

**RECOMMENDATIONS FOR GUIDELINE AREA 4A  
PREVENTION (DRIVERS LICENSING)  
(\*\* Priority Recommendations)**

**1. GRADUATED/RESTRICTED/PROVISIONAL DRIVER LICENSING**

- \*\* Extend the junior license concept to age 21. WV93
- \*\* Create a graduated licensing program that extends to 21. NC95
- \*\* Enact legislation to restrict the driving hours for novice drivers to reduce their involvement in alcohol/drug crashes (nighttime curfews). GA
- \*\* Expand the current minor driver's license to include additional graduated licensing elements, especially those related to alcohol-related driving violations by people under 21. ND
- \*\* Establish a graduated licensing program to extend to 21. IL
- \*\* Charge a multi-agency stakeholder group to consider the objectives, obstacles, strategies, and benefits of adopting a graduated licensing system for novice drivers as outlined in NHTSA Advisory for Impaired Driving. MT
- \*\* Extend provisional licensing procedures to 21. OR
- Consider delaying the age at which a young person is permitted to obtain a license. CA
- Consider the use of nighttime driving restrictions for young drivers under 18 as part of the provisional licensing program. CA
- Continue to encourage the passage of a graduated licensing program by the State legislators. MO
- Establish a graduated driver licensing approach for beginning drivers. OK
- Enact legislation to strengthen the GDL law restricting nighttime driving hours to begin earlier than 1 a.m., preferably at 9 p.m. RI
- Extend the time a learner's permit is required to a minimum of six months. VA
- Create a provisional license for drivers under 21. VA
- A provisional first license program for youthful drivers should be developed and implemented. AK
- The GHSO should continue to evaluate the effects of GDL, including the effects of the driver education and practice requirements on obtaining a license, particularly among urban and low-income youth. OH
- The GHSO should consider strengthening the GDL statute to broaden the hours of the nighttime curfew. OH
- Conduct a study of the effects of the GDL law and publish the results. VT
- Introduce a change to the GDL statute to include nighttime restrictions during the learner and intermediate stages. VT

- Consider restricting the number of youthful passengers in vehicles operated by a provisional licensee as part of the GDL law. NC
- Pass the State's proposed graduated licensing law and insure that it meets TEA-21 criteria. WV
- People with restricted driver licenses should have the actual restriction printed on the license. VA
- Traffic Safety Bureau and MVD should explore the feasibility of a full graduated license program and its affect on highway safety. NM95
- Charge a multi-agency stakeholder group to consider objectives, obstacles, strategies, and benefits of adopting a graduated licensing system for novice drivers as outlined in the NHTSA Advisory for Impaired Driving. CT00

## **2. DEVELOP COMPREHENSIVE HIGHWAY SAFETY INFORMATION SYSTEM**

- \*\* Create a comprehensive highway safety information system that integrates all traffic-related records. OR
- \*\* Provide an integrated traffic records system that links data involving drivers, vehicles, crashes, violations, and convictions. NC95
- \*\* Provide an integrated traffic records system that links data involving drivers, vehicles, crashes and violations. IL
- TX should have a comprehensive highway safety information system that includes subsystems for driver records, financial responsibility, vehicle records, crash records, and violation/disposition records. TX
- Create a single comprehensive highway safety records system that includes subsystems for driver records, financial responsibility, vehicle records, crash records, and violation/disposition records. VA
- Create a comprehensive highway safety information system that includes driver history. WV93
- Create a closed comprehensive system capable of tracking convicted impaired drivers, ensuring that the Division is notified of all convictions and subsequent sentences for all cases heard in New Mexico courts regardless of jurisdiction, including Tribal Courts. NM91
- Continue to pursue creation of an integrated traffic records system. OK
- Support should be provided for the implementation of the DUI MIS now being developed by various State agencies. CA

## **3. INFORMATION SYSTEM WITH TRACKING CAPABILITY**

- \*\* Create a comprehensive highway safety information system capable of tracking arrests and convictions of all traffic citations, including those for impaired driving, to ensure that DPS driver records are complete and integrated with other records. TX

- \*\* Create a comprehensive highway safety information system capable of tracking arrests and dispositions of all traffic citations, including those for impaired driving. VA
- \*\* Establish a comprehensive violation tracking system. IL
- \*\* Tennessee must adopt a method to effectively track citations and their dispositions. The system should be able to track both offenders and citations. Given the current state of technology, feasible, cost efficient solutions can be proposed and developed. TN
- The tracking component must contain a compliance data mechanism to capture and monitor all sanction/compliance activity. This includes screening, assessments, treatment, probation, and community service. TN
- Expand the citation/disposition tracking component to include a compliance data mechanism to capture and monitor all sanction and compliance activity, such as screening, assessments, treatment, probation, and community service. CT00

#### **4. UNIFORM TRAFFIC CITATIONS**

- \*\* Establish a uniform traffic ticket to be used by all law enforcement agencies. IL
- Require all law enforcement agencies to use a uniform traffic citation and complaint form with standard data elements that will allow integration with other traffic records. TX
- Accountability should be established for all traffic citations. OR

#### **5. ENSURE VALIDITY OF DRIVER RECORD DATA**

- \*\* Steps should be taken to provide for improved accuracy and timely reporting by the courts of DUI conviction data to the DMV for entry into the driver record database. CA
- \*\* MVD driver license file content should be reviewed to ensure that the records contained on the file are current, valid, and consistent with current Montana population figures. Appropriate action should be taken to ensure that the information on the driver file continues to be valid and consistent. MT94
- Study the need and cost for restoring data to the driver record. NC95

#### **6. DATA LINKAGES**

- Establish a system at DMV to electronically transfer information to and from all traffic courts. OR
- Continue to develop electronic exchange of information. MI
- Link systems already independently operational within the MVD so that existing vehicle impoundment statutes may be enforced. NM91
- Examine the policy of having different driver history appearing on four different records. IL

## **7. DATA MAINTENANCE**

- Maintain all driver history information for a minimum period of 10 years. IL
- Continue to maintain all information concerning alcohol or drug offenses in the driver record for the lifetime of the driver. IL
- Review all licensing/records activities periodically and fine-tune them to meet current and future needs. MD91

## **8. CENTRALIZED DATA BASE**

- \*\* Create a centralized violation/disposition database. OR
- Create, maintain and support a central database for all licensed drivers and vehicle registrations. The database should improve data accuracy and provide real-time information on licensing actions to those that issue licenses and registrations. HI
- Continue to develop a centralized electronic data collection system. MI

## **9. ITEMS TO INCLUDE IN DRIVER HISTORY RECORDS**

- \*\* MVD should include crash information as a part of an individual's driver record. MT94
- Court supervision information should appear on the driver record furnished to insurance companies. IL
- Require all traffic and alcohol juvenile convictions to be part of the driver record and do not allow their removal. VA
- Add conviction of traffic offenses from other jurisdictions to the West Virginia driver history record and use these convictions to enhance penalties. WV93
- Include in the comprehensive highway safety information system data from the interlock program along with that from the new Intoxilyzers. WV93
- Capture arrest information. MI

## **10. DEVELOP/ENHANCEMENTS TO ADMINISTRATIVE LICENSE REVOCATION SYSTEM**

- \*\* Develop an administrative license suspension system whereby the DPS can take administrative action to withdraw the driving privilege from those arrested for impaired driving regardless of age, without court action. TX
- \*\* Develop an effective pre-trial administrative license revocation system that allows DMV to take administrative action to withdraw the driving privilege from those arrested for impaired driving, regardless of age, without court action. VA
- Eliminate the certified mailing of orders and notices. WV93
- Change the time period and start date for filing an administrative hearing request. WV93

- Allow hearing officers to inform applicants of the results of the hearing at the conclusion of the hearing. WV93
- Do not allow the appeal process to stay the effective date of a license revocation. WV93
- Change the way suspensions are instituted so that personal service is unnecessary. VA
- Revise juvenile denial law so as to allow DMV to take action upon receipt of a conviction. OR
- Establish a driver license point system indexed by violation that will result in the suspension or revocation of the license of the habitual or errant driver. HI
- Driver history records should be allowed as evidence in traffic cases without further authentication. WV93
- Limit the review of medical records to those involving physical or visual impairment. NC95

#### **11. DMV REORGANIZATION**

- \*\* Streamline and save tax dollars by consolidating driver license and registration functions within one State agency with a formula for revenues divided between counties and the State. HI
- \*\* Place the functions of the Judiciary Driver Education Division under the statewide licensing agency and mandate the program as part of the license reinstatement based on the substance abuse assessment. HI
- Determine if more manpower is required by DMV. NC95
- Relocate the driver education program to DOT. NC95

#### **12. DMV PI&E INVOLVEMENT**

- \*\* DMV, in cooperation with the Alaska Highway Safety Planning Agency, should develop a planned public information program to be implemented primarily by DMV in the course of licensing drivers and vehicles. AK
- Develop messages directed at the effects of drunk and drugged driving for inclusion on the DMV's Web site. VT
- Involve DPS driver services personnel in PI&E efforts to reduce impaired driving. GA
- Develop educational materials targeted to adults regarding drinking and driving similar to those aimed at the young driver (under 21). MD
- Continue emphasis to promote, educate and inform the motoring public about the effects of alcohol and other drugs, that drinking and driving is an unhealthy choice, and the consequences of drinking and driving. MT
- Continue and broaden the implementation of the "No Way Out" publicity campaign to make drivers fully aware of the new ALR law. CA

- Develop messages regarding impaired driving for placement on DMV's Web site especially emphasizing the risks of underage drinking and driving. RI
- Expand DMV's role and activities in providing an ongoing public information program describing the effects of alcohol, alcohol's effects on driving, and the consequences of being caught driving under the influence. CO
- Develop a statewide PI&E plan. MI
- The MVD should have an ongoing comprehensive public information program that describes the effects of alcohol, its effect on driving and the consequences of drinking and driving. MT94
- Continue emphasis to promote, educate, and inform the motoring public that impaired driving will not be tolerated. CT00
- The MVD's public information program should be coordinated with the programs and campaigns conducted by other members of the local and State safety community. MT94
- Expand PI&E efforts by the BMV designed to reach drivers about the consequences of 0.08 and other impaired-driving laws. IN01
- Expand the role of BMV in the area of server training regarding underage purchases and fraudulent use of a driver license. IN01
- DMV should enhance its efforts to promote public awareness of DUI and license consequences of DUI and underage alcohol possession, in cooperation and coordination with the recommended Governor's Commission on Alcohol and Traffic Safety and the private sector. CT93
- Provide public information on driver sanctions imposed upon conviction of DWI. NC95
- Re-examine the language in current public information documents to insure proper reading level and cultural relevance. CO

### **13. DRIVER LICENSE TECHNOLOGY**

- \*\* DMV should take further steps towards adopting advanced driver licensing technology to reduce license fraud. This should include recording images of drivers to prevent false issuance of duplicate licenses. WI93
- \*\* Develop a digitized driver license which has additional safeguards, such as magnetic stripes or bar codes. IL
- Promote the use of technology to recognize bar coded information on driver licenses. DE
- Make the digitized photo of the driver available to all field issuance offices of DMV. VA
- Enact legislation to require issuance of photo ID licenses, removing the option to obtain a paper license. VT
- Promote acquisition/use of bar code scanning equipment by retailers once proper safeguards are developed to protect personal information. NC

- Pursue the development of an automated, interactive, computer-based license applicant testing system that could educate and provide deterrence information to the applicant. CA
- Seek an appropriation to enable the issuance of digitized driver license. OK
- Study benefits of converting to a digitized driver license. OR
- Create a new "tamper resistant" driver license, which should have distinctive characteristics for licenses issued to those under 21. Holographic image, magnetic-strip licenses should be issued. NM91
- Duplicate licenses should be unique and appropriately labeled. NM91
- Develop a digitized driver license that has additional safeguards, such as magnetic stripes and/or barcodes. NC95
- Ensure that a photographic image is maintained when the digitized licensing concept is implemented. MI

#### **14. PROOF-OF-AGE IDENTIFICATION/LICENSE**

- \*\* Eliminate the use of tag agents in the issuance of driver licenses. OK
- Make under age 21 more prominent on the new license. MI
- MVD should train enforcement officers and the retail liquor industry in methods to uncover juvenile license fraud. Existing laws should be enforceable and violations vigorously prosecuted. NM91
- Reduce the incidence of use of false and altered driver licenses for purposes of obtaining alcoholic beverages through increased training, issuing fewer duplicate licenses, and other means found to be effective. MD91
- Require all applicants for a driver license to furnish their social security numbers. OK
- Require two or more items of identification when issuing driver licenses. OK

#### **15. COMPLIANCE WITH TREATMENT RECOMMENDATIONS**

- \*\* Mandate compliance with alcohol assessment treatment recommendations. OK
- Require that a certificate of completion of a court ordered alcohol and drug safety action program be presented to the DMV as a condition for driver license reinstatement. RI

#### **16. DMV-MEDICAL ADVISORY BOARD INTERACTION**

- Set up a Medical Advisory Board to work directly with DMV. OR
- Reinstatement the Medical Advisory Board to provide the State with the proper policy guidelines for acceptable medical and drinking driver qualifications. CO

## **17. DRIVER TRAINING/EDUCATION**

- \*\* Mandate alcohol and drug abuse education within the driver education curriculum. IL
- \*\* Establish a coordinated, multi-agency substance abuse program clearinghouse, accompanied by a Web site, to improve the integration and effectiveness of driver-related anti-impairment programs, especially those targeting youth. ND
- Enhance driver education for under-18 driver license/permit applicants. HI
- Establish procedures for law enforcement and others to identify and refer deficient drivers for reexamination. GA
- Require that one of the eight courses in two semesters prior to license issuance be driver education. IL
- Revise the Motorists' Handbook to reflect the new, lower per se limit, to clarify that OWI penalties can apply at BAC's under the per se limit, and to emphasize that Wisconsin's minimum drinking age is 21 and that the offense is a serious one under law. WI93
- The Montana Driver's Manual should be made available in a pocket-sized booklet format. MT94
- Update and change information in the driver manual to encourage substance-free driving by youth. NM91
- DMV should update the Manual for New Drivers to emphasize that alcohol consumption of any amount produces impairment and that spacing out drinks is no safe way to prevent impairment. CT93
- Traffic Safety Bureau and MVD need to open communication to ensure an effective traffic safety programs. NM95
- Traffic Safety Bureau and MVD should explore the possibility of creating an interactive computerized driver manual and make it available to the public and private schools in the state. NM95

## **18. LICENSING SANCTIONS**

- \*\* Suspend the driving privilege of those people involved with driver license fraud. OK
- Increase license sanctions to prevent restoration of driving privileges after revocation for one year to maintain consistency of the law with adults. NM91

## **19. REPEAT/HABITUAL OFFENDERS**

- Establish a 0.04 BAC restricted driver license for second and subsequent offenders. HI
- Allow issuance of a probationary type license for habitual offenders. OR
- Reduce the number of traffic convictions (20) for entrance into the habitual offender program. OR



## **20. DMV TRAINING EFFORTS**

- Driver and Vehicle Services should develop a formal, coordinated training program to inform police officers, judges and prosecutors about changes in driver licensing provisions of the impaired-driving laws. MN95

**RECOMMENDATIONS FOR GUIDELINE AREA 4B  
DETERRENCE  
(\*\* Priority Recommendations)**

**1. ADMINISTRATIVE LICENSE REVOCATION PROGRAM/LEGISLATION**

- \*\* Put into place a process to administratively suspend a driver's license for a test failure. MT94
- \*\* Consider proposing a change in the OWI Implied Consent Statutes to grant authority to DMV to administratively revoke an operator's license for refusing to submit to chemical testing. WI
- \*\* Enact ALR legislation. RI
- \*\* Enact legislation for administrative license suspension (ALS) on DUI first offense. GA
- \*\* Enact legislation granting DMV authority to revoke a driver's license upon arrest under the state's DWI statutes. Issue administrative regulations and procedures to allow immediate confiscation of the license, and develop other processes to implement the new statute. NC
- \*\* Enact legislation to allow the preliminary hearing on the civil suspension to be held before an administrative hearing officer. VT
- Establish administrative per se suspension for failure of breath test. MI
- Change statutes to provide that OWI on any vehicle, including boats, snowmobiles, and ATVs, will result in driver license suspension, and to require records retention of these offenses in DMV data systems. WI93
- Charge a multi-agency stakeholder group to evaluate the objectives, obstacles, strategies, and benefits of adopting administrative license revocation (ALR) as outlined in the NHTSA Advisory for Impaired Driving. MT

**2. MAKE LICENSING SANCTIONS ADMINISTRATIVE IN NATURE VICE JUDICIAL**

- \*\* Remove the courts from making driver license decisions. MI
- \*\* Make all licensing sanctions administrative, allowing DMV to take these actions. VA
- Consider enabling legislation to remove ADLRO from the Judiciary and place it in an executive branch agency. HI
- Only the Department of State should make decisions regarding restricting or restoring driver licenses. MI

**3. ENHANCE SPEED/EFFICIENCY/DETERRENCE EFFECT OF THE ALR PROCESS**

- \*\* Administrative hearings should only be a review of the documentation involved with the arrest of a driver for DUI along with the results of the breath test. WV93
- \*\* The Uniform Administrative Procedures Act should be amended, or the hearing process exempted from it, to eliminate complications imposed by

current requirements inappropriate for this type of hearing that compromise their integrity. CT93

- \*\* Administrative hearings should be an informal review of paperwork not requiring the presence of a law enforcement officer. OR
- \*\* Implement procedures to require surrender of the driver license to the police officer or judge at the beginning of the suspension time period. RI
- \*\* Review the ALR process to identify ways to reduce the time between arrests and administrative hearings. DE
- \*\* Initiate a cooperative effort between the MVD Hearing Division and the law enforcement community to identify areas of mutual agreement where improvement in the administrative hearing process can be achieved. Topics might include streamlining the hearing process to minimize officer time, as well as conducting hearings telephonically where appropriate, and a review of transcripts to determine if in fact the hearings in some instances have gone beyond statutory intent. NM
- \*\* Eliminate the requirement that the arresting officer be present at an administrative hearing unless subpoenaed by the offender. GA
- \*\* Adopt rules regarding (1) how a hearing shall be conducted, (2) when offenders shall pay expenses related to subpoenas or records, and (3) when judicial notice shall be accepted. HI
- \*\* Initiate a cooperative effort between the Office of Administrative Hearings and the MVA staff to evaluate the hearing process to identify means for reducing the time required to schedule and conduct hearings. MD
- \*\* The hearing and management processes for ALR should become self-sufficient, funded from fees paid by impaired drivers. CT93
- \*\* Remove probable cause verbiage from the ALR statute. HI
- \*\* Eliminate modification procedures for repeat offenders. OK
- Increase the number of hearing officers. NM
- Encourage law enforcement managers to monitor subpoenas for their officers to ensure their appearance at administrative hearings. GA
- Use rules of civil procedure by applying time frames for hearings and notices for seven days or less. Count business days instead of calendar days. HI
- End all automatic continuances in revocation hearings and require "good cause." WV
- The chief hearing officer or designee should assist in creating forms that are beneficial to the process as well as other interagency committees. HI
- Change statutes to have appeals from license suspension for test refusal follow the same administrative appeal process used for suspension for prohibited test results. This would promote uniformity and prevent multiple judicial tracks for actions resulting from a single OWI offense. WI93
- Simplify suspension actions dealing with drinking and driving. MI

- The laws, regulations, and procedures for ALR should be adjusted to base revocation on the fact of refusal or excessive BAC, without allowing issues not directly relevant to these facts to be considered. CT93
- MVD should adhere strictly to the ALR hearing criteria as listed in the code and raise hearing staffing to its former level. NM91
- Allow continuances of administrative hearings only in very exceptional circumstances. WV93
- Require the suspension to become effective with receipt of the court conviction and the issuance of a letter of suspension to the individual. RI
- Revise the modification procedure for reinstatement of driving privileges. OK
- Continue emphasis on the administration of current laws, and/or the introduction of new laws so that the offender cannot be repeatedly charged and convicted as a first time offender DUI. CT00

#### **4. ASSIST/TRAIN LAW ENFORCEMENT PREPARATION FOR ALR HEARINGS**

- \*\* Provide the enforcement community with training in the preparation of cases for DUI administrative hearings. DE
- Evaluate the current training being provided to officers to determine where it may be strengthened to better prepare them for the hearings. NM
- The Hawaii Department of Attorney General's Office should advise law enforcement agencies and hearing officers on ALR hearings. HI
- Institute comprehensive training for law enforcement and prosecutors regarding BAC testing, appropriate testing procedures, and the legal foundation for evidentiary breath testing in DUI cases. ND
- Initiate annual training requirements. Federal funding is available for training at the National Judicial College. HI
- The DMV should continue and expand its efforts to improve officer training to complete DUI arrest forms more systematically. CT93

#### **5. UNIFORM TRAFFIC CITATION/TRACKING/REPORTING SYSTEMS**

- \*\* Establish a uniform statewide system for reporting and tracking DUI related deferrals and diversions. IN01
- \*\* Create a uniform traffic citation tracking system. MI
- Create a uniform traffic citation and reporting system and require its use by all law enforcement agencies statewide. TX
- Create a comprehensive reporting system. TX
- Develop, support, and maintain a clear, concise and uniform database that is shared by the appropriate local, State, and Federal government agencies. HI

- Establish a comprehensive highway safety information system to integrate all traffic-related records. WV93

#### **6. REPORTING REQUIREMENT (FROM COURT TO DMV)**

- \*\* Mandate time frames for reporting convictions from all courts and prohibit instant issue of duplicate licenses. HI

- Ensure that all convictions for traffic offenses are reported to DPS for inclusion in the driver record. OK

- The ODPS should continue to educate judges of the juvenile court and courts of common pleas on their statutory reporting responsibilities to the BMV, and the traffic safety consequences of their failure to report. OH

- Require electronic transmission of all data from the various courts. MI

#### **7. DATA LINKAGES**

- MVD should use resources such as the National Driver Register to determine prospective licensee eligibility in relation to charges and duplicate licenses existing in other states. NM91

- Records systems in the State should be modernized and linked. TX

#### **8. DATA MAINTENANCE**

- Retain driver's license/OWI records for 10 years and use them in sentencing determinations. WI93

- OWI offense records should be retained for at least 10 years, and every prior conviction within that period should count toward enhancement of penalties. WI93

- Laws, regulations, and procedures should be amended to require the DMV to maintain DUI records for seven years rather than five. CT93

#### **9. DUI ARREST PROCESS IMPROVEMENTS**

- \*\* Streamline the reporting of alcohol arrest information to the Department of Revenue to reduce the burden on arresting officers. Should be done on a cooperative basis between the DOR staff and the law enforcement community. Technology solutions should be explored, such as computer-generated reports or electronic transmission of that information conducive to electronic media. Further, the requirement to notarize Form 2389 should be eliminated. MO

- Initiate a cooperative effort between the Maryland State Police, representatives from local law enforcement agencies, and MVA staff to develop and implement efficiencies in the DWI arrest process. MD

- Initiate a cooperative effort between the DMV, DSP, and local enforcement agencies to develop efficiencies in the processing of DUI arrests. Expand the use of technology to generate the documents required. DE

- Establish a working group comprised of representatives of law enforcement and DMV staff to address the paperwork problems involved in DUI arrests. Consideration should be given to streamlining the process either through simplified procedures or electronic field data capture and transfer. Mobile

Data Terminals (MDTs) are in place in at least one of the enforcement jurisdictions. As additional applications are considered for Maryland, especially for preparation of citations, automating the preparation of the DMV forms now required for DUI arrests should be considered. WV

- DMV should ensure comprehensive police use of administrative license suspension by monitoring and reporting to police agencies all instances of OWI arrests for which DMV does not receive administrative license suspension forms. WI93

#### **10. ENHANCE DETERRENCE FOR DRIVERS UNDER 21**

- \*\* Institute a zero tolerance level for all drivers under 21. WV93

- \*\* Include a zero BAC requirement for young/novice drivers. MT94

- \*\* Connecticut should adopt a law requiring ALR for any driver under 21 with a BAC of 0.02 or more at any time within two hours of arrest. CT93

- \*\* Strengthen the 0.02 AC law for drivers under 21 by adding driver license sanctions and consequences for violators. IN01

- \*\* Enact legislation to prohibit people under 21 from driving a motor vehicle with any measurable amount of alcohol in their blood. CO

- \*\* Change the Wisconsin "Not a Drop" law to apply to all underage drivers to send a consistent message that Wisconsin is very serious about stopping illegal alcohol use. WI93

- \*\* Make it illegal for a person under 21 to drive with any measurable amount of alcohol. OK

- \*\* Pass legislation that allows for administrative revocation of the license of a driver under 21 who has a BAC of any measurable amount. CA

- \*\* Create a zero tolerance law for those drivers under 21. VA

- \*\* Enact legislation to prohibit people under 21 from driving a motor vehicle with any measurable amount alcohol in their breath, blood or urine. GA

- Drivers under 21 convicted of DUI should be revoked for two years regardless of the 21-year-old age limit. IL

- Work with juvenile courts to promote the benefits of deterring young drivers by placing serious driving offenses on driver histories. GA

- Issue a distinctive driver license to those drivers under 21. OR

- Create legislation to allow DPS to take licensing sanctions against juveniles when their driver records reflect a lack of concern for highway safety. TX

- DMV should expand its programs to educate police and judges about the respective effects of "Not a Drop" and underage possession convictions, to promote consistent enforcement of these laws. WI93

- Juvenile traffic offenses should be treated the same as if the offense was committed by an adult. NM95

- Juvenile probation should seek prosecution and adjudication for any alcohol related offense. Thus, juveniles should be held to some accountability for their actions. NM95

- Extend to age 21 the provisional driver-licensing program. NC95

- Strengthen the 0.02 BAC law for drivers under 21 by adding driver license sanctions or consequences for violators. IN01

**11. ENHANCE DETERRENCE EFFECT THROUGH INCREASINGLY SEVERE ADMINISTRATIVE PENALTIES, LEGISLATION SUPPORT**

- \*\* Require license plate confiscation, "zebra stickers," or "scarlet letter" plates for individuals found to be driving while suspended or revoked. MT94

- \*\* Amend the 0.08 law making DUI impairment a Class A misdemeanor. IN01

- \*\* Impose reinstatement fees for all suspensions and revocations. TX

- \*\* Require all DUI offenders to undergo a definite period of time when the driving privilege is withdrawn. OK

- \*\* The State should revise the law to eliminate the availability of an occupational driving privilege for second and subsequent DUI offenders. OH

- \*\* The BMV should require documentation of completion of court-imposed sanctions in order to gain driver license reinstatement. OH

- \*\* Require that the suspension or revocation for an implied consent refusal be longer than for a test failure. MT94

- \*\* Improve the effectiveness of administrative license suspension at preventing impaired driving by changing the law to ensure some period of total loss of driving privileges for every OWI offense, even the first. WI93

- DMV should support legislation to reduce the DWI BAC level to 0.08. AK

- Create progressively more severe administrative penalties for repeat DUI offenders. VA

- Enact necessary repeat offender legislation and language to put the State in compliance with Section 164 of TEA-21. ND

- Reduce the BAC level to 0.08 for drivers suspected of DUI. VA

- Increase the reinstatement fee for those people having their driving license privilege suspended for DUI. VA

- Revise existing laws to reduce the loopholes and strengthen deterrence. Tennessee should consider creating a true 0.08 per se law and limit the number of times an offender can be charged as a first offender DUI/DWI. The new DWI statute should be combined with the existing DUI statute to form a single, unified 0.08 per se law. TN

- Increase the suspension time for refusal to submit to a breath test so that it exceeds the revocation time for DUI. OK

- Eliminate the procedure whereby completion of a driving safety course allows dismissal of a traffic charge. Require completion of the course prior to reinstatement of the driving privilege after DPS issues a suspension order. TX
- DMV should issue occupational licenses after OWI only upon the recommendation and on terms suggested by an assessment from an approved assessing agency, to promote appropriate terms for the license, to encourage participation in assessments, and to discourage judge shopping. This will release judges from the burden of reviewing occupational license requests. WI93
- A habitual DWI offender statute should be created with incrementally increased administrative license sanctions. TX
- DPS should establish a series of regulations that will increase the length of license revocation in increments for each subsequent offense. TX
- Pursue legislation to confiscate or immobilize the automobile of repeat DUI offenders. CO
- DMV should seek and support legislation to prohibit any person who has two DWI convictions within the last five years from owning, registering, or operating a motor vehicle on Alaska public roadways. AK
- Increase the length of time for hard suspensions prior to the granting of limited privilege driver licenses. NC95
- Raise the amount of the reinstatement fee. NC95
- Expand the "look back" period for determining DUI offense levels from the current five years used by the courts to 10 years. IN01
- Use a hardship license with restrictions allowing driving for business or work purposes when reinstating drivers prior to the expiration of the revocation period. WV93
- Consider increasing the reinstatement fee. WV93
- MVD should establish a series of regulations that will increase the length of license revocation in increments for each subsequent offense, using its authority under State Code. NM91
- Establish a habitual DWI offenders' classification with incrementally increased administrative license sanctions. NM91
- MVD should require all court-ordered sanctions imposed following conviction for DWI to be completed as a prerequisite to re-issuance of the driver's license. NM91

## **12. PROGRAM EVALUATION/DATA ANALYSIS EFFORTS**

- \*\* Analyze the reinstatement, crash, DWI recidivism and Driving While Suspended/Revoked rates of drivers who have been *Cancelled - Inimical to Public Safety* and then explore any further illegal driving behavior. MN03
- \*\* Allow access to complete datasets by OTS data analysts. MN03



- \*\* Annualize the review of initial charges and final dispositions and report the results on a county, judicial district, and statewide basis at a minimum. MN03
- Replace selected "standardized" crash costs components (such as medical treatment costs) with Minnesota-specific estimates as they are developed (e.g., through the CODES project). MN03
- Use the Traffic Records Coordinating Committee and the DWI Task Force as conduits for sharing data and the results of analyses, especially as they relate to support for policy decisions and the legislative agendas of DPS and other agencies. Make sure that similar analyses do not present conflicting results to the legislature. MN03
- Conduct an analysis to describe the consequence (fatalities, injuries & property damage, associate costs, and loss of funding) of failure to pass a 0.08 law. MN03
- Research NHTSA and NSC crash cost formulas and develop a briefing document for legislators and others explaining the standard use of these numbers and the cost components that they contain. MN03
- Work with MNDOT to develop a standard set of crash cost values that will be used in support of legislative arguments. MN03
- Analyze data on percentages of licenses suspended by number of offense (1st, 2nd, etc.) and for refusals to identify recidivism and other statistical characteristics of DUI offenders. GA
- Evaluate the length of time for all driver license suspensions to determine their deterrent impact. IL
- The GHSO should conduct a study to analyze the number of administrative suspensions overturned by the courts, and the relationship of test refusals and test failures to case adjudications. OH

### **13. DRIVER LICENSE COMPACTS**

- \*\* Join the Driver License Compact. MI
- \*\* Join the Non-Resident Violator's Compact. MI
- \*\* Texas should become a member of the Driver License Compact. TX

### **14. COMMERCIAL DRIVERS**

- Reinforce the higher standards expected from commercial driver license holders by disallowing occupational licenses for any OWI offense they commit. WI93

**RECOMMENDATIONS FOR GUIDELINE AREA 4C**  
**PROGRAM MANAGEMENT**  
**(\*\* Priority Recommendations)**

**1. DEVELOP A STATEWIDE COMPREHENSIVE HIGHWAY SAFETY MIS**

- \*\* Develop a statewide, standardized, integrated, comprehensive highway safety MIS. This could include currently available information from the DMV, Motor Vehicle Hearing Section, the Courts, EMS, the Department of Transportation, Alcohol and Drug Division, and other pertinent highway safety files. CO
- Develop a management information system for all State and municipal traffic violation arrests and dispositions. CO

**2. DEVELOP/EXPAND/IMPROVE TRACKING SYSTEMS**

- \*\* Develop a DUI tracking system for all alcohol offenses from the time of the incident (crash/arrest) until the conclusion of each case, including treatment information. CO
- \*\* Initiate the development of a statewide citation tracking system. ND
- \*\* Charge a multi-agency stakeholder group to consider the objectives, obstacles, strategies, and benefits of adopting a statewide tracking system for citations from the time of their distribution to an enforcement jurisdiction, through issuance to an offender, ultimate disposition by a court and posting to the driver history record. MT
- \*\* Revise the CAS to capture additional variables from the court supplied tapes which will allow the State to (1) track offenders from arrest to final disposition, (2) link with data in the driver history records and the crash file (MAARS), and (3) generally provide the State with information on its statewide impaired-driving enforcement and adjudication activity. MD
- Develop a citation tracking for all State and municipal traffic violation arrests and dispositions. CO

**3. COURT-DMV DATA EXCHANGE/COURTROOM AUTOMATION**

- \*\* Provide immediate and up-to-date driving records for use by the entire judiciary when sentencing drunk drivers. MT94
- \*\* Provide the judiciary, where feasible, with the ability to enter conviction information in an on-line mode directly to the driver license file. MT94
- \*\* Assign a high priority to the Circuit Court Automation Project to expedite the completion of an electronic records transfer capability between the courts and DMV. WI
- \*\* Implement appropriate technical improvements to accommodate electronic transmissions of court abstracts to DMV. RI
- \*\* Establish a court communication network linking all traffic courts to the Secretary of State. IL

- \*\* Design a process to more easily locate and retrieve court documents necessary to prove prior conviction. NM
- \*\* Prioritize the redesign of the driver records inquiry system for retrieving driver record abstracts. Solicit input from the judges and law enforcement officers regarding suggestions for ease of access to and interpretation of the abstracts. WI
- \*\* Ensure that the Department of Revenue is involved in the planning and implementation of the Statewide Court Automation Project and that the streamlining of DOR/court transactions is included in the design of the system. MO
- Expand the electronic reporting to the Secretary of State Office the dispositions of traffic cases. IL
- Mandate time frames for courts to report convictions to the licensing agency, i.e., within five days of conviction. HI
- Driver and Vehicle Services, in conjunction with the Attorney General's Officer, should ensure that computerized on-line driving records are provided to the entire judiciary. MN95
- The Department of Public Safety should provide direct access to its driver history information to all courts through creation of a court communication system. TX
- The Commission on Judicial Conduct should hold each judge or judicial court accountable for the submission of the court abstracts to MVD. NM95
- MVD should provide comprehensive driver license information to all courts. NM91
- Place a computer terminal in all courts connected to Secretary of State Office allowing for printing of the driver history record. IL
- Procure contractor assistance in designing a process for automating the transfer of information from the courts. This will expedite the receipt of conviction abstracts from the courts. It will also provide a capability for the courts to retrieve driver records prior to sentencing. WV
- Participate in the planned implementation of the court management information system to ensure that the system will provide electronic transmission of court dispositions to DMV. VT
- The automated transmission of complete driver records to the courts should be achieved as soon as possible. MD91
- Continue to upgrade communication links so as to allow the Department of State to interface with all users. MI
- Promote joint efforts by MVD, working with the Court Administrator's Office, and others to replace the current "mail process" of receiving final disposition information with an electronic upload of final dispositions to the driver history record. MT
- Educate the courts about the serious impact of delayed reporting and establish cooperative working groups to implement interim solutions pending further automation of court processing. MO

- The present automation system should be expanded. VA
- Use the remote terminals in the courts to produce certified copies of driver records for evidential purposes to save time and money. MD91
- Prosecutors should be required to review driver history records for all traffic offenders, especially those involved with impaired driving, so as to better determine prosecutorial decisions. TX
- The Department of Public Safety should provide timely notification to all police agencies, prosecutors, and traffic court judges and magistrates of all charges of vehicular and traffic laws as well as any procedural changes within DPS. TX
- A court communication system should be established to provide timely information on convictions to the Department of Public Safety. TX
- Require submission to DMV of all records involving entry into and completion of diversion. OR
- Expedite the processing of arrest notices and subsequent notices of revocation, as well as the scheduling of hearings, to insure that records of DUI suspensions are posted to the driver record as soon as possible after arrest. The State should also consider posting some type of pending action notice to the driver record. WV
- Continue the development of a court communication system. MI

#### **4. EXAMINE/IMPROVE OTHER DATA LINKAGES**

- \*\* Colorado should request that a current NHTSA Traffic Records Assessment be conducted to ensure that necessary linkages are available between and among the existing and planned highway safety files. CO
- Create a centrally located and networked database for all enforcement, prosecutorial, and judicial computer systems. HI
- Implement upgrades to the driver records system to provide the capability for linkages with other systems and for receiving electronic records from other systems. VT
- Develop a single unique personal identifier which can be used to insure proper identification and to link information between and among local and State agency files. CO
- Information combining DUI crash, arrest, conviction/disposition, and other highway safety statistical and trend information for State and local problem identification, planning and evaluation activities should be produced and shared between and among State agencies, local safety officials, and highway safety activists. CO

#### **4. ACCESS TO RECORDS OF PRIOR DUI CONVICTION INCLUDING IN OTHER STATES**

- \*\* Establish procedures for capturing DUI and other serious traffic offenses from the previous State of licensure. IN01
- \*\* Develop a uniform standard for proof of prior DWI convictions. NM

- Implement procedures to obtain and incorporate records of traffic violations, especially serious infractions, from a previous State when a new resident applies for West Virginia license. The American Association of Motor Vehicle Administrators (AAMVA) has software that can be used on the AAMVA telecommunications network to facilitate this transfer of records. WV
- Implement the necessary steps to incorporate DWI convictions from previous States of licensure. NC
- Implement the necessary steps to incorporate DUI convictions from previous States of licensure. DE
- Continue dialogue with the Tribal Nations to establish a means for sharing DWI conviction records. NM
- Incorporate prior DUI convictions from States of previous licensure. RI
- Establish procedures to incorporate records of alcohol-related convictions from a previous State into the active driving record when a new resident is licensed in Missouri. The statutes currently require considering "prior alcohol-related enforcement contacts" when determining periods of license suspension under the administrative per se procedures. However, the State should review the statutes and revise any provision that might affect the implementation of any administrative procedures to adopt this recommendation. MO

#### **5. DATA AVAILABILITY/EASE OF USE TO LAW ENFORCEMENT OFFICER**

- \*\* Obtain funding and equipment to capture electronic data in the field by law enforcement officers. Plan for self-sufficiency in future upgrades and replacement. MN03
- Continue efforts to work with State and local law enforcement agencies to update their vehicles with the latest computer technology for traffic law enforcement. MT
- Additional information should be provided the law enforcement officer on the road. VA
- Establish communications between DMV and the law enforcement community to resolve the issue of the unavailability of driver history access. RI
- Continue to promote the Captain's Project for future automated data capture applications, involving crash reports, citation reports, arrest records, incident, and other reporting to support mobile computing for law enforcement as presented in the Officer Information Management development. CT00
- In cooperation with the various enforcement agencies, revise the driver record printout format for ease of interpretation. VT

#### **6. UNIFORM TRAFFIC CITATION/CITATION TRACKING/ELECTRONIC CITATIONS**

- \*\* Adopt and implement a statewide uniform traffic citation. IN01
- \*\* Promote the adoption and use of a statewide uniform traffic ticket. MT94
- \*\* The Office of Traffic Safety should convene a committee of all concerned parties, including State and local law enforcement agencies, to ensure that a statewide uniform traffic ticket is adopted and implemented. MN95

- \*\* Establish a uniform traffic citation to be used by all law enforcement agencies. OK
- \*\* Adopt the use of a uniform traffic citation form for all law enforcement agencies. ND
- \*\* Promote the adoption and use of a statewide uniform traffic ticket. MT
- Require all law enforcement agencies to use a uniform traffic ticket. IL
- Create a uniform traffic citation tracking system. OK
- Adopt a single uniform traffic ticket (UTT) to be used in Colorado for all State and municipal traffic violations. CO
- From an agency management perspective, continue emphasis on the adoption of a method to effectively track citations and their dispositions. CT00
- Continue emphasis on electronic citation issuance capability in conjunction with the Commercial Vehicle Information Systems Network program. CT00
- Insure that the AOC electronic citation project is compatible with DMV needs. NC
- Enforcement agencies should implement electronic citation systems, including Form 2255, and the BMV should make any needed modifications to the driver records file to allow direct linkage with electronic citation and court systems. OH

## **7. FEE STRUCTURES**

- \*\* Insure that the entire \$100 driver license reinstatement fee is used to support the local county DUI task force to help make the program self-sufficient. MT94
- \*\* Create an appropriate fee structure for licenses, records, reinstatements, duplicates, clearance letters, SR22 filings, CDL, tests and retests, driver education classes, motorcycle testing, and even pre-tests for those apprehensive about test taking. This should also include Internet fees and service fees for after-hour telephone registrations that are completed electronically. HI
- Increase fees involved with driver licensing. IL
- Double the fee for reinstatement of the driving privilege after a statutory summary suspension. IL
- Explore the option of adding a small fee attached to each traffic citation earmarked for information system development. The fee should be directed to one agency charged with building and maintaining a citation tracking system. TN

## **8. AGENCY/INTERAGENCY COORDINATION, OVERSIGHT**

- \*\* Coordinate all agencies and task forces into a single DUI advisory committee and delegate functions to subcommittees with time frame to complete tasks. HI

- \*\* Initiate DMV's collaborations on the Justice Link Project. RI
- Establish a DUI/DWI data and process committee made up of all stakeholders in the collection and dissemination of DUI/DWI data. The committee's mission should be to develop a universal data collection action plan. Specific tasks and time frames must be delegated and administered. TN
- Consider legislative actions to empower an agency with oversight of information system development. A State chief information officer could facilitate the direction and activities necessary to create a citation/offender tracking system. TN
- The Motor Vehicle Administrator should take a leading position in the State's consideration of legislation such as:
  - Illegal per se;
  - Improved and strengthened administrative *per se* licensing sanctions;
  - State should lengthen the license suspension period for alcohol offenses, mandate a complete loss of driving privileges, and impose the sanction more promptly.
  - Procedures to submit the qualifications of people requesting a license modification directly to the State licensing agency for review and decision by a qualified driver improvement analyst. MD91
- The MVD should inform law enforcement agencies, courts, and prosecutors of the provisions and purpose of the law and train them, where appropriate, in the new procedures associated with the implementation of the law. MT94
- MVD should provide timely notification to all police agencies, judges, magistrates, and prosecutors of all changes within vehicle and traffic statutes and MVD procedures that will directly impact the operations of their respective offices. NM91
- The MVD should provide timely notification to all police agencies, judges, magistrates, and prosecutors of all changes within vehicle and traffic statutes and MVD procedures. NM95
- MVD should establish a mailing list of all users of changes within vehicle and traffic statutes and divisional procedures, and then issue regular communications to agencies and individuals on the list. NM91

## **9. EVALUATION/RESEARCH RECOMMENDATIONS**

- DMV should develop analytical statistical summaries from the Driver File to identify problems relating to DWI drivers that will assist other public safety agencies increase their effectiveness in reducing the incidence of DWI in the State. AK
- When evaluation funds become available, consider analysis of medical records available to the Maryland Medical Advisory Board. MD91
- Expedite the full implementation of the planned Driver, Vehicle, Accident, and Medical Research database at Morgan State University as described in the Traffic Records System Strategic Plan. MD