Drivers with Restoration Dates between 181 Days and One Year**

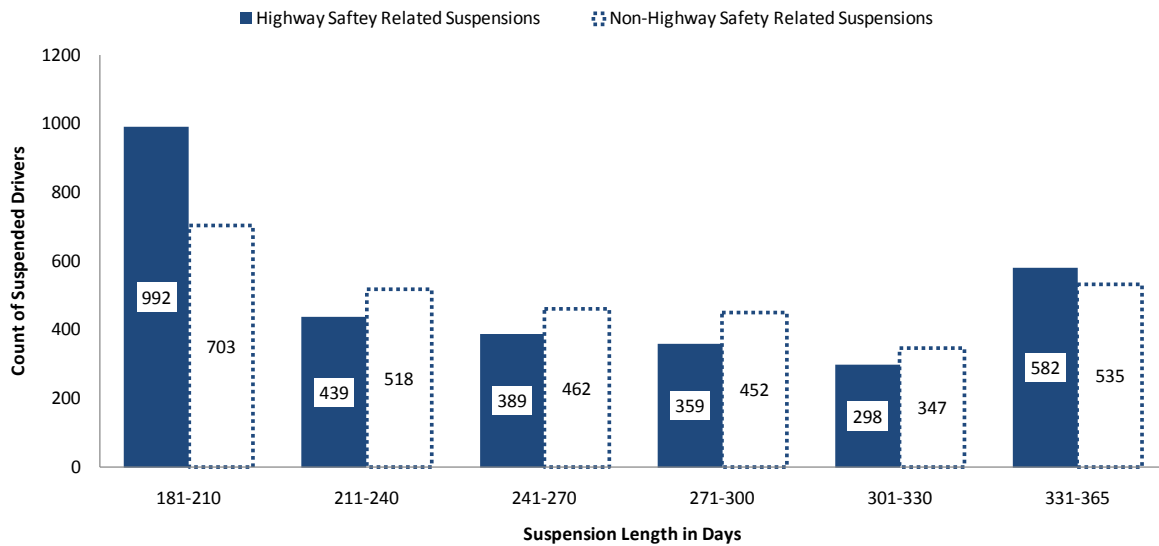
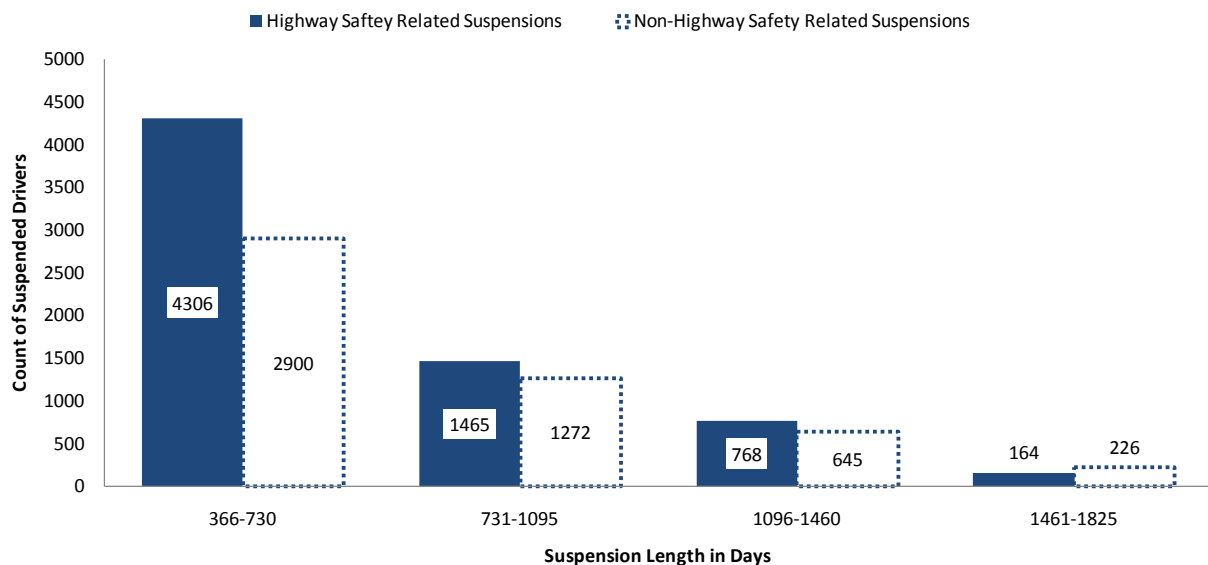


Figure A2.4 changes from a 30 day length of suspension into 360 day categories. Looking at suspensions exceeding one year until restoration, figure A2.4 illustrates that over 57% of the driver suspensions exceeding one year are for the category 366-730 days with a large drop for suspension 366 days through 1460 days. A very small fraction of total suspended drivers, about 0.1%, are suspended for more than 1460 days (4 years).

**Figure A2.4: Suspended Drivers with Restoration Dates between 366 Days and Five Years**



## Length of Suspension and Traffic Crashes

This analysis focuses on the percentage trend in crashes as suspension length changes between the two groups, highway safety suspended drivers and non-highway safety suspended drivers. Figure A2.5 indicates that over suspension lengths of up to 180 days, the percentage of crashes associated with non-highway safety related suspended drivers decrease as suspension length increases. The opposite is observed for drivers suspended for highway safety reasons where increases in the length of suspension in days leads to an increase in the percentage of crashes involving this group of suspended drivers.

**Figure A2.5: Percentage of Suspended Drivers Involved in Crashes with Restoration Dates within 180 Days**

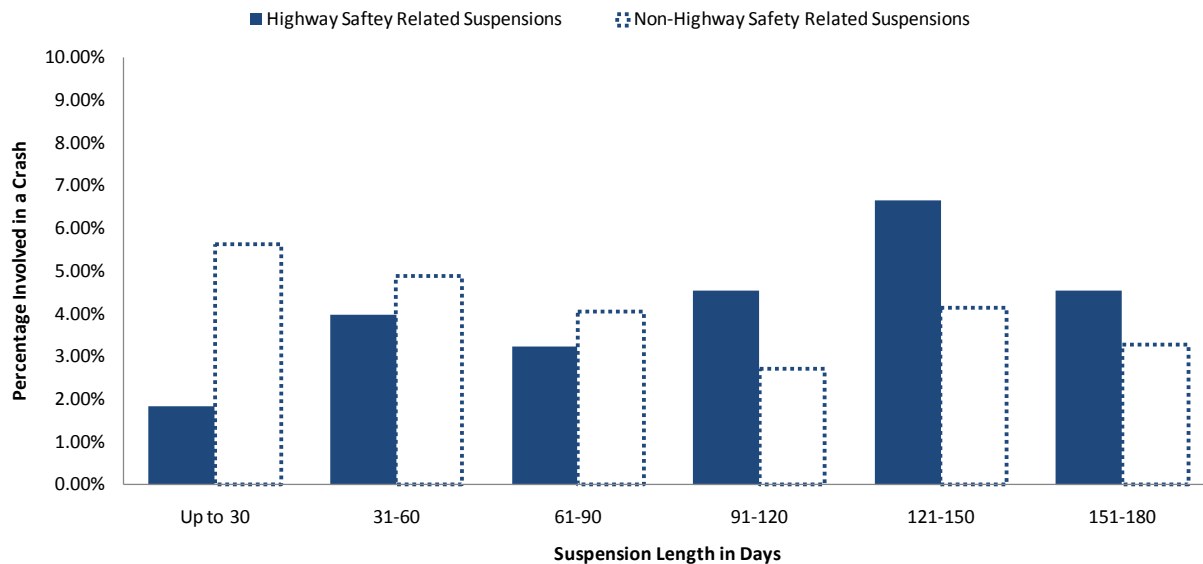
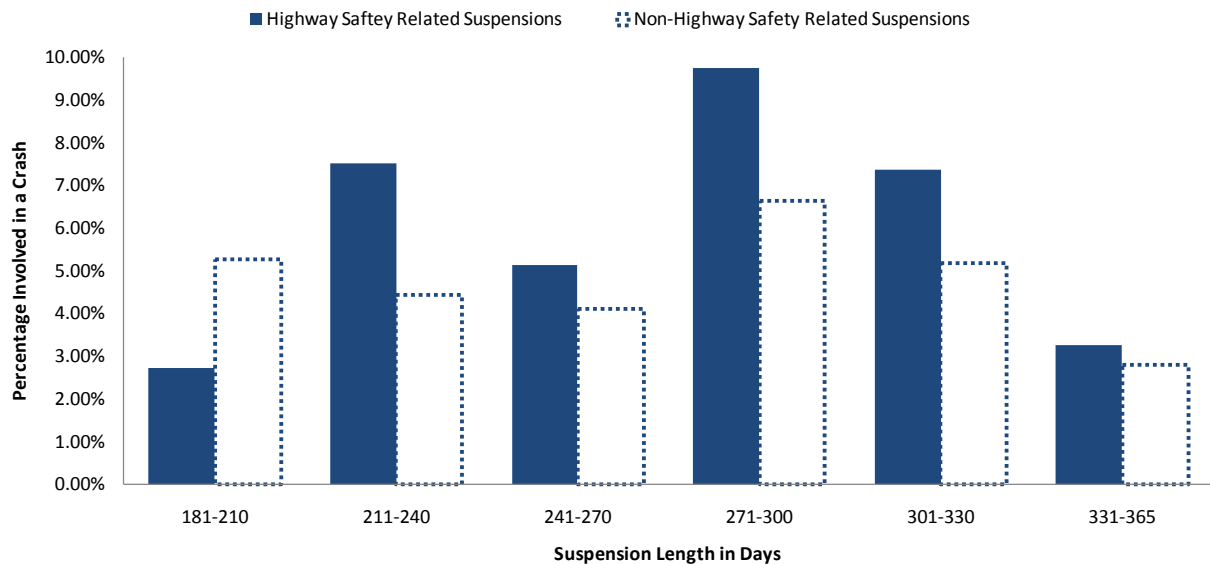


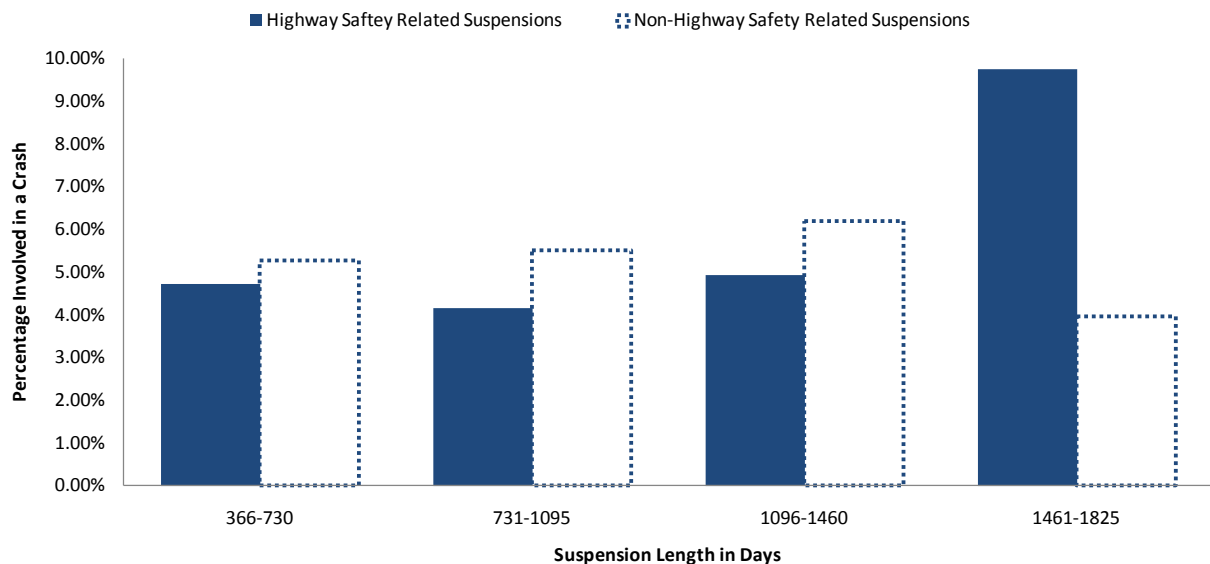
Figure A2.6 offers a different interpretation from the suspended drivers found in figure A2.5. Figure A2.6 indicates that the percentage of crashes by drivers suspended for highway safety reasons continue to increase until 300 days and then fall as a percentage from 331 days through 365 days. The percentage of crashes by drivers suspended for non-highway safety reasons stay relatively flat for suspension lengths of 181 days through 330 days, and then decline rather dramatically in the 331-365 days category. A large increase, or spike, is found in suspension lengths of 271 days through 300 days for both suspended driver groups for the length of suspension period 181 days through 365 days (one year). Looking at the raw number of drivers associated with this suspension length, figure A2.3 indicates that the number of drivers in each group is relatively similar between suspension lengths of 211 days and 330 days, thus the number of drivers does not appear to be motivating the outcome.

**Figure A2.6: Percentage of Suspended Drivers Involved in Crashes with Restoration Dates between 181 Days and One Year**



The final figure, figure A2.7, focuses on suspended drivers with restore dates greater than one year. Note that in both suspension groups there is little variation in the percentage of crashes by suspended drivers until the suspension period exceeds 1460 days (four years) in which a spike indicating a positive increase in the percentage of crashes occurs for drivers suspended for highway safety reason. Simultaneously in the 1461 days through 1825 days (five years) category a precipitous decline in the percentage of crashes associated with drivers suspended for non-highway safety reasons is observed.

**Figure A2.7: Percentage of Suspended Drivers Involved in Crashes with Restoration Dates between 366 Days and Five Years**



## Length of Suspension and Traffic Crashes Conclusion

This analysis has focused on the initial suspension, in days, for the two suspended driver groups, those suspended for highway safety reasons and those suspended for non-highway safety reasons. The data in this analysis is limited in that the two groups are roughly represented by the same number of suspended drivers. The findings lead to the conclusion that the percentages of suspended drivers who crash differ between the two groups based on the length of suspension. There is a trend found that as the length of suspension increases from up to 180 days of suspension, the percentage of crashes associated with drivers suspended for highway safety reasons also increases. This trend is repeated through 300 days of suspension for this group. The percentage of crashes for highway safety suspended drivers' declines until the end of 1460 days (four years) in which a precipitous increase is noted in the percentage in crashes as the suspended period exceeds four years. The opposite outcome is found for drivers suspended for non-highway safety reasons for the first 180 days of suspension and then this group's trend is a constant percentage of crashes through 300 day suspensions, with an increase occurring from 366 days of suspension through four years, with a precipitous decline for suspensions exceeding four years. The final outcome is that support is found for the findings in DOT HS 811 092 and Analyses 1 and 2 in this report that the two groups of suspended drivers appear to behave differently and thus should not be treated as a homogenous group.

This analysis enhances the prior analyses by departing from the sampled data used in DOT HS 811 092, Analysis 1, Analysis 2, and Analysis 3, focusing instead on all data collected for the period 2002-2006. This data is not restricted to the equal sampling process used in DOT HS 811 092 and the subsequent Analyses 1-3. Within this large data set, the number of observations differs by state with some states contributing 20,000 suspended drivers while other states provide more than the 20,000 suspended driver samples. The analysis graphically explores whether or not the relationship presented in Analysis 3 is robust across the entire data set.

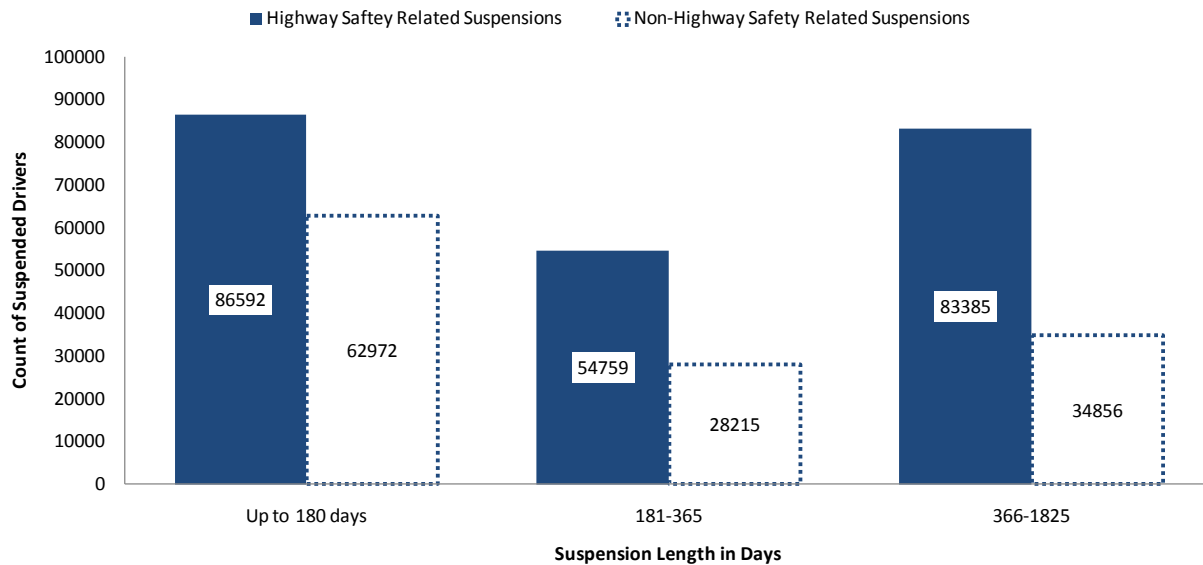
The data set consists of 350,779 initial suspended drivers whose restoration date is complete. This includes restoration month, day, and year. The data is coded identically to that found in Analysis 2 where all suspended drivers are placed into two groups based on ACD coding. The two groups are identified as drivers suspended for highway safety reasons and drivers suspended for non-highway safety reasons. There are 224,736 suspended drivers whose driver's license was suspended for highway safety reasons and 126,043 suspended drivers whose driver's license was suspended for non-highway safety reasons. The result is that 64% of the observed drivers are suspended for highway safety reasons, reflecting a similar composition of the data as found in DOT HS 811 092 and the subsequent Analyses 1 and 2.

## Length of Suspension by Suspension Group

To begin the analysis, the initial length of suspension for the two groups, highway safety related suspended drivers and non-highway safety related suspended drivers, is offered. Figure A4.1 provides the numerical count of drivers within each of the three lengths of suspension categories, up to 180 days, from 181 to 365 days, and from 366 days to 1825 days (over 1 year to 5 years). The first observation is that about 39% of highway safety related suspended drivers are suspended for 180 days or less while about 50% of non-highway safety related suspended drivers are suspended for 180 days or less. This 11% difference is similar to the 9% difference in this category found in figure A2.8. About 37% of

highway safety related suspended drivers are suspended for 366 days or more compared to 28% of non-highway safety related suspended drivers that are suspended for 366 days or more, supporting the prior outcome indicating that those suspended for highway safety reasons have a longer average suspension period. Suspended drivers in both groups have about the same number of represented drivers in the suspension length of 181-365 days. The grouping, by percentage, in the suspension length of 181 days through 365 days is very similar to figure A2.8 in the prior analysis. The shorter suspension length and the longer suspension length follow each groups overall percentage of the total observations.

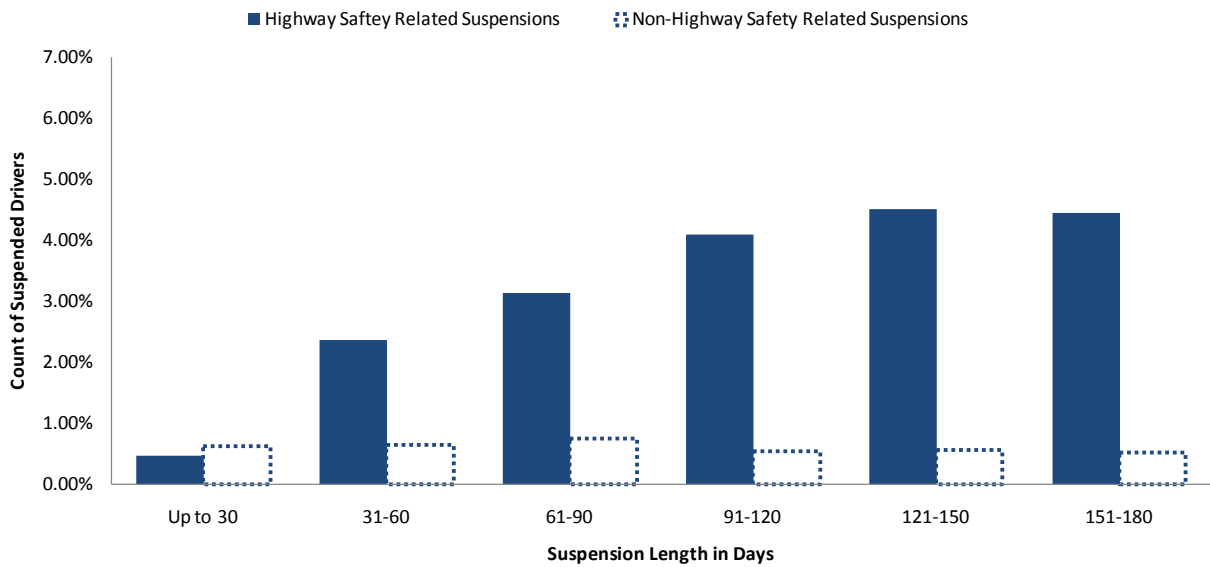
**Figure A2.8: Suspended Drivers with Restoration Dates by Suspension Length in Days**



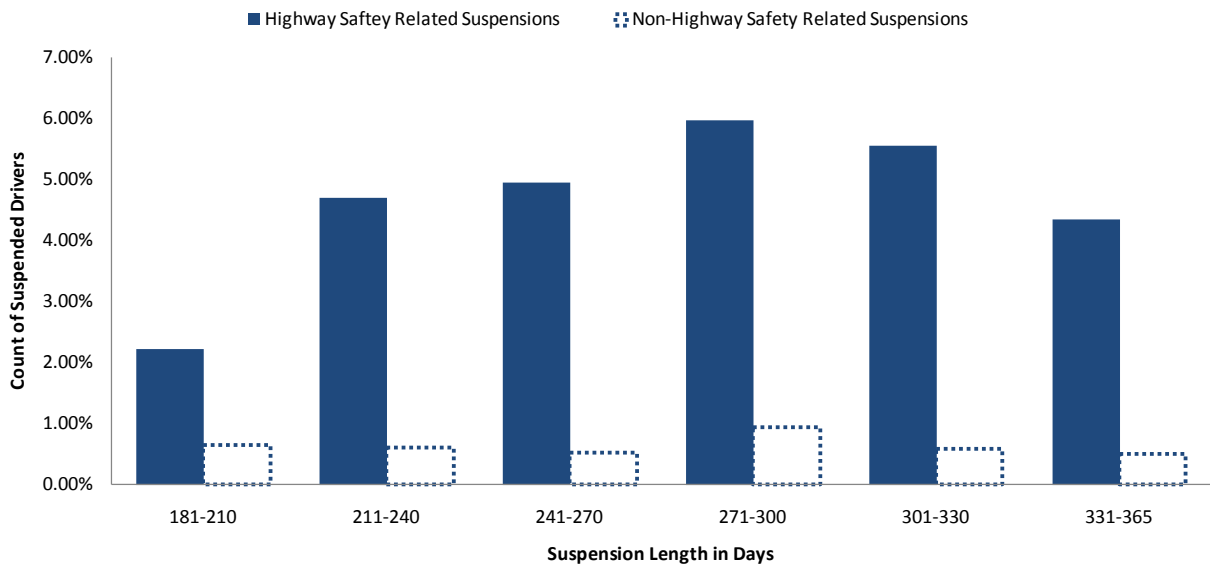
## Length of Suspension and Traffic Crashes

This analysis, similar to the prior analysis, focuses on the percentage trend in crashes as suspension length changes between highway safety and non-highway safety suspended driver groupings. The outcomes, although more pronounced in this analysis, support the outcomes presented in Analysis 3 indicating that Analysis 3 is robust when the data are changed. Figures A2.9, A2.10, and A2.11 follow a similar outcome as that found in figures A2.5 through figure A2.7. Driver suspension lengths affect the two groups differently. For lengths of suspension up to 180 days (6 months) the percentage of crashes associated with drivers suspended for highway safety reasons increase across the 180 day suspension period. The suspension category, 30 days or less, has a higher crash percentage for non-highway safety suspended drivers than those suspended for highway safety reasons, which could indicate a short term behavioral response to driving by those suspended for highway safety reasons. Again a peak is found at suspension lengths of 271 days through 300 days for both suspension groups. A drop for the percentage of crashes for both groups is noted at 331 days through 365 days of suspension length. A crash percentage increase is noted for drivers suspended for highway safety reasons whose suspension length is beyond four years while the opposite, that is a noted decline in the percentage of crashes, is associated with drivers whose driving privilege was suspended for non-highway safety reasons at the same suspension length.

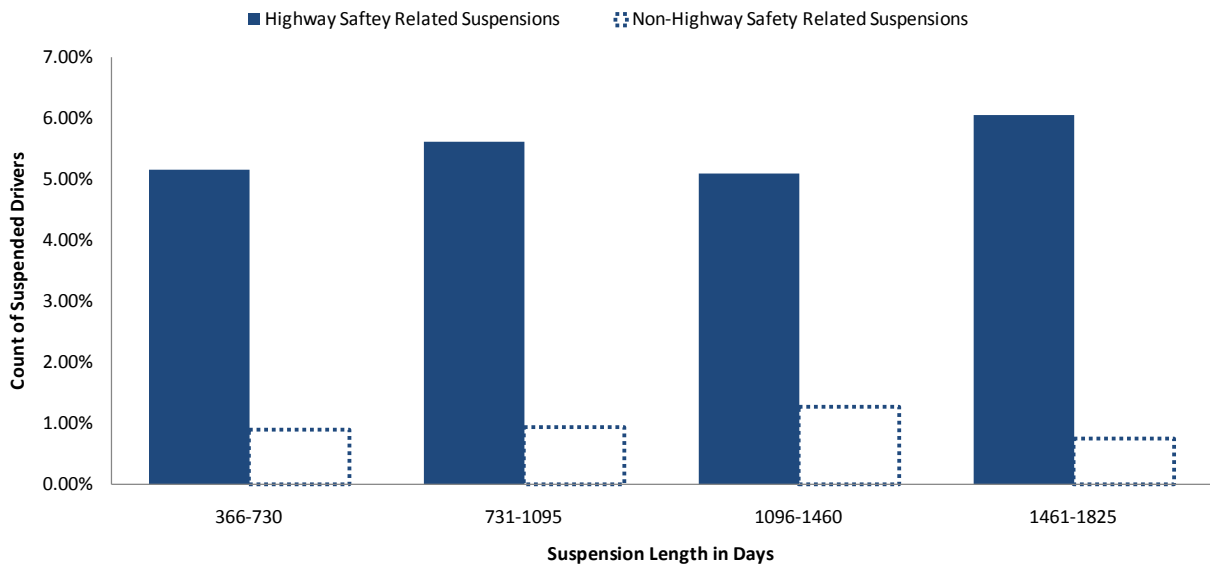
**Figure A2.9: Percentage of Suspended Drivers Involved in Crashes with Restoration Dates within 180 Days**



**Figure A2.10: Percentage of Suspended Drivers Involved in Crashes with Restoration Dates between 181 Days and One Year**



**Figure A2.11: Percentage of Suspended Drivers Involved in Crashes with Restoration Dates between 366 Days and Five Years**



### Enhancement Conclusion

This analysis indicates robust support for the outcomes of Analysis 3. The findings lead to the conclusion that the percentages of suspended drivers who crash differ between the two groups based on the length of suspension. There is a trend found that as the length of suspension increases for the suspension length of up to 180 days, the percentage of crashes associated with drivers suspended for highway safety reasons also increases.

This trend is repeated through 300 days of suspension for this group at which time the percentage of crashes for highway safety suspended drivers' declines until the end of a four year suspension time period. A noted increase in the percentage of crashes for highway safety suspended drivers is observed for the suspension period exceeding four years. The opposite outcome is found for drivers suspended for non-highway safety reasons for the first 180 days of suspension, with an increase occurring from 366 days of suspension through four years, followed by a noted decline in the percentage of crashes for the suspension period exceeding four years. The final outcome is that the robustness enhancement provides support for the findings in DOT HS 811 092 and Analyses 1, 2, and 3 in this report that the two groups of suspended drivers appear to behave differently and thus should not be treated as a homogenous group with regard to traffic safety policy.



## Appendix C – Jurisdiction Survey Results

### Introduction

A survey was conducted on behalf of the Suspended and Revoked Working Group was issued to gather information on violations for which DMVs suspend driver licenses for non-highway safety violations. The compilation of results was completed in December 2011.

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
Arizona	Child Support Arrearage	Pursuant to A.R.S. § 25-516, when a person obligated to pay child support is in arrears for an amount equal to two months child support, a Child Support Arrearage Lien may be filed. A Child Support Arrearage Lien may be filed by the Department of Economic Security (DES) or Child Support Services of Arizona.	Indefinite	
	Failure to appear	When a person fails to pay a civil penalty or fails to appear as directed for a scheduled court appearance, the Division shall promptly suspend the person's driving privilege until the civil penalty is paid or a bond is forfeited.	Indefinite	
	Failure to pay a Civil Penalty	When a person fails to pay a civil penalty or fails to appear as directed for a scheduled court appearance, the Division shall promptly suspend the person's driving privilege until the civil penalty is paid or a bond is forfeited.	Indefinite	
	Buying for resale, selling or dealing spirituous liquor without a license	None		
	Juvenile - Curfew, truancy, damage to property, purchase or possession of tobacco, possession or consumption of spirituous liquor	§ 13-1602(A)(1); § 13-1602(A)(5); or § 13-1604(A) Under 18 and convicted, graffiti/ criminal damage or purchase of graffiti materials	Suspended until the person's 18 <sup>th</sup> birthday	
	Minor - Possession of or carrying a firearm			

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
Arkansas	Insufficient funds (hot check payment for driver license or vehicle tags.)			345
	Fail to attend school			89
	Possession of fraudulent ID or DL			
	Possession of alcohol (minors)			800
	Theft of motor fuel			13
	Parking in handicap space			0
	Child support			6,062
	Possession of illegal or controlled substance (drugs)			4,620
	Weapon in school			0
	Littering out of a motor vehicle			0
	FTA for non-moving violations			29,541
California	Minor in possession of alcohol in vehicle	Minors may not have an alcoholic beverage in their possession while in a vehicle. (CVC §23224)	The court shall suspend the offender for 1 year, or require DMV to delay the issuance of an offender's first license for up to one year, if he/she is not already licensed. The court may impose restrictions in lieu of suspension based on critical need.	1,010
	Vandalism/Graffiti	Courts can suspend the driver license for two years of a person convicted of engaging in vandalism, including graffiti. If a person is convicted and does not have a license, the courts can delay the issuance of a license for up to three years from the date he/she is legally eligible to drive. (convictions of Penal Code §594) (CVC §13202.6)	Suspension for up to 2 years, or if an offender is unlicensed, the court shall order DMV to delay the issuance of a license for 1-3 years after that person becomes legally eligible to drive. Suspension or delay of license may be reduced by community service if specific	1,806

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>California,</b> <i>continued</i>	Vandalism/Graffiti, <i>continued</i>		eligibility criteria are met. Reduction is 1 day for each day of community service performed.	
	Unlawful use of firearms	The court may suspend any minor convicted of possessing a concealable weapon or live ammunition, or impose driver license sanctions for minors convicted of misdemeanors involving firearms. (CVC §13202.4)	5-year suspension, or if an offender is unlicensed, the court may order DMV to delay the issuance of a license for 5 years after that person becomes legally eligible to drive. Suspension or delay of license may be reduced by community service if specific eligibility criteria are met. Reduction is 1 day for each hour of community service performed.	69
	Habitual truancy	The court may sanction an individual (age 13 to 18) convicted of being a habitual truant from school. (CVC §13202.7)	The court may suspend the driving privilege for one year or require DMV to delay the issuance of his/her first license for up to one year, if an individual is not already licensed. Additional offenses can result in additional 1-year suspension or delay of license after eligibility is reached.	2,802
	Prostitution	A court may suspend a person convicted of prostitution under Penal Code §647(a) or (b) if the offense occurs within 1,000 feet of a private residence and involves the use of a vehicle. (CVC §13201.5)	Suspension up to 30 days, or up to 6 months restriction	0
	Auto Theft	Upon recommendation from the court, DMV suspends or revokes an individual who is convicted of auto theft, in violation of CVC 10851 (CVC §§10851, 13357)	6-month suspension or 1-year revocation, per court recommendation	0 169
	Failure to pay child support	DMV imposes suspension based upon notice from the Department of Child Support Services (DCSS) that a person is in arrears in family support payments or has dropped out	Indefinite, until clearance is provided by the County Family Support Agency	0 94,152

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>California,</b> <i>continued</i>		of compliance after initially clearing support stops (California Family Code §17520)		
	Gratuity Suspensions	A tow truck driver convicted of accepting a gratuity in exchange for a delivery or arranging a delivery of a vehicle for storage or repair when the vehicle is not owned by the repair shop or towing service will be suspended. (CVC §§12110(d)(1), (d)(2), and 13351.85	1 <sup>st</sup> conviction=4-month suspension 2 <sup>nd</sup> or subsequent conviction = 1-year suspension	0
<b>Colorado</b>	Cancel for misuse of license	Used when an individual is caught using their DL inappropriately or for fraudulent purposes.	Indefinite	43
	Revoke for minor buy/possess	Used when a minor is convicted of buying or possessing alcohol.	1 <sup>st</sup> offense 90 days, 2 <sup>nd</sup> offense 6 months, 3 <sup>rd</sup> offense 1 year	1,470
	Suspend for child support		indefinite	17,234
	Suspend for fuel piracy	Used when an individual is convicted for not paying for gasoline.	6 months	0
<b>Florida</b>	Failure to pay child support	Person who fail to pay the required payments for support.	indefinite	125,464 Suspensions
	Failure to submit to genetic testing (child support)	Person who fails to show up for court ordered genetic testing for child support cases	indefinite	486 Suspensions
	Truancy, under 18	15 unexcused absences from a public or private school in a period of 90 calendar days	indefinite	6,519 Suspensions
	Failure to pay court financial obligation	Persons who fail to pay court cost associated with Criminal/Felony cases.	indefinite	123,825 Suspensions
	Graffiti/criminal mischief	Persons convicted of willfully or maliciously damaging property belonging to another	Up to One year	1 Suspensions
	Tobacco (under 18) Possession; use; or misrepresent age to purchase	Child that fails to appear in court, fulfill community service, or pay the fine for Tobacco violations	30 – 90 days	791 Suspensions
	Passing worthless checks	Person who fails to appear in court on the charge of "Passing Worthless Bank Checks"	indefinite	3,441 Suspensions

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>Florida, continued</b>	Petit theft of gas	Persons conviction of driving away from a gas pump without paying	6 months - 1 year	13 Suspensions
	Alcohol (under 21)	Persons under 21 years of age convicted of offense related to alcoholic beverages	6 months – 2 years	25 Revocation
	Possession; use; or misrepresent age to purchase			47 Suspensions
	Selling/providing alcohol to minor	Sell and giving alcohol to persons under 21 years of age	6 months – 2 years	2 Revocations
	Theft	Persons convicted of stealing merchandise or property that belongs to another	6 months – 1 year	288 Revocations
	Solicitation	Persons convicted of soliciting a prostitute in a motor vehicle	1 year	21 Revocations
	Possession of drugs (Adults)	Persons convicted of possession of drugs	2 years	23,415 Revocations
	Possession of drugs (Minors)	Persons convicted of possession of drugs	6 months – 2 years	1,017 Suspensions
	Perjury	Persons convicted of providing false information on a driver license or identification application	1 year	19 Revocations
	Contempt of Court (minors)	Minors that fail to comply with the directives of the Juvenile Courts	3 months or more	5 Suspensions
	Juveniles	Persons that have committed a crime and the Juvenile Court Judge has determined to suspend or revoke the driving privileges	Any period ordered by the court	1,304 Suspensions
<b>Georgia</b>	Controlled substance offenses	Suspension imposed on individuals convicted of drug offenses	180 days to 5 years	
	Driving off without paying for gasoline	Suspension imposed on individuals convicted of failing to pay for gasoline	6 months to 1 year	
	Underage purchase of alcohol, attempting to purchase alcohol, or possession of alcohol while operating a	Suspension imposed on teens for illegal alcohol possession	120 days to 1 year	

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>Georgia, continued</b>	motor vehicle			
	School attendance, withdrawal, or conduct violations	Suspension imposed for teens who drop out of school, miss school, or misbehave at school	1 year or until age 18, whichever is shorter	
	Parental requested revocation (under age 18)	Parents can revoke permission given for child to be licensed	At least 90 days	
	Failure to pay child support	Suspension imposed for unpaid child support	Indefinite	
	Commercial vehicle theft or commercial cargo theft	Suspension imposed on individuals convicted of stealing trucks or cargo	120 days to 5 years	
	Fraudulent use of a license or fraudulent application for a license	Suspension imposed on individuals convicted of license fraud	120 days to 5 years	
<b>Hawaii</b>	Nonpayment of certain civil fines	Statutes allow driver license and motor vehicle registration suspensions for uncollected civil fines assessed for zoning code violations.	Until the fine is paid.	Approximately 50 per year of which approximately 35 DL and/or MVR matches are found.
	Failure to pay child support		indefinite	Unknown
<b>Idaho</b>	Failure to attend school	Applies to those under age 18 who drop out of school.	Until 18 or compliance before then.	82
	Family responsibility	Failure to pay child support	Indefinite	2,657
	Infraction non/late payment of court fines		90 days (or less if fine and reinstatement fees are paid)	23,741
	Alcohol/age violation	Underage possession of alcohol	Up to one year (first time) up to two years (second time)	1,929
<b>Illinois</b>	Failure to pay child support		Indefinite – Suspension remains in effect until the person has paid the delinquent support in full or has arranged for payment and the court notifies the Secretary of State	22,683

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
Illinois, <i>continued</i>	Dropping out of school before the age of 18	Legislation to affect this sanction has been passed, but due to federal limitations, has not been implemented. We are in the process of amending Illinois statute to comply with the federal requirements.	Indefinite – Until the student complies with attendance or turns 18, whichever comes first.	N/A
	Improper use of DL/ID card – non-traffic safety related		1 <sup>st</sup> Offense – 12-month suspension; 1 <sup>st</sup> Offense (with open or pending revocation) – revocation; 2 <sup>nd</sup> or subsequent offense – revocation.	806
	Failure to pay fines or penalties for 10 or more parking violations		Suspend until the person pays the fine to the municipality and the municipality notifies the Secretary of State of such payment.	6,525
	Petty theft of gas		1 <sup>st</sup> Conviction – 6-month suspension; 2 <sup>nd</sup> or subsequent conviction – 12-month suspension. A conviction for theft of motor fuel may be considered with prior convictions only if the arrest date falls within seven years after any previous conviction for theft of motor fuel.	8
	Possession of alcohol by a non-driver		1 <sup>st</sup> conviction – 6-month suspension; 1 <sup>st</sup> conviction (with open or pending revocation) – revocation; 2 <sup>nd</sup> conviction – 12-month suspension; 2 <sup>nd</sup> conviction (with open or pending revocation) – revocation; 3 <sup>rd</sup> or subsequent conviction – revocation.	3,820
	Fictitious or Unlawfully Altered Disability License Plate or Parking Decal or Device or Fraudulent Disability License Plate or Parking Decal or Device		1 <sup>st</sup> offense – 12-month suspension; 1 <sup>st</sup> offense (with open or pending revocation) – revocation; 2 <sup>nd</sup> or subsequent offense – revocation.	9

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>Illinois, continued</b>	Failure to pay fines or penalties for five or more toll violations or evasions.		Suspend until the person pays the fine to the municipality and the municipality notifies the Secretary of State of such payment.	0
	Failure to pay fines or penalties for five offenses for automated traffic violations as defined in Sec. 11-208.6		Suspend until the person pays the fine to the municipality and the municipality notifies the Secretary of State of such payment.	1,343
<b>Indiana</b>	Failure to pay child support	If a court finds that a person is delinquent as a result of an intentional violation of an order for support, the court shall issue an order to the bureau of motor vehicles to suspend the driving privileges of the person.	indefinite	8,099
	Fuel theft	Upon receiving an order issued by a court concerning a person convicted of fuel theft, the bureau shall suspend the driving privileges of the person who is the subject of the order.	30 days	19
	Upon notification from a school that a driver < 18 is a habitual truant, is suspended or has been expelled from school	If a person is less than eighteen (18) years of age and is a habitual truant, is under a suspension or an expulsion or has withdrawn from school, the bureau shall, upon notification by the person's principal, invalidate the person's license or permit.	Varies; invalidated until the earliest of the following: (1) The person becomes 18 years of age. (2) One hundred twenty (120) days after the person is suspended, or the end of a semester during which the person returns to school, whichever is longer. (3) The suspension, expulsion, or exclusion is reversed after the person has had a hearing.	2,565
<b>Iowa</b>	Withdrawal of parent's consent	Parent withdraws consent of minor child to have license.	18 <sup>th</sup> birthday	23
	Drug/drug related conviction	Conviction for a drug or drug related offense.	180 days	4056
	Imminent hazard	FMCSA notifies us if driver is an imminent hazard.	Indefinite	0



Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>Iowa, continued</b>	Default in payment for accident	Defaulting of an agreement entered into and accepted by the department concerning security filed for an accident.	One year	85
	Failure to pay Iowa or out of state fine	Clerk of the court reports a customer has failed to pay a fine, penalty, surcharge or court costs.	Indefinite	83682
	Failure to attend school	School authority notifies us that the customer (under 18 years old) does not attend school.	18 <sup>th</sup> birthday	229
	Purchase or attempt to purchase alcohol	Court order advising the juvenile purchased or attempted to purchase alcohol.	Court ordered	0
	Possession of a controlled substance	Court order advising the juvenile had possession of a controlled substance.	Court ordered	0
	Public intoxication or public consumption	Court order advising the juvenile was adjudicated for public intoxication or public consumption.	Court ordered	0
	Possession of alcohol under legal age	Court order advising a 2 <sup>nd</sup> or subsequent possession of alcohol.	Court ordered	66
	Failure to pay child support	Customer has not paid his/her child support.	Indefinite	14944
	Unpaid college loans	Customer has not paid their college student aid loan.	Indefinite	150
	Juvenile weapons or assault at school	Court order advising juvenile had weapons at school or was involved in an assault at school.	Court ordered	0
	Theft of motor fuel	Court order advising a 2 <sup>nd</sup> or subsequent conviction for stealing motor fuel.	Court ordered	0
<b>Maine</b>	Failure to pay child support	Outstanding child support	Indefinite/until compliance recv'd	1452
	Failure to pay tolls	Turnpike toll evasion	Indefinite/until compliance recv'd	364
	Protested check collection	Insufficient funds/closed accounts	Indefinite/until fees paid	98
	Failure to pay/appear contempt (non-traffic related violations)	Failure to satisfy any outstanding court issue which is not traffic related, i.e. dog running at large, drug paraphernalia	Indefinite/until fees paid	6658

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>Maryland</b>	Failure to pay Child Support			
	Outstanding Arrest Warrant			
	Possession of alcohol by a minor			
	Failure to pay for gasoline			
	Dispensing gasoline from a pump directly into a dirt bike in Baltimore City			
	Improper use of a DL/ID card or facsimile of a DL/ID card by a minor to obtain alcohol			
	Worthless Check			
Outstanding US District Court Citation- non- traffic related charge				
<b>Michigan</b>	Open Intoxicants –Passenger		1 <sup>st</sup> -0 2 <sup>nd</sup> – 30 day susp/60 day restricted 3 <sup>rd</sup> – 60 day susp/305 day restricted	2169
	Transport/Possess Alcohol – Passenger		1 <sup>st</sup> -0 2 <sup>nd</sup> – 30 day susp/60 day restricted 3 <sup>rd</sup> – 60 day susp/305 day restricted	123
	Person Under 21 Used Fraudulent Identification to Purchase Liquor		90 day suspension	14
	Purchase/Consume/Possess Liquor		1 <sup>st</sup> -0 2 <sup>nd</sup> – 30 day susp/60 day restricted 3 <sup>rd</sup> – 60 day susp/305 day restricted	17,184
	Unlawful Display of License		1 <sup>st</sup> – 90 day suspended 2 <sup>nd</sup> – 1 year suspended	304

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>Michigan,</b> <i>continued</i>	Gave False Information to Police Officer		1 <sup>st</sup> – 90 day suspended 2 <sup>nd</sup> – 1 year suspended	210
	False Certification Under Vehicle Code (Perjury)		1 <sup>st</sup> – 90 day suspended 2 <sup>nd</sup> & 3 <sup>rd</sup> – 1 year suspended	18
	Alter/Forge Vehicle Document or License Plate		1 year suspended	51
	Fraudulent Change of Address		1 <sup>st</sup> – 180 day suspended 2 <sup>nd</sup> – revocation	2
	Drug Crime		1 <sup>st</sup> – 6 month suspended 2 <sup>nd</sup> – 1 year suspended	26,459
	False School Bomb Threat		<b>If Licensed:</b> 14 yrs. Old through Age 20: Suspend 1 year/730 days restrictions <b>Unlicensed:</b> 14 yrs. Old through Age 20: No Graduated Training or License for 3 years Younger than 14 yrs. Old: No Graduated Training Until 16/No License Until 17 yrs.	15
	Failure to Pay Child Support		Indefinite	3,194
	Non-Sufficient Funds Check Financial		Indefinite until payment made	872
	Theft of Motor Vehicle Fuel		1 <sup>st</sup> – 180 day suspended 2 <sup>nd</sup> – 1 year suspended	73
Failure To Pay/Failure To Appear		Indefinite until payment made.	397,826	

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>Michigan,</b> <i>continued</i>	6 or More Unpaid Parking Tickets		Hold on license renewal activity until paid	27,870
<b>Minnesota</b>	Failure to pay child support	Documents received from DHS indicating that child support is not current.	Indefinite	12,047
	Improper use of a DL/ID card – non-traffic safety related	NA	NA	NA
	Failure to pay parking violations	Documents received from courts for not paying fines	Indefinite	10,217
	Petty theft of gas	Documents received from courts after convicted	30 Days	77
	Possession of alcohol by a non-driver	NA	NA	NA
	Theft of a motor vehicle	Documents received from courts after convicted	1 Year	361
	Juvenile Purchase/Allow Juvenile Purchase of alcohol or tobacco	Documents received from court after convicted	1 <sup>st</sup> 90 days 2 <sup>nd</sup> or more 365 days	0
	Sold/possessed controlled substance	Documents received from court after convicted	30 days	1,762
	Parental Consent Withdrawn	Documents are submitted by consenting parent	Indefinite-until the minor turns 18yrs old/or until the parent asked for them to be reinstated.	48
	Failure to submit out state reinstatement	NA	NA	NA
<b>New Brunswick</b>	Failure to pay child support		Indefinite	183
	Failure to pay court financial obligation – due to non-traffic related violation		Indefinite	15
	Improper use of a DL/ID card – non-traffic safety related (only if suspected fraud)		Not Applicable	No Suspensions Recorded

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>New Brunswick,</b> <i>continued</i>	Failure to pay parking violations		Indefinite	Information on # of suspensions is not available
<b>New Mexico</b>	Open container		None for first offense; Second offense 90 days; Third and subsequent offenses 1 year	171 revocations
	Child support (non-payment)		indefinite	5,741 suspensions
	Truancy	We have no statute requiring license suspension or revocation for truancy.	n/a	n/a
	Minor in possession		We do not currently act on these, although we have the statutory authority.	n/a
<b>New York</b>	Failure to pay child support		Indefinite	50, 304
	Underage person uses fraudulent ID to obtain an alcoholic beverage		6 months	0
	Assaulting a traffic enforcement agent in Buffalo or NYC		30 to 180 days	1
	Sale or possession of drugs		6 months	28,679
	Placing a false bomb or hazardous substance		1 year	0
	Failure to obtain the appropriate "hack" license to operate a for-hire vehicle		Varies—30 to 60 days	0
	Advocating the overthrow of the government		Minimum of 6 months	0
	Abandoned vehicle violations in NYC		6 months	Not available

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>Newfoundland Labrador</b>	Failure to pay court fines (moving or non-moving, includes parking violations)	Administrative Suspension placed on the driver licence	Indefinite. Removed upon payment of fines	117
	Failure to pay child support	By law, under the Highway Traffic Act, Registrar is required by law to suspend driver licence for non-payment of child support at direction of Director of Support Services	Indefinite – Registrar may only remove pending approval of the Director of Support Services	120
<b>North Dakota</b>	Failure to pay child support	Non-compliance with child support payments. Administrative child support enforcement agencies have the same authority as the courts to require suspension of driving privileges.	Indefinite	832
	Theft of gas	Non-payment of motor fuels dispensed at the gas pump	2 <sup>nd</sup> offense 3 months; 3 <sup>rd</sup> offense 6 months	0
	Unlawful use of a drivers license or state issued Identification card	To display, permit to be displayed or have in possession any suspended, fictitious, or fraudulently altered license, permit, or ID card.	1 <sup>st</sup> offense is 60 days; 2 <sup>nd</sup> offense is 90 days.	21
	Court ordered suspensions non-traffic related	Non-payment of child support.	Until a court order reinstates the driving privileges.	3
	Sponsor withdraws consent for a minor driver results in cancellation	The person who signed the application of a minor for a license withdraws consent in writing to the director. The person who signed is then relieved from liability for any negligence of the minor in operating a motor vehicle.	Indefinite if under 18 years of age until a new application with sponsorship has been completed.	7
<b>Ohio</b>	Perjury/False Information violation	Knowingly make a false statement under oath in any official proceeding	Specified by court	181
	Soliciting or Soliciting with Positive HIV violation	No person shall solicit another to engage with such other person in sexual activity for hire... with knowledge that the person has tested positive as a carrier of a virus that causes acquired immunodeficiency syndrome.	3 months to 2 years	Soliciting 795  Soliciting HIV 3

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>Ohio, continued</b>	Gasoline Theft violation	Vehicle leaving the premises of an establishment at which gasoline is offered for retail sale without the offender making full payment for gasoline	6 months to 1 year	47
	Child Support Suspension	Default under a child support order	Until conditions are met	194,150
	Juvenile Suspension	A Juvenile adjudicated an unruly child	A period of time prescribed by the court	656
	Liquor Law Suspension	No person of insufficient age to purchase intoxicating liquor or beer shall display as proof that the person is of sufficient age a driver's license	One year	0
	School Dropout Suspension	Withdrawal from school or habitual absence	Until conditions are met	11,783
	School Weapon Suspension	Conveyance or possession of deadly weapon in school safety zone	1 to 5 years	42
<b>Ontario</b>	Default in family support payments	Driver licence suspensions are issued for individuals who default on family support payments.	Indefinite	
	Use of a motor vehicle for the unauthorized delivery, distribution or transportation of Tobacco or tear tape	The Tobacco Tax Act allows for the suspension of drivers' licenses of persons who use a motor vehicle for unauthorized delivery, distribution or transportation of tobacco or tear tape, and are convicted of the offence.	First conviction is for a maximum of 6 months.  Second or subsequent conviction is for a minimum of 6 months.	
<b>Oregon</b>	Failure to pay child support	Driver is \$2500+ in arrears <i>and</i> not in compliance	Indefinite	<b>9,381</b>
	Improper use of DL/ID card			
	Theft of gas	Convicted of theft of gas	6 months	<b>9</b>
	Youth aged 13-17 involved in controlled substance offense or for bringing / possessing of guns or weapons in schools or other public buildings	13-17 year old convicted or adjudicated of delivery, manufacture or possession of a controlled substance or for bringing/possessing of guns or weapons in schools or other public buildings	Varies from one year suspension up to age 21.	<b>3,830</b>

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>Oregon, continued</b>	Minor misrepresented age in order to purchase or consume alcohol	Under 21 year old convicted or adjudicated of misrepresentation of age in order to purchase or consume alcohol	One year	20
	Possession of tobacco through misrepresentation of age	Two or more convictions for possession of tobacco	Up to one year	11
	Manufacturing, possession or delivery of a controlled substance	Conviction involving a drug offense (does not have to involve motor vehicle)	6 months	7,224
	Failure to pay taxes	Commercial licensee has failed to file or pay state taxes	Indefinite	2
	Littering	Convicted of littering	90 days	0
	Dropping out of school before the age of 18	15-18 year old has 10 consecutive absences or 15 unexcused absences in a single semester	Until 18 years old	17
	Youth aged 13-20 involved in the possession, use or abuse of alcohol	13-20 year old convicted or adjudicated of offense involving the possession, use or abuse of alcohol	Varies (minimum one year)	4,977
	Unlawful production of DL/ID			
	False information to police DL/ID			
	Failure to comply or appear			
<b>Pennsylvania</b>	Failure to pay child support	Any person found in non-compliance with court order on child support obligation	Indefinite	8,711
	Truancy	Any person under the age of 18 convicted or adjudicated delinquent for failing to attend school.	90 days (1 <sup>st</sup> offense) 6 months (2 <sup>nd</sup> or subsequent offense)	5,381
	Consumption, possession, and transportation of alcohol by a minor	Any person under the age of 21 convicted, adjudicated delinquent or placed in consent decree program for under age alcohol offenses.	90 days (1 <sup>st</sup> offense) 1 year(2 <sup>nd</sup> offense) 2 years (3 <sup>rd</sup> or subsequent offense)	16,794
	Improper use of a DL/ID card – Carrying a false DL/ID card	Any person under the age of 21 convicted, adjudicated delinquent or placed in consent decree program for improper use of DL/ID card.	90 days (1 <sup>st</sup> offense) 1 year(2 <sup>nd</sup> offense) 2 years (3 <sup>rd</sup> or subsequent offense)	201



Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>Pennsylvania,</b> <i>continued</i>	Theft of gas	Any person convicted of taking fuel.	30 days for 3 <sup>rd</sup> or subsequent offense by order of court	None
	Possession, sale, manufacturing and delivery of drugs	Any person convicted or adjudicated delinquent of violating the Federal Drug Act.	6 months (1 <sup>st</sup> offense) 1 year (2 <sup>nd</sup> offense) 2 years (3 <sup>rd</sup> or subsequent offense)	19,969
	Terroristic threats on school property	Any person under the age of 22 convicted or adjudicated delinquent of making terroristic threats on school property.	6 months (1 <sup>st</sup> offense) 1 year (2 <sup>nd</sup> offense) 2 years (3 <sup>rd</sup> or subsequent offense)	91
	Lying about age to obtain alcohol	Any person under the age of 21 convicted, adjudicated delinquent or placed in consent decree program for lying about age to obtain alcohol.	90 days (1 <sup>st</sup> offense) 1 year (2 <sup>nd</sup> offense) 2 years (3 <sup>rd</sup> or subsequent offense)	17
<b>Quebec</b>	Unpaid fine (including parking violation).	Not a violation as such but a failure to pay the fine for a violation of the Highway Safety Code or parking regulations.	Suspension valid until fine is paid.	289,919 unpaid fines in 2009 for which a suspension was issued.
	Offence under the Tobacco Tax Act	Penalty for a person caught driving a vehicle used in the transportation of contraband tobacco.	The driver's licence of a person who used a motor vehicle to commit an offence under this Act can be suspended for up to 6 months by the judge. Suspension is longer for repeat offenders.	This penalty was enacted in 2010. No data yet.
<b>Saskatchewan</b>	Failure to pay child support		Indefinite, until money is paid	434
	Failure to pay court financial obligation – due to non-traffic related violation		Indefinite, until money is paid	7942
	Improper use of a DL/ID card – non-traffic safety related	Customers' using someone else's DL/ID to purchase alcohol or altered information on DL/ID to become of age to purchase alcohol.	90 days	67
	WISE Program – caught soliciting a prostitute and did not attend "John School"			9

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>Saskatchewan,</b> <i>continued</i>	Outstanding Claim	Owes money to claims	Indefinite until money is paid	
	Consent and Undertaking	Owes money to claims. The Operator (Driver) has signed consent and undertaking agreement (agreement to make payments) to claims.	Indefinite, until money is paid	945
	Judgment	Court has ordered the customer to make payments for money owing on a claim.	Indefinite, until money is paid	263
<b>South Dakota</b>	Minor alcohol possession (non-driver)	Alcohol possession by anyone under 21 years of age who is not driving a motor vehicle.	1 <sup>st</sup> Offense 30 days, 2 <sup>nd</sup> & subsequent offense 60 days.	5,123 in FY 2010
	Sale of alcohol to a minor	Selling/providing alcohol to anyone under 21 years of age.	Same as above.	229 in FY 2010
	Failure to pay child support	Anyone has had made a re-payment agreement with the Office of Child Support Enforcement and has failed to comply with the agreement.	Indefinite (until Office of Child Support Enforcement releases revocation)	156 in FY 2010
	Improper use of DL/ID card	Falsifying info to obtain a driver license/ID, lending or using another person's license or ID, having a suspended/revoked or altered driver license or ID in possession.	1 <sup>st</sup> offense 60 days, 2 <sup>nd</sup> offense 6 months and subsequent offense 1 yr.	265 in FY 2010
<b>Tennessee</b>	Purchasing or possessing any alcoholic beverage, if under 21 years old		1 <sup>st</sup> offense = 1 year 2 <sup>nd</sup> offense = 2 years or until 21 whichever longer	FY10/11 85
	Failure to comply with child support requirements		Indefinite - until in compliance with court order	FY10/11 8,673
	Driving a motor vehicle away from a gas station without paying for dispensed gas or diesel fuel		6 month suspension if convicted	5
	Possession by a driver of five or more grams of methamphetamine in a vehicle		5 year revocation if convicted	0

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>Tennessee,</b> <i>continued</i>	Using false identification to purchase alcohol		1 <sup>st</sup> offense = 1 year 2 <sup>nd</sup> offense = 2 years or until 21 whichever longer	0
	Possession or carrying weapons on school property (under 18 years of age)		1 <sup>st</sup> offense – 1 year or until 17 2 <sup>nd</sup> offense – 2 years or until 18, whichever longer	79
<b>Texas</b>	Assembling or Operating an Amusement Ride While Intoxicated	If a person is intoxicated while operating or assembling a mobile amusement ride	90 days up to 2 years	0
	Authorization Withdrawn	Upon request of the Cosigner for a Minor' license the authorization is withdrawn and the minor's license is cancelled	Indefinitely or until the Minor receives authorization or becomes a legal adult	123
	Boating While Intoxicated	If a person is intoxicated while operating a watercraft	90 days up to 2 years	31
	Cancelled Verify Issue (PDPS)	If the person has committed an offense in another state that would be grounds for suspension in Texas	Indefinite or until compliance with other state is verified through PDPS	2,218 Notices sent
	Controlled Substance Act	A controlled substance offense committed by persons age 10-16	180 days	0
	Dangerous Drug Act	A person commits an offense if they person possesses a dangerous drug unless the person obtains the drug from a pharmacist	1 <sup>st</sup> offense is a 1 year suspension; subsequent is 18 months	77
	Department of State Health Services Overpayment	When the Department of State Health Services makes an accidental overpayment and is not able to collect	Indefinite or until payment is made in full and the Department is notified by DSHS	45
	Drug Offenses	A drug offense or controlled substance offense	180 days	21,982
	Drug Offenses -Prohibition Orders	For individuals with a drug charge and no Texas DL	Denied issuance of a license for 180 days	1,839
Evade Arrest	A person commits an offense of he intentionally flees from a person he know is a peace officer attempting lawfully to arrest or detain him	1 <sup>st</sup> offense is a 1 year suspension; subsequent is 18 months	125	

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
Texas, <i>continued</i>	Failure to Complete Drug Education Program	If a person is convicted of a drug offense, they are required to complete a 15 hour drug education course	Indefinite or until the course is completed an proof provided	15,485 Notices sent
	Failure to pay Child Support	If a person owes overdue child support, or has entered into a payment schedule for overdue child support and has failed to comply	Indefinite or until Attorney General's office sends notice of compliance	965
	Family Code 54.042 Fine/Contempt of Court Failure to Complete Tobacco Awareness Course Truancy	A license suspension or deny issuance of a license for a Juvenile Suspensions involving: Alcohol and drug offenses; failure to pay; failure to complete required Tobacco course; Graffiti, Trafficking; Truancy	180 days -365 days	17,069
	Flying While Intoxicated	If a person is intoxicated while operating an aircraft	90 days up to 2 years	0
	Failure To Appear/Pay- Adult	If the person failed to appear on a traffic citation	Indefinite until paid and cleared in Omnibase	14,198
	Graffiti	If a person intentionally and knowingly makes markings, including inscriptions, slogans, drawings or paintings on the tangible property of the owner without their knowledge or consent	1 year from date of conviction or denial for 1 year after the date the person applies for a license	5
	Incomplete Driver Education	If the person is between the ages of 16 and 25 and notification is provided to the agency that they have not met their driver education requirements or failed to complete the driver education course	Indefinitely or until the minor completes a driver education course.	445
	Public Intoxication	If the person appears in a public place while intoxicated to the degree that they may endanger themselves or another	90 days up to 2 years	1,194
	Racing	If the person is operating a motor vehicle in connection with a drag race, an exhibition of vehicle speed or acceleration or to make a vehicle speed record	1 year or until court notifies of completion of community service	0
	Sex Offender Revocation-failure to obtain annual photo DL/ID	A person who is a Sex Offender and required to register with local law enforcement and fails to apply for the renewal of their driver license annually	Indefinite until renewal.	Not Available

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
Texas, <i>continued</i>	Subsequent Education Program	If the court requires an education program	365 days or prohibited from obtaining a license for 365 days	1,241
	Temporary Visitor	If the person is a temporary visitor as identified by legal immigration documents and has not met the agencies requirement to provide evidence of documents that extend their legal presence	Indefinite or until documentation is provided to show extension of lawful presence	18,850 Notices sent
	Theft of Fuel	If the person dispensed motor fuel in the fuel tank of a motor vehicle at an establishment for which motor fuel is offered and after dispensing, left the premises without payment	180 days from date of conviction or denial for 180 days after the date the person applies for a license unless previously denied or suspended under this law, then it's a 1 year suspension or denial	8
	Volatile Chemical Act Offense	If the person is under 21 years of age at the time of the offense is involved in the manufacture, delivery, possession, transportation, use of a dangerous drug or an abusable volatile chemical	1 <sup>st</sup> offense is a 1 year suspension; subsequent is 18 months	0
	Zero Tolerance Offenses: <ul style="list-style-type: none"> <li>• Minor in Possession</li> <li>• Attempt to Purchase Alcohol by a Minor</li> <li>• Purchase of Alcohol by a Minor</li> <li>• Consumption of Alcohol by a Minor</li> <li>• Misrepresentation of Age by a Minor</li> <li>• Public Intoxication</li> <li>• Purchase Furnish Alcohol to a Minor</li> </ul>	If the person appears in a public place while intoxicated to the degree that they may endanger themselves or another	30 days – 1 year	17,785

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
Vermont	Burning or causing to be burned solid waste (BRN)	Electronic process	10-days	3
	Failure to pay penalty for furnishing tobacco products to a minor (CHU)	Electronic process	indefinite	8
	Failure to pay fine for minor's in possession of tobacco products-first offense-no license (CIG)	Electronic process	indefinite	62
	Failure to pay fine for minor's in possession of tobacco products-subsequent offense-no license (CI2)	Electronic process	1-year	69
	Diversion/reparative board recall (DRB)	Electronic process	30-days	1
	False public alarm- licensed- first offense (ED1)	Electronic process	180-days	1
	False public alarm- licensed-subsequent offense (ED2)	Electronic process	2-years	0
	False public alarm- underage – first offense (ED3)	Electronic process	180-days	1
	False public alarm- underage-subsequent offense (ED4)	Electronic process	2-years	1
	Improper Person (IP)	Manual process	Indefinite	435
	Delinquent poll tax (PT)	Manual process	Indefinite	0
	Non-payment of purchase and use tax (PU)	Manual process	Indefinite	0
	Suspension for non-payment of child support (SUP)	Electronic process	Indefinite	53

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>Vermont, continued</b>	Failure to pay fine for minor's in possession of tobacco products-first offense-licensed (TOB)	Electronic process	indefinite	13
	Failure to pay fine for minor's in possession of tobacco products-subsequent offense- licensed (T02)	Electronic process	90-days	8
	Withdrawal of parental consent (WPC)	Manual process	Indefinite until applicant is 18 years old	0
	Minor (Over 16 Yrs. Old) Misrepresenting Age To Procure Alcoholic Beverage (16A)	Electronic process	90-days	11
	Minor (Over 16 Yrs. Old) In Possession Of Alcoholic Beverage (16B)	Electronic process	90-days	97
	Minor (Over 16 Yrs. Old) Consumed Alcoholic Beverage (16C)	Electronic process	90-days	710
<b>Virginia</b>	Failure to pay child support	Department of Social Services initiates DL suspension if a driver is 90 days or more or in an amount of \$5,000 or more behind in payments.	**Indefinite - Suspension	9,507
	Possession of Drugs	DL suspended upon conviction or deferral of further proceedings for drug violations	6 month revocation may run consecutively to other orders	29,086
	Failure to pay fines and cost– due to non-driving related violation	Failure to pay fines and cost– due to non-driving related violation	**Indefinite - Suspension	169,906
	Failure to Satisfy Judgments/Judgment defaults	Failure to Satisfy Judgments/Judgment defaults	**Indefinite - Suspension	5,807
	Purchasing, possessing or consuming alcohol by persons under the age of 21	Purchasing, possessing or consuming alcohol by persons under the age of 21	Juvenile Finding - 6 months Conviction - Not less than 6 months and not more than 1 year	999
	Purchasing alcohol for an under aged	Purchasing alcohol for an under aged person	Up to 1 Year	Number of

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
Virginia, <i>continued</i>	person			suspensions issued in 2010 included in "Purchasing, possessing or consuming alcohol by persons under the age of 21"
	Using a false ID card/DL to obtain alcohol		Up to 1 Year	Number of suspensions issued in 2010 included in "Purchasing, possessing or consuming alcohol by persons under the age of 21"
	Juvenile firearm possession	Juvenile firearm possession	Not less than 30 days	Number of suspensions issued in 2010 included in "Purchasing, possessing or consuming alcohol by persons under the age of 21"
	Juvenile bomb threat/felony drug possession	Juvenile bomb threat/felony drug possession	1 year or until the juvenile is 17 years old for 1 <sup>st</sup> offense 1 year or until the juvenile is 18 years old for 2 <sup>nd</sup> offense	Number of suspensions issued in 2010 included in "Purchasing, possessing or consuming alcohol by persons under the age of 21"
	Juvenile truancy	Juvenile truancy	Not less than 30 Days	43
	Fail to appear on warrant	Fail to appear on warrant	**Indefinite – Suspension	2



Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
<b>Washington</b>	Failure to pay child support	Department of Social and Health Services notifies Department of Licensing (DOL) to take action.	Indefinite	12,748
	Improper use of a DL/ID card – non-traffic safety related	Same as fraud	Same as fraud	0
	Theft of gas	Washington State Courts notifies DOL of a conviction.	Up to 6 months, determined by the court.	0
	Minor in Possession of alcohol, drugs or firearms- non-driver	Washington State Courts or diversion agencies notify DOL of a conviction.	Time varies depending on the violator's age. Maximum of 4 years.	5,520
	Unattended child in a running vehicle (2 or more offenses)	Washington State Courts notifies DOL of a conviction.	1 year	0
<b>Wisconsin</b>	Delinquency		Up to 2 years	2
	Truancy		30 days to 1 year	1,308
	Underage Consent Decree		Up to 2 years	None
	Juvenile Controlled Substances		6 months to 5 years	152
	Drug possession (adult)		6 months to 5 years	1,663
	Failure to pay child support		Up to 5 years	3,708
	Failure to pay juvenile	For violations of local ordinance, nonpayment of victim witness fee	2 to 5 years, depending on violation	19,688
	Juvenile Alcohol	Under 17	30 days to 2 years	1,240
	Underage Alcohol	17 – 20 years of age	30 days to 2 years	7,266
	Juvenile ID violations	Under 17	30 to 90 days	3
	Underage ID violations	Age 17 - 20	30 to 90 days	11

Jurisdiction	Non-Highway Safety Violation	Explanation	Length of suspension	# of Suspensions Issued in 2010
Wyoming	Child Support		indefinite	11
	Fuel theft	Driving off without paying for fuel	30 to 90 days	0
	Transporting liquor to a minor		1 year	0

*Information in this table was provided by the responding jurisdiction.*