The Foreign National Driver Resource Card & Suspended and Revoked Drivers

AAMVA Annual International Conference
Charlotte, NC
August 22, 2012

Brian Ursino, AAMVA Director of Law Enforcement
• Funded by NHTSA
• Completed September 2011
• Developed by the FNDC Working Group

• Deliverable #1: A Resource Card for law enforcement officers to use at roadside to assist them in identifying foreign national drivers and whether they have valid driving privileges; and
• Deliverable #2: A training PowerPoint (with audio) explaining how to use the Resource Card.

• Resource Card and accompanying Powerpoint training available on AAMVA Website.

• COPIES AVAILABLE HERE AT CONCLUSION OF THE SESSION!
Suspended/Revoked Best Practice Guide

- Funded by NHTSA
- Submitted to NHTSA on May 25, 2012; Currently undergoing NHTSA review & approval process
- Developed by the Suspended/Revoked Working Group
  - Deliverable #1: A publication titled “Best Practices Guide to Reducing Suspended Drivers”; and
  - Deliverable #2: Model Legislation (template)
- Will be published and marketed upon NHTSA approval.
History of Working Group and Survey Results

Sheila Prior
Region III & IV Director, Member Support
AAMVA
In the Beginning . . .

- Working group formed in 2009 under a grant from NHTSA
- Law enforcement community concerns
  - growing number of non-highway safety violations
  - arrest / ticketing requirements detract from highway safety
- Premise was to eliminate non-highway safety suspensions
- Efforts
  - engage professional research team
  - solicit experiences from members
  - biggest challenge was finding proven alternatives
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
Best Practices Guide to Reducing Suspended Drivers

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Rob Mikell, Deputy Commissioner
Georgia Department of Driver Services
Chair, Suspended/Revoked Working Group
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
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
When license suspension were first instituted, there were three primary goals for suspending driving privileges:

- to remove dangerous drivers from the road
- to change driver behavior
- 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]
The Research

• 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.
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.
To MVAs

• 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:
  o training costs for field, call center and central office staff
  o 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
• 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.
The Appendices include:

- **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
This Guide will be published as soon as NHTSA completes its review and approval process.

Thank You!

Rob Mikell, Chair, Suspended & Revoked Working Group

AAMVA Staff Liaisons to the Suspended & Revoked Working Group:

• Sheila Prior, Regional Director
• Brian Ursino, Director of Law Enforcement