

## AAMVA Regional News

January 18, 2013

### Tidbits

- James Wolfinbarger will retire as Chief of the Colorado State Patrol, effective January 31, 2013. Wolfinbarger served as Chief of the Colorado State Patrol for nearly four years.
- Did you know AAMVA has a clearinghouse of relevant court decisions on our website? You can find it by clicking here. <http://www.aamva.org/Court-Cases/>.

### Region I News

#### **State Cracks Down on Maine-Registered Trailers Flouting Tolls** *(Delaware)*

Which state is home to the largest portion of out-of-state toll cheats on Delaware's highways? Maine, apparently. But it's not that Mainers are traveling through Delaware en masse and refusing to pay tolls. It's that thousands of Delaware residents are registering their boat and camper trailers — but not their cars and trucks — in Maine, and the toll cameras pick up only the Maine license plates. Of the \$1.5 million in tolls from out-of-staters that went unpaid in Delaware last year, \$300,000 in unpaid levies were traced to Maine plates. That's about 20% of Delaware's unpaid tolls from outside the state. Delaware doesn't have the authority to recoup lost toll revenue from out-of-state drivers, so officials are cracking down on residents who register their trailers in the Pine Tree State in an effort to save a few bucks on trailer registrations and avoid a required inspection. The state is pursuing a public awareness campaign to let Delaware residents know it's illegal to register trailers in Maine. Residents of Delaware — and a number of other states — register their trailers in Maine because it's cheaper and easier, since Maine doesn't require an annual trailer safety inspection. A Delaware resident, for example, can pay \$22 to register a 2,000- to 5,000-pound trailer in Maine or \$40 to register it in Delaware. Maine also allows trailer owners to register online or through the mail. Unlike Delaware, Maine doesn't require that a person registering a trailer in the state be a resident. And Maine doesn't require an inspection when a trailer registration is renewed. Delaware requires an annual inspection as part of the registration renewal process once a trailer has been on the road for five years. Delaware's top concern isn't safety; it's the revenue the state is losing when large trucking companies register their commercial fleets in Maine. The primary advantage is convenience. Maine's long-term fleet registration program allows companies with large vehicle fleets to register their fleets for five to 12 years at a time, saving them the administrative headache of renewing their fleet registrations annually. The state is also pursuing a legislative remedy to recoup unpaid toll revenue from out-of-state drivers: reciprocity agreements with other states that allow Delaware to collect unpaid tolls from their drivers. [\*Read the full story in Bangor Daily News.\*](#)

#### **PennDOT is Preparing for Vehicles that Drive Themselves**

To help PennDOT prepare for the day when autonomous vehicles are the norm, Secretary Barry Schoch recruited Carnegie Mellon University. PennDOT and CMU will look at how to regulate self-driving vehicles and how they might affect policy decisions in a study expected to get under way in about a month and to take a year to complete. Agencies such as PennDOT are asking what the emergence of autonomous vehicles means in terms of their operation and investment decisions. The scope of the PennDOT study is still being finalized, and it is not yet

known how much it will cost. CMU is a leader in autonomous vehicle research. Five years ago, a fully autonomous sport utility vehicle the university developed with General Motors won a 60-mile road race sponsored by the Defense Advanced Research Projects Agency. The SUV, called "Boss," maneuvered around the course at an average speed of 14 mph without any human intervention, en route to a \$2 million prize. Three states — Nevada, Florida and California — have authorized testing of automated cars on their roads, and legislation has been proposed in several other states and the District of Columbia. [Read the full story at PennLive.com.](#)

## Region II News

### **Georgia Department of Driver Services Launches Redesigned Website**

Department of Driver Services is excited to announce the launch of our redesigned agency website at [www.dds.ga.gov](http://www.dds.ga.gov). The website has a new, modern look and is easier for customers to navigate while locating valuable driver's licensing information. In addition, there is more functionality including an interactive map for Customer Service Center locations and the ability to compare each location's wait time history. Website enhancements also include clarifying content and adding consistent navigation at each page header. In addition, the new format is compatible with smartphones and tablets. Popular DDS Online Services continue to remain easily accessible from the homepage such as checking the status of a driver's license and creating a customer account to manage all licensing transactions. [Read the DDS press release.](#)

### **DDS Launches Free Teen Alcohol/Drug Awareness Program for Parents (Georgia)**

The Department of Driver Services (DDS) has launched a web-based parental component to the Alcohol and Drug Awareness Program (ADAP). Jointly administered by DDS and the Department of Education, the ADAP is a course designed to raise awareness among teens of the adverse effects of drugs and alcohol and to educate teens on the consequences of operating a motor vehicle while impaired. Parent ADAP was introduced during the 2012 Session of the Georgia General Assembly. It is completely voluntary and may be accessed online at no charge. As an added bonus once successfully completing the *Parent ADAP* course, parents/guardians are eligible to receive a free, three year non-certified motor vehicle report (MVR) or driver history. The two hour course provides parents and guardians with valuable driver education information, and drug prevention strategies, as well as legal accountability information. You don't have to be a parent to access the free online *Parent ADAP* course! [Read the DDS press release.](#)

### **Kentucky Residents Can Get 'Organ Donor' Designation on Driver's License**

Kentuckians who opt to become organ donors soon can make their wishes known to others by way of a special symbol on their Kentucky driver's license or identification card. Beginning Tuesday, Jan. 22, Kentucky Circuit Court Clerks can add a special logo – a small, blue heart with the words "Organ Donor" – to the front of renewed licenses or identification cards. Those who opt to be organ donors can the blue heart logo printed on the license or card. Answering "yes" also adds the individual's name to the Kentucky Organ Donor Registry. Until now, Kentuckians using a license or ID card to express their wishes for organ donation could do so only by signing – with two witnesses – a statement on the back. That option is still available, but it is not as definitive as joining the registry because a license may not be available at time of death. Two years ago, Kentucky legislators approved the Revised Anatomical Gift Act, which recognized the registry as a legal and binding document, signifying First Person Consent. Those wishing to add the blue organ donor heart symbol to their license prior to their driver's license

renewal time can purchase a duplicate license for \$12. Those waiting to add the heart until their license is renewed will be charged the regular renewal fee of \$20. [Read the Kentucky press release.](#)

#### **AG Backs Licenses for Some Illegal Immigrants** *(North Carolina)*

North Carolina should issue driver's licenses to illegal immigrants who qualify for federal work papers, the state's top law enforcement authority said Thursday. The AG directed the DMV to begin issuing driver's licenses to those granted federal work authorizations under the Obama administration's Deferred Action for Childhood Arrivals program. North Carolina typically grants driver's licenses to non-citizens with valid federal work papers. But before anyone under the new program applied for driver's licenses, then DMV Commissioner Mike Robertson directed his agency in September not to issue any pending direction from the attorney general on whether doing so would violate state law. In a three-page legal opinion issued Thursday, Cooper's office said that issuing licenses to DACA participants is not only legal, but the DMV is required to do so. [Read the full story at SFGate.com.](#)

#### **DMV Outfits Mobile Units with Fingerprint Technology** *(Virginia)*

The technology used by the Virginia DMV to scan and process fingerprints, called Livescan, is now available in *DMV 2 Go* mobile offices. In the past, a driver seeking a hazardous materials endorsement for a commercial driver license needed to travel to one of the 21 DMV customer service centers equipped with Livescan. Now, with the technology on the move, the secure process is easier for commercial drivers to access. Livescan is a Virginia State Police application that allows for the electronic capture and transmission of fingerprint and demographic data for purposes of individual criminal background checks as required by the federal government. It is a valuable tool that allows DMV to ensure the safety and security of HAZMAT transportation in the Commonwealth. *DMV 2 Go* provides full DMV service in rural and urban areas in all corners of the Commonwealth. All five are outfitted with the Livescan technology. The process of obtaining a HAZMAT CDL endorsement works the same at *DMV 2 Go* as in the brick-and-mortar CSC. Customers pay a one-time, non-refundable fee of \$83 at the time of fingerprinting, which is used to conduct the background check. Results take up to 45 days to return. Once the check is completed, DMV will send a letter to successful applicants directing them to visit any CSC or mobile office to be issued new credentials with the HAZMAT endorsement. A \$20 re-issue fee is charged at the time of pick-up. [Read the DMV press release.](#)

#### **Gov. Reveals Proposal to Eliminate Gas Tax, Fund Transportation through Sales Tax** *(Virginia)*

A new proposal by Virginia Governor Bob McDonnell to replace the state's gas tax and fund transportation through a 0.8 percent sales tax increase was unveiled Tuesday. The proposal comes as a possible solution to a problem state transportation departments are experiencing all over the country: a decline in revenue from the gas tax, meaning less money for projects that are costing more. McDonnell states that his plan, which would make Virginia the first state to eliminate the state gas tax, would bring in more than \$3.1 billion in transportation funding for the state during the next five years. Currently, Virginia is facing a shortfall in funds for transportation maintenance and the state will need to transfer about \$364 million from its construction budget to make up the difference in 2013. That number is only expected to go up with each passing year unless a solution is found culminating in 2019, when the state anticipates paying the same amount for construction as it does for maintenance (meaning it will then be primarily be working only to fix major problems, not building the necessary new infrastructure). McDonnell's plan would allow the state to keep up with transportation needs and fund both maintenance and new construction projects. Upon his proposal introduction, McDonnell stressed the importance of transportation funding, and reiterated the problem that would exist if nothing is done. The proposal now heads to the Virginia General

Assembly, where it will be considered. If passed, the measure would become effective July 1. [Read the full story in the AASHTO Journal.](#)

## Region III News

### **Iowa Gets Grant for Distracted Driving Simulators**

Iowa officials are trying to increase awareness about the dangers of distracted driving. The Department of Public Safety says insurance company State Farm is providing the Iowa State Patrol with a \$25,000 grant. The money will be used to buy three distracted driving simulators to teach young drivers about the dangers of the practice. A patrol spokesman says demonstrations and more education will decrease fatalities among young drivers. The simulators will be used on various groups, including schools, civic organizations, churches and businesses. [Read the full story at WCFCourier.com.](#)

### **Veterans Get Designation on Iowa Driver's Licenses**

A new Iowa law will allow veterans to have a designation on their driver's license or identification card. DOT says the law was implemented Tuesday, several months ahead of schedule. The law, signed by Gov. Terry Branstad last year, is a voluntary initiative designed to help veterans get discounts throughout the state without carrying official military documents. Iowa law only allows the designation when a driver's license or identification card is first issued or renewed. [Read the full story at QCTimes.com.](#)

### **New Restrictions Proposed For Teen Drivers in Iowa**

The chairman of a key senate committee says teenagers with a learner's permit need to have a full year of driving with a parent or guardian in the car before they graduate to a license to drive alone. Not only should teens have a full year of adult supervision before they're allowed to get a driver's license, he wants to change Iowa law to restrict who can be a passenger in a teen's vehicle during the first six months they have that "intermediate" driving license. Siblings still would be allowed in the passenger seats, but no more than one teenager who is not a relative. Data shows the more teenager passengers piled into a car, the higher the chance of an accident. Similar legislation passed the Iowa Senate two years ago, but never considered in the Iowa House. Under current Iowa law, teenagers can get a driver's permit at the age of 14. Teens can get an "intermediate" driver's license at age 16, after they've driven at least six months with an adult in the car. [Read the full story at Radiolowa.com.](#)

### **Snyder Calls for \$1.2B in Higher Car Registration Fees, Gas Tax Change to Fix Roads (Michigan)**

Gov. Rick Snyder called for \$1.2 billion in higher gas taxes and vehicle registration fees to help repair the state's crumbling road infrastructure in his third State of the State address Wednesday, setting up what is sure to be a tough fight for both public support and votes in the Legislature. Snyder called for removing the state gas taxes paid at the pump in favor of a percentage wholesale gas tax. But he did not lay out a specific percentage value for the new tax or say how much vehicle registration fees should be raised. He wants the Legislature to work out the details. Snyder's plan calls for a local option under which counties could approve additional vehicle registration increases to fund local road improvements. The \$1.2-billion target equates to about \$120 extra from each vehicle. That can come from higher gas taxes, higher registration fees, or a combination of both. Though the extra road revenue could be a tough fight in both parties, Snyder's speech was generally praised by Republicans and panned by Democrats. State vehicle registration fees are calculated through a somewhat complicated formula based on the manufacturer's suggested retail price, with certain reductions for used vehicles. A new 2013 vehicle with a

suggested retail price of \$25,000 would generate a registration fee of \$123. Hiking the registration fee by about \$60 per car or light truck on average would generate as much as \$600 million a year. [Read the full story in the Detroit Free Press.](#)

#### **U.S. Supreme Court to Rule on Drunken Driving Law (Michigan)**

Michigan law that required police to obtain a warrant before forcing State Rep. Bob Genetski to take a blood test for evidence of drunken driving now might be implemented nationally, pending a U.S. Supreme Court ruling. The Supreme Court held oral arguments last week, but are expected in June to reach a decision on whether or not police should be able to draw blood samples from suspected drunken drivers without a warrant or consent from the driver, which currently is illegal in Michigan. If found unconstitutional, the ruling would overturn Michigan law. Some police worry that waiting for a warrant might give time for a suspect's blood alcohol level to drop below the legal limit. A safe way to calculate how long it takes blood to leave the system is one hour per one drink, according to healthguidance.org. [Read the full story at StateNews.com.](#)

#### **South Dakota House Gives Green Light to DMV Electronic-Titling System**

The House of Representatives voted in support Wednesday of South Dakota moving ahead on an electronic-titling system for motor vehicles. The vote was 69-0. HB 1043 had received the unanimous endorsement of the House Transportation Committee on Tuesday. Speaking in support at the committee hearing were Deb Hillmer, director for the DMV and Lindsey Riter-Rapp, lobbyist for the South Dakota Independent Auto Dealers. DMV is setting the foundation for the electronic system. The first phase would track a vehicle from the manufacturer to the dealer to its first sale. Hillmer said she is working closely with the new-car dealers. "Will it happen in the next year? No," Hillmer told the committee. She said there will be further legislation in 2014 or 2015, depending upon the test project results. Participating in the pilot project are South Dakota, Texas, Virginia, Wisconsin, Arizona, California, Florida, Iowa, Maryland, Vermont, Pennsylvania, South Carolina and Delaware. Hillmer said South Dakota is in good shape regarding technology among the vehicle dealerships. Every dealer who sells at least 15 vehicles annually is already on-line in South Dakota, she said, and an electronic lien system is in place. Riter-Rapp said South Dakota is moving in incremental steps. The legislation now moves to the Senate for consideration. [Read the full story in the Capitol Journal.](#)

#### **DMV Starts Issuing REAL ID Cards (Wisconsin)**

The Wisconsin DMV will start issuing REAL ID cards this week. Officials say that at some point within the next five years, federal agencies will require a REAL ID driver's license or identification card to gain access to federal buildings or fly on a federally regulated commercial aircraft. A valid U.S. passport or another form of federal ID will still be accepted. In 2005, Congress passed the REAL ID Act in response to recommendations from the 911 Commission to provide more security to the nation's driver licensing system. The DMV will give the option to obtain a REAL ID to replace a current license or ID at the same cost. The REAL ID cards will look the same as previously issued licenses or IDs, but they will have added security features. [Read the full story at WBAY.com.](#)

#### **Report to Propose Hike in Wisconsin Gas Tax, Other Fees**

A report to Wisconsin state lawmakers will recommend increasing the gas tax and raising vehicle registration and driver's license fees. The Transportation Finance and Policy Commission report that will be delivered next week will include those and other options for lawmakers to consider as they look to close the state's \$2 billion transportation funding gap. The changes would cost the average driver who travels 12,000 miles-per-year and gets about 20

miles-per-gallon about \$120 more per year. The report from the Commission will recommend a 5-cent increase in the gas tax and tying registration fees to miles traveled. The recommendations would generate about \$479 million a year to pay for road, bridge, airport and other transportation-related projects. Recommendations in the report will include: Adopting a new mileage-based vehicle registration fee of 1.02 cents-per-mile up to 20,000 miles for cars and light trucks. The first 3,000 miles would be free, meaning the fee would top out at \$204, compared to the \$75 flat fee now. Increase annual registration fees for commercial vehicles in proportion to passenger vehicle increases. Increase the state motor fuel tax by 5 cents per gallon, the first increase since 2006. Raise the fee to renew a driver's license by \$20 to \$54. Eliminate the sales tax exemption on the trade-in value of vehicles. [Read the full story at Seattle PI.](#)

## Region IV News

### **State Lawmaker Wants to Amend Driver's License Law (Arizona)**

A Phoenix lawmaker wants to spell out in statute that those in the president's deferred action program are entitled to state driver licenses. Last year Gov. Jan Brewer said the state will not issue driver licenses to illegal immigrants even though it has done so for others with federal work permits. Brewer cited a 1996 law which says only those authorized by the federal government to be in this country can get a license. And she said a decision to not deport them is not authorization. The proposal would amend that law. "My bill just clarifies that these work permits are proof that the driver's license applicant, which is the dreamers, their presence is authorized under federal law," the sponsor said. "So I'm just reminding our governor, reminding our Legislature of that rule." But Brewer said that Miranda's legislation proves HER point: Arizona law as it now exists does not permit those in the deferred action program to be licensed. "If people decide they want to change the law they can move forward and do that," she said. "I'm the governor. I took an oath to uphold the law. The law is that they are not entitled to driver's licenses." Brewer would not say whether she would sign the measure if it reaches her desk. [Read the full story at KNAU TV.](#)

### **Study: Unlicensed, Revoked Licensed Drivers, Pose Safety Threat (California)**

It's official -- drivers either lacking a license or driving with a suspended one are bigger dangers on the road than their licensed counterparts, according to a new DMV report. The report concludes motorists driving without a license, or those driving illegally on a suspended or revoked license are nearly three times more likely to cause a fatal crash. Such drivers should be monitored more closely, the report concludes. The study, Fatal Crash Rates for Suspended/Revoked and Unlicensed Drivers, looks at crash data over 23 years, using statistics from NHTSA. Overall, the numbers indicate fatal car crashes have decreased in number continuously over the last two decades. However, the number of fatalities involving unlicensed drivers or those with suspended licenses tell a different story. According to the report, fatal crashes involving unlicensed drivers (or with suspended or revoked licenses) have increased nearly 50% in California between 1998 and 2009. California's numbers are considerably higher than the national percentage of 27% of drivers involved in fatal crashes without valid licenses over the same time frame. The study's findings indicate a need to better understand drivers who get behind the wheel without a license and to find ways to control them. The study also suggests authorities take greater measures to control these drivers, including vehicle impoundment, in an effort to reduce crashes. Authors also suggest researchers cast a wider net and look at the number of non-fatal and single and multi-vehicle crashes involving drivers without valid licenses to get a better understanding of these motorists. A task force involving a wide range of traffic safety

stakeholders is also studying the issue and trying to find new methods to control these drivers. [Read the full story in the Times-Herald.](#)

### **Lawmaker Proposes Letting California Teens 'Pre-Register' to Vote at Age 15**

California teens could submit paperwork to get on the state's voter rolls three years before they are allowed to cast a ballot under legislation introduced this week. Senate Bill 113 would let Californians "preregister" to vote at age 15, giving the state the nation's youngest minimum age for submitting an affidavit of registration. While the teens would not be able to vote until turning 18, the sponsor hopes the change would increase the number of active voters by linking the "positive experience" of getting a learner's permit at the DMV with registering to vote. Teens could also use the state's new online registration system under the measure. The sponsor touted the proposal as a way to motivate more Californians to vote regularly, saying that giving teens "the opportunity to preregister will be a powerful tool in getting them hooked on democracy." [Read the full story in the Sacramento Bee.](#)

### **ISP Rolls Out New Program to Protect Children On School Buses (Idaho)**

The Idaho State Police are implementing a new program to keep children on school buses safe. The program is called trooper on a bus and its purpose is to catch drivers violating the rules of the road. "You got a trooper that's on the bus and he has a radio and a camera, and when someone runs that stop sign we got other troopers there in their vehicles who are going to stop that vehicle," said Trooper Keith Thompson. Some drivers run the school bus stop signs when they're stopped and kids are loading on or loading off the buses. Twenty-three million children ride school buses every day in America. According to government statistics around twenty children a year are killed in school bus-related accidents. Those caught breaking the law will face a hefty penalty. The citation is a misdemeanor citation, and fines are in excess of \$200. Repeat offenders could eventually lose their driver's license. The ISP will be reaching out to other school districts and law enforcement agencies in the hopes of expanding the program. [Read the full story at KMVT.com.](#)

### **Police Can't Make Random Checks in Private Parking Lots (Saskatchewan)**

The province's highest court has put the brakes on police randomly stopping people in private parking lots. The Saskatchewan Court of Appeal has ruled that the Traffic Safety Act does not authorize police to make such checks. The case involved a woman who was stopped in a parking lot at a hotel in 2009. Two officers on a routine patrol stopped an SUV to check for a driver's licence and vehicle registration. One of the officers took the woman to the police car and asked if she'd been drinking. When she said yes, the officer demanded a breath sample. The court decision says the woman went through the motions, but couldn't produce a suitable sample. She was charged with failing to provide a breath sample and was acquitted. That decision went to a higher court, where she was convicted, and to the Court of Appeal, where she was acquitted. Chief Justice John Klebuc noted there was nothing wrong with the way the vehicle was being driven and police had no reason to stop it in the parking lot. "While I am satisfied that (the officer) did not act in bad faith, he ought to have known he was not entitled to detain the appellant and check for a driver's licence or vehicle registration, neither of which was required to operate a vehicle off highway on a private parking area," wrote Klebuc. "Furthermore, in the absence of anything unusual in the appellant's driving there was no reason for (the officer) not to wait until she drove onto a highway, assuming that proved to be her course of action." Random stops are allowed on Saskatchewan highways. But police may not ask for a driver's licence and registration without reason when a vehicle is operated on private property. "In my view, when the words of the Traffic Safety Act are read in their entire context ... they do not authorize peace officers to

conduct random stops on private parking areas." Klebuc said that's consistent with interpretations by the Supreme Court and the courts of Ontario, Nova Scotia and New Brunswick. [Read the full story in The Star Phoenix.](#)

### **Too Poor to Drive: Suspended Driver's License Case Will Be Argued In Supreme Court** *(Washington)*

Stephen C. Johnson will be arguing his criminal case in Washington State Supreme Court, regarding a 2008 third-degree driving while on a suspended license conviction, on March 19, 2013. Johnson contends that the crime is simply the government's way of punishing those who "drive while poor," as licenses are ceremoniously suspended when drivers are unable to afford repayment of traffic fines. The case initially started when the 64-year-old man was pulled over in 2007 and received an infraction for driving without a valid license. Johnson went to court and contested the ticket. The \$538 fee was reduced to \$260. Johnson, who is disabled and homeless, and hadn't been steadily employed since 1976, said he could not afford to pay it. The Department of Licensing suspended his license, even though he did not technically have one, making it a crime for him to drive. Johnson was forced to walk from the home he stayed in, five miles to the nearest bus stop, in hopes of catching one of the three that circulated daily. The only way he could be mobile was to drive. One year later, Johnson was pulled over by a Lewis County sheriff's deputy and arrested for driving while license suspended, a misdemeanor. He was booked into the Lewis County Jail where he stayed for four days. After a few appellate legal hurdles, Johnson's case will finally be brought before the state Supreme Court. The incentive behind temporarily rescinding a driver's license is to insure the fines are paid. In the state of Washington if a driver receives too many moving violations within a specific period of time their license is suspended or they are subject to one year of probation. If they violate probation, their license can be suspended for a longer period of time. There are additional fees that come as a result of having a license suspended, as in the Washington there is a \$75 reissue fee for the first offense. The cost doubles with each subsequent offense if caught driving on a suspended license. Driving while license suspended is the most-charged crime in the state, and the large majority of those are poor people. He argues that Johnson's suspension, along with thousands of others, is unconstitutional because the state imposed a criminal sanction on an individual for failing to pay a fine without making an inquiry into the financial situation of the individual. [Read the full story at Inquisitr.com.](#)

### **Committee Advances Fuel Tax Increase Proposal** *(Wyoming)*

Proclaiming that Wyoming needs to find a long-term, predictable source of highway funding, a legislative committee Monday advanced a bill that would raise fuel taxes. The House Revenue Committee approved a bill to hike fuel taxes by a dime, from 14 cents to 24 cents a gallon on gasoline. The bill now advances to the House. Gov. Matt Mead is pushing the tax increase, which would raise more than \$70 million a year for state and local road projects. Mead has emphasized that out-of-state motorists would foot much of the bill for maintaining the state's highway system. [Read the full story in the Billings Gazette.](#)

## **Other News of Interest**

### **Painkillers Increase Risk of Car Crashes, Study Finds**

People who take everyday doses of painkillers have a 20 to 40% greater risk of crashing their cars, a Canadian study shows. While that is a significantly lesser risk than driving while impaired by alcohol, patients and prescribers alike should be aware of the potential impact of opioid-based pain medication on their safety, researchers say. "The most important message from this study is for doctors: They have to warn patients about this potential risk when prescribing opioids," Dr. David Juurlink. He said there is no question that painkillers affect

attentiveness and alertness, and pain patients should be aware of this so that they can take precautions, such as minimizing their driving. More than 170 million prescriptions for opioids are written each year in Canada, making Canadians, per capita, among the world's biggest users of narcotic painkillers. According to the research, a driver on a low-dose painkilling regime of 20 milligrams of morphine daily (the equivalent of two tablets of Tylenol-3, which contains codeine, three times a day) sees their risk of being involved in a motor-vehicle crash increase by 21%. A patient with a high-dose regime of more than 100 mg of morphine daily (the equivalent of two 80-mg doses of OxyNeo, which contains oxycodone, each day) sees their risk jump by 42%. By comparison, the risk of a person who has a blood-alcohol level in excess of 80 milligrams of alcohol in 100 millilitres of blood (0.08) soars about 300%. "Alcohol and opioids are not in the same ballpark, but opioids are still a concern," Juurlink said. The paper notes that the increased risk from opioid-based drugs is almost certainly underestimated. There is, however, no easy way of measuring levels of intoxication caused by opioids and other prescription drugs, as there is with alcohol. [Read the full story in the Globe and Mail.](#)

### **Justices Ponder Whether Lawyers Can Use Personal DMV Information to Solicit Clients**

During Jan. 9 oral arguments, the U.S. Supreme Court wrestled with how lawyers may lawfully use personal information gleaned from state driver's license records covered by the Driver's Privacy Protection Act (*Maracich v. Spears*, U.S., No. 12-25, argued 1/9/13). The arguments focused on whether a South Carolina law firm's solicitation of clients could be considered an "investigation in anticipation of litigation" permitted by the federal privacy statute and whether that use required the consent of the individuals contacted by the lawyers. The case turns on the interpretation of two permissible use exceptions to the DPPA's general prohibition against the disclosure of personal information contained in DMV records--the litigation and solicitation exceptions. The justices are considering the U.S. Court of Appeals for the Fourth Circuit's ruling that a group of lawyers permissibly used DMV data under the DPPA's litigation exception ( 675 F.3d 281 (4th Cir. 2012)) (11 PVLR 668, 4/16/12). The defendant lawyers in this case asserted the litigation exception to obtain personal information on 34,000 consumers from the South Carolina DMV. The lawyers used that information to solicit clients for a recently filed lawsuit. Subsequently, some of the consumers filed a federal district court class action complaint, alleging that the lawyers' use of their personal information for solicitation without consent violated the DPPA, 18 U.S.C. §§ 2721-2725. They sought statutory damages of \$2,500 per alleged violation, which, according to the defense, could amount to approximately \$200 million. The district court granted summary judgment to the defendant lawyers, holding that the letters they sent to the plaintiff car buyers using information from the DMV did not qualify as solicitations under the DPPA and did not require the consent of the individuals. Further, even if the lawyers had impermissibly solicited the car buyers, their conduct was permissible subject to the statute's litigation and state action exceptions. The Fourth Circuit disagreed on the solicitation ruling below but still affirmed the grant of summary judgment. It said that the DPPA's solicitation provision does not alter the scope of separate and independent exceptions, such as the litigation exception it found was met in this case. [Read the rest of the story at BNA.com](#)

### **Older Driver Safety Program Gains Momentum in the Medical Community**

Keeping Us Safe, an international organization headquartered in Cleveland, Ohio, has developed a program specifically designed to prevent roadway tragedies involving older drivers with diminished driving skills. The program, titled "Beyond Driving with Dignity", is a self-assessment program designed to help older drivers and their families make appropriate driving decisions in response to age-related diminishing driving skills. The program has already been adopted by several of Cleveland's local hospitals. As well, physicians (primary care, general

practitioners and neurologists) from medical offices in both the Cleveland and Akron areas are now referring clients to Keeping Us Safe's unique and innovative self-assessment program. The program is expected to spread across the nation's medical community over the course of the year. The program's life-saving abilities are already being recognized on a national level. "The 'Beyond Driving with Dignity' program is designed to help older drivers with diminishing driving skills make a smooth transition from the driver's seat to the passenger seat without deterioration to their dignity, personal pride or independence. In addition, the program helps prevent injuries, reduce medical costs and eliminate insurance claims. However the program's primary purpose is to save lives and to provide concerned families with peace of mind. The 3-hour session, individualized sessions include an in-depth interview with the older driver, input from concerned family members, several cognitively-based screening tools, a review of one's medical history and an actual on-road driving exercise. The sessions are conducted by one of Keeping Us Safe's Certified "Beyond Driving with Dignity" Professionals currently deployed through-out the United States and Canada. [Read the full story at OneNewsPage.](#)

### **UCR App Lets Drivers Zero In On License Plates of DUI Suspects**

Wanna get drunk drivers off the road? There's an app for that. Programmers at University of California, Riverside, have designed a simple video recorder application for mobile phones that allows concerned citizens to record and report suspected drunk drivers on Southland freeways. The DuiCam app allows users to capture activity from any dashboard-mounted mobile device and automatically records all traffic movements within camera range. Users can then stop the recording, review the footage and pan or zoom to identify a vehicle's make, model and license plate number. They can also save the screenshot or video and share the file with law enforcement agencies via email or MMS (Multimedia Messaging Service). The app - which is free and available to download for the iPhone and Android - allows users to avoid filling the phone's media storage capacity by capping the time limit of clips to any variable set by the user up to 30 minutes long. The developers are reportedly working to add automatic license plate recognition and other upgrades to the application. [Read the full story at CBS 2.](#)

### **Did you know . . .**

- *At one time the Collie was considered a vicious breed of dog, perhaps because the Scots who kept the dogs were considered a vicious people. It wasn't until Queen Victoria became a fan of the breed in the 19th century that Collies became popular with the public.*
- *A dog's sense of smell is a marvel. They have 125 to 220 million smell-sensitive receptors. (A Bloodhound has 300 million receptors.) Dogs can discriminate odors at concentrations about 100 million times lower than a human can.*
- *Dogs have about 100 different facial expressions. Most of them depend on the movement of their ears.*
- *Chewbacca's creation as a "gentle, hairy, non-English-speaking co-pilot" was inspired by George Lucas seeing his own dog sitting up on the passenger seat of his car. The dog, named Indiana, also inspired the name of the lead character in another one of Lucas' film franchises - Indiana Jones.*
- *The oldest dog on record was an Australian Cattle Dog who lived to be just over 29 years old.*
- *The largest recorded litter for a dog was 24 puppies delivered by caesarean section for a Neopolitan Mastiff in 2005. Twenty of the puppies survived, setting another record for most surviving puppies.*