



Oregon

Theodore R. Kulongoski, Governor

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DATE: May 10, 2010
TO: Oregon Transportation Safety Committee
FROM: Tom McClellan, DMV Administrator 
SUBJECT: Addendum to Oregon Speed Task Force Report (02/09/10)

The Oregon Speed Task Force report includes a chapter on Driver License Point Systems that fails to describe the Oregon DMV programs that impose sanctions on drivers convicted of speeding violations. It also omitted the findings of two recent studies that support Oregon's Driver Improvement Program. This addendum is intended to provide additional information regarding the recommendation that DMV conduct an independent review of traffic violator point systems.

The Driver Improvement Program (DIP) at Oregon DMV improves traffic safety by temporarily restricting unsafe drivers, or removing them from Oregon's highways through the suspension process. The program is violation-based. An adult who receives three traffic convictions and/or accidents within 18 months cannot drive between midnight and 5:00am, except for employment purposes. The driving privileges of an adult who receives four or more traffic convictions and/or accidents within 24 months are suspended for 30 days. For drivers under 18 years of age, the sanctions are more severe: a 90-day restriction is imposed after two convictions/accidents, and a six-month suspension is imposed for a third conviction/accident.

In addition to the Driver Improvement Program, DMV also administers an Habitual Offender program. DMV revokes the driving privileges of a person who receives three or more "major" convictions (or 20 or more traffic convictions) within five years.

Many states incorporate a "point" system in their driver improvement programs. Each traffic offense is assigned a point value, depending on its perceived severity. Oregon's DIP does not assign points to traffic violations or crashes; each violation is weighted equally. A recent AAMVA study concluded that "an offense-based system results in fair and equal treatment for all problem drivers...Unsafe driving is unsafe driving without regard to points accumulated." Oregon's DIP is consistent with AAMVA's recommended Model Driver Improvement Program, which does not incorporate a point system.

In 2007, Portland State University completed an independent evaluation of Oregon's Driver Improvement Program. Included in the study was a comparison among 43 states on the number of speeding violations required to trigger a license suspension in each state. PSU determined that, on average, states that assign a high point value to "high speed" convictions suspend drivers after they receive 4.1 convictions. This is comparable to Oregon's suspension after 4.0 convictions/accidents. Those same states do not suspend a driver until after they receive six "low speed" convictions. Since Oregon's DIP does not differentiate between types of convictions, Oregon suspends after a driver

receives just four of these same convictions. Identifying and suspending a problem driver as early as possible has a positive impact on changing dangerous driving behavior. PSU's study noted a substantial reduction in the incidences of crashes and convictions among individuals subjected to Oregon's DIP following their suspensions.

AAMVA's recommended design for a Model Driver Improvement Program, coupled with the findings in PSU's study, support a violation-based program consistent with Oregon's current Driver Improvement Program. Furthermore, recommendations made by PSU for improvements to Oregon's program (e.g., treating multiple convictions from the same incident as one) are being implemented as resources for computer system changes become available.

References:

Strathman, J., T. Kimpel and P. Leistner. 2007. *Evaluation of the Oregon DMV Driver Improvement Program*. Report FHWA-OR-RD-07-08. Center for Urban Studies, Portland State University.

Link:

http://www.oregon.gov/ODOT/TD/TP_RES/docs/Reports/DMVDriver.pdf

American Association of Motor Vehicle Administrators. 2009. *Model Problem Driver Intervention and Education Program*. Arlington, VA: AAMVA Problem Driver Intervention and Education Working Group. August.

link: <http://www.aamva.org/aamva/DocumentDisplay.aspx?id={3327F1C4-1DFD-47FD-9E18-6358338994F8}>

Driver Improvement Program



Date Established: Established in the 1940's Current program: 1/1/2002	Established By: ORS 809.480 OAR Chapter 735, Divisions 64 & 72
Type: Permanent	Program Manager: Bill Merrill
Charter/Intent: The purpose of the Driver Improvement Program is to improve traffic safety by temporarily restricting unsafe drivers, or removing them from Oregon's highways through the suspension process.	
Strategy/Plan: <p>Provisional Program: All drivers who are 14 years of age or older but under 18 years of age are subject to this program. Only driver improvement violations or preventable accidents with an incident date after the person has turned 14 years of age will count toward the Provisional Program.</p> <p>If a provisional driver has two convictions, or two accidents, or a combination of one conviction and one accident, DMV will restrict their driving privileges for 90 days. During the 90-day restriction, a provisional driver may only drive to and from work or when required by a job, and may not drive with passengers, except parents, stepparents or guardians. These restrictions are in addition to the restrictions placed on a driver in the first year of their provisional license. A provisional driver may request an interview with DMV to re-evaluate their restriction, based on their performance since the restriction took effect.</p> <p>If a provisional driver receives a third conviction or accident, DMV will suspend their driving privileges for six months, even if the driver turns 18 years of age during the suspension period.</p> <p>Restriction notices have steadily decreased over the last five years: 1,917 in 2004; 1,738 in 2005; 1,669 in 2006; 1,562 in 2007; and 1,292 in 2008. Suspensions over the same time period have also declined each year, except for 2007: 1,448 in 2004; 1,276 in 2005; 1,259 in 2006; 1,355 in 2007; and 1,056 in 2008</p> <p>Adult Program: All drivers 18 years of age or older are subject to this program.</p> <p>If an adult driver has three convictions, or three accidents, or a combination that totals three in an 18-month period, DMV will restrict their driving privileges for 30 days. During the restriction, the driver may not drive between 12 a.m. and 5 a.m., unless driving to and from work or when required by a job.</p> <p>If an adult driver receives a fourth conviction or accident, or a combination that totals four in a 24-month period, DMV will suspend their driving privileges for 30 days.</p> <p>Over the last five years, restriction and suspension notices decreased until 2007, and then declined again in 2008 to their lowest numbers. Restriction notices: 19,035 in 2004; 16,822 in 2005; 16,653 in 2006; 18,617 in 2007; and 15,941 in 2008. Suspensions: 50,063 in 2004; 44,907 in 2005; 40,915 in 2006; 42,756 in 2007; and 39,171 in 2008.</p> <p>Violations counted in Program: A Driver Improvement violation counted in the Provisional or Adult Programs is the equivalent of:</p> <ul style="list-style-type: none"> • One conviction for an offense listed in OAR 735-064-0220. • Five convictions for an offense listed in OAR 735-072-0035. • A preventable accident. <p>If there is more than one conviction arising from a single traffic stop, or in combination with a preventable accident, each conviction and accident will count separately.</p>	
Finances: Highway Funds support the administrative costs associated with this program.	

Driver Improvement Program

**Performance Measures/Evaluation:**

DMV maintains data on the number of Driver Improvement restrictions and suspensions recorded in both the Provisional and Adult programs. In 2007, Portland State University evaluated the program. Areas were identified in which changes to the program would likely improve its effectiveness. However, due to resource limitations, the recommended changes are currently on hold.

Interdependencies:

DMV Field Services, DMV Processing Services, law enforcement, courts.

Primary Contact:

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