



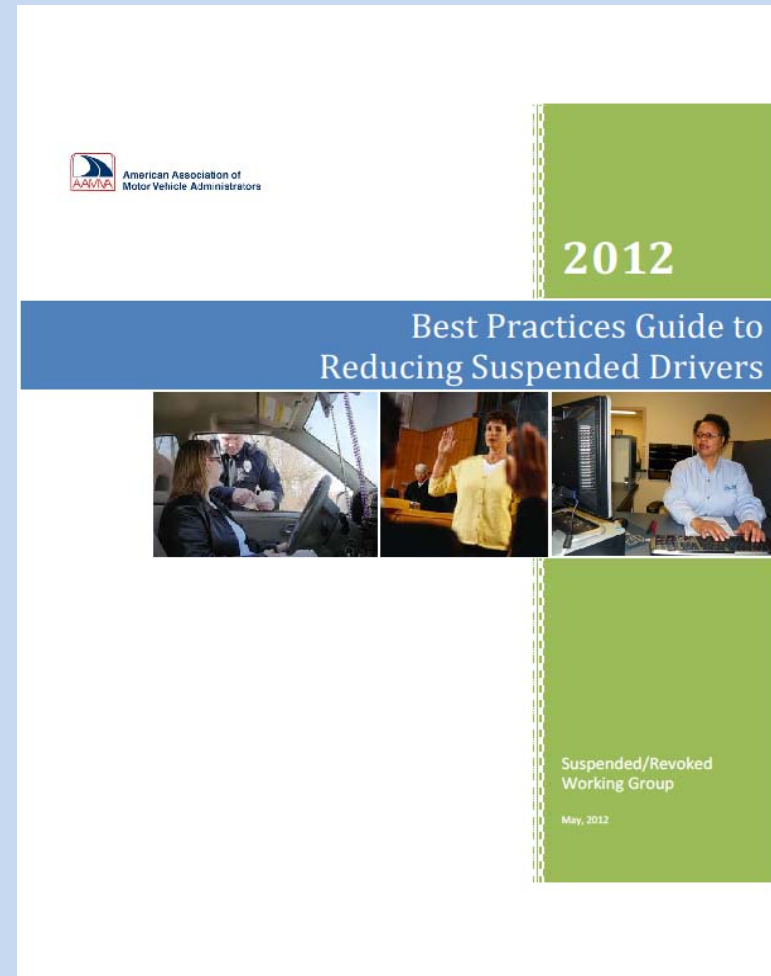
Best Practices to Reducing Suspended and Revoked Drivers

**2013 Region IV Conference
Broomfield, CO**

- Sheila Prior, Regional Director, AAMVA Regions III & IV**
- Brian Ursino, AAMVA Director of Law Enforcement**

Suspended & Revoked Working Group “Best Practices Guide to Reducing Suspended Drivers”

- Funded by NHTSA
- Developed by the Suspended & Revoked Working Group
- Published February 15, 2013 and available at:
<http://www.aamva.org/Best-Practices-and-Model-Legislation/>





Best Practices to Reducing Suspended and Revoked Drivers

Working Group History and Survey Results



Survey #1

- Distributed in July, 2010
- Are you under statutory or regulatory mandate to suspend or revoke the driving privilege of individuals non-traffic violation(s)?
 - 45 yes
 - 3 no
- If yes, please list all non-moving violations for which your jurisdiction takes suspension or revocation action.
 - 1 to 74 reasons provided
- Realized after reviewing results that we should have asked for information on non-highway safety violations vs. non-moving violations



Survey #2

- Reformatted initial survey responses and added additional information request
 - highway safety related offense
 - suspension length
 - # of suspensions imposed / violation
- Charted suspensions by type, compiled
 - 60 categories of non-highway safety related suspensions
 - some common, e.g., 20+ suspend for fuel piracy, 30+ suspend for minor in possession of alcohol
 - some only one in North America, e.g., filling a dirt bike from a gas pump in Baltimore, tow truck driver graft



- The Best Practice Guide recommends that legislatures repeal laws requiring the suspension of driving privileges for non-highway safety related violations
- Adoption of these recommendations would reduce the burden on DMVs, Law Enforcement & Courts
- The Best Practice Guide includes:
 - the research behind the recommendation
 - a model legislation template for jurisdictions to use to craft their own legislation



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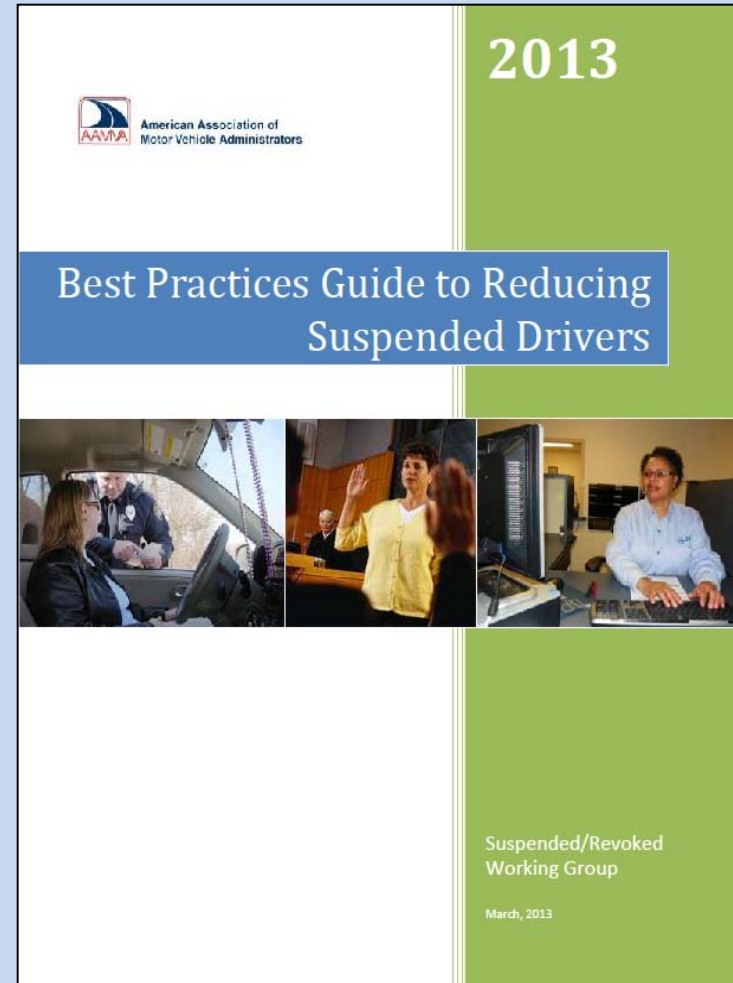
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The Guide contains the following sections:

- Executive Summary
- 1.0 Introduction
- 2.0 Research Overview
- 3.0 Impact to Criminal Justice System
- 4.0 Impact to Motor Vehicle Agencies
- 5.0 Alternatives to Driver License Suspension
- 6.0 Appendices
 - A: Sample Legislation
 - B: Full Research Report
 - C: Jurisdiction Survey Results



1.0 Introduction

When license suspension were first instituted, there were three primary goals for suspending driving privileges

- o to remove dangerous drivers from the road
- o to change driver behavior
- o to punish unsafe drivers

The Problem

Every year, state legislatures pass additional laws requiring suspensions as a mechanism to gain compliance with non-highway safety (or social non-conformance) reasons, i.e., bounced checks, fuel theft, graffiti, truancy, etc. Now nearly 4 of every 10 suspended drivers are suspended for non-driving reasons!

Research revealed that suspensions for non-driving reasons rose from 29% to 39% of total suspensions in just 4 years [2002 – 2006]



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2.0 Research Overview

- Research indicates drivers suspended for driver behavior are involved in crashes 3X more frequently than drivers suspended for non-driving reasons, and 6X more frequently than drivers who have never been suspended
- If policy makers agree there should be a direct nexus between license suspensions and traffic safety, then licenses should be suspended only for driving related reasons
- Moreover, the common belief that a license suspension provides sustainable motivation for individuals to comply with court ordered or legislated mandates to avoid suspension is not supported by empirical evidence



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3.0 Impact to Criminal Justice

To Law Enforcement

- The Washington State Patrol spends approximately 79,000 personnel hours annually in arrest, impound and adjudication of suspended driver cases on drivers suspended for non-driving reasons

To Prosecutors and Courts

- Traffic offenses represent the largest number of charges prosecuted in many state and local courts and dockets are clogged. Adding cases for driving while suspended for a non-driving reason simply adds to that overwhelming burden



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4.0 Impact to Motor Vehicle Agencies

- Each time a law is passed requiring suspension action, DMV business units must develop business rules and processes; IT staff perform a variety of functions to move the new code to production
- Other impacts include those to:
 - training costs for field, call center and central office staff
 - forms revision, increased postage, and other similar costs
- Numerous bodies of research show that driver license suspension is not the universal remedy that legislators and others often believe it to be
- Most importantly, if not for the high percentage of non-driving related suspensions, DMVs could focus on their core business of highway safety



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5.0 Alternatives to Suspension

- There is no silver bullet or panacea to gaining social conformance among the population that run afoul of the many laws of the states, counties and municipalities
- This section does provide examples found throughout the country of programs that may be replicated and may provide an alternative in those cases where legislatures refuse to repeal non-driving suspension laws without having an alternative



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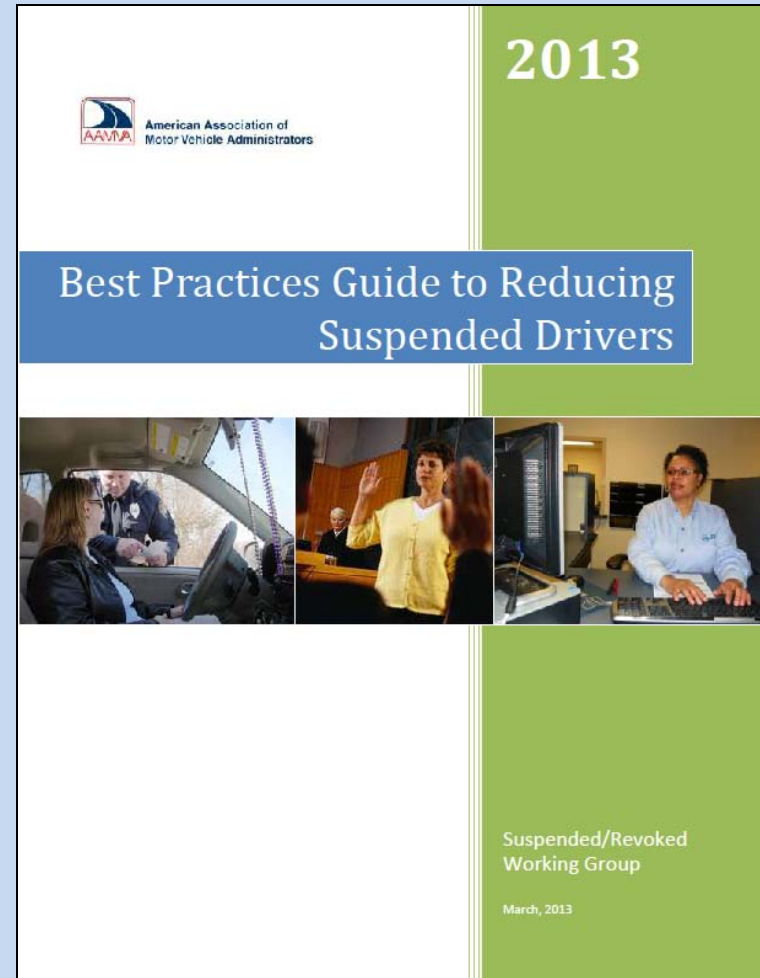
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6.0 Appendices

- A: Sample Legislation ~ Developed by legislative subcommittee of the Working Group that was chaired by a representative from the National District Attorneys Association
- B: Full Research Report based on suspension data provided from eight states (two from each AAMVA Region)
- C: Full Jurisdiction Survey Results outlining various non-driving license suspension reasons



2013
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Broomfield, CO | June 24-27



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The Ohio Alternative

SB 337

Collateral Sanctions

Putting Ohioans back on the Road



The Collateral Sanctions Bill, signed by Governor John Kasich, was implemented on September 28, 2012. The focus of this bill was to reduce non-driving suspensions, streamline the reinstatement process and to assist non-dangerous drivers regain their driving privileges.



1st Non-compliance suspension

(Failure to show proof of insurance)

Before SB 337

Mandatory 90 day suspension

1. 90 Day suspension imposed
2. \$150 reinstatement fee required
3. SR 22 filing required
4. Petition the court for limited driving privileges
5. Pay court fees to obtain limited driving privileges
6. File the driving privileges with the BMV

After SB 337

Indefinite suspension to compliance

1. Pay \$150.00 reinstatement fee
2. Submit SR 22 filing
3. Become "Valid" immediately. No mandatory suspension imposed

3,152 customers with a 1st non-compliance suspension became "valid" immediately upon complying with their reinstatement requirements.



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3rd Non-compliance suspension (failure to show proof of insurance – 3rd time within 5 years)

Before SB 337 –

- Customers received a two year suspension with no possibility of receiving limited driving privileges.

After SB 337 –

- Customers may now apply for limited driving privileges after the first 30 days of their suspension, allowing them to legally drive and go to work.

849 customers now have limited privileges on a 3rd non compliance suspension.



Child support suspensions

Before SB 337

- Customers could not apply for limited driving privileges, preventing them from legally being able to drive to work and pay their child support.

After SB 337

- Customers may now apply for limited driving privileges.
- **25** customers now have limited driving privileges on child support suspensions



Positive impact of SB 337

- Numerous Ohio Courts have indicated their court dockets have significantly decreased as a result of the bill.
- Customers are quoted as saying “I am able to keep my job” because of the immediate reinstatement for a 1st non-compliance suspension.
- We’ve even had numerous customers start crying when told they were valid and don’t have to serve a suspension.
- Customers don’t have to pay court fees or appear in court for driving privileges.
- CDL drivers do not lose their driving privileges for a 1st non-compliance suspension and can continue to work.

QUESTIONS?

The Best Practices Guide to Reducing Suspended Drivers is on the AAMVA Website:
<http://www.aamva.org/Best-Practices-and-Model-Legislation/>

AAMVA Staff Liaisons to the Suspended & Revoked Working Group:

- Sheila Prior, Regional Director, Regions III & IV
- Brian Ursino, Director of Law Enforcement

The image shows the cover of a report titled "2013 Best Practices Guide to Reducing Suspended Drivers". The cover features the AAMVA logo (American Association of Motor Vehicle Administrators) in the top left. The title is prominently displayed in a blue banner. Below the title is a collage of three photographs: a police officer interacting with a driver in a vehicle, a woman in a yellow shirt speaking at a podium, and a woman working at a computer. The bottom right of the cover includes the text "Suspended/Revoked Working Group" and "March, 2013".

