

# **Feasibility of Restricted Driver Licenses for Suspended New Jersey Drivers**

Stephanie Marie Kusano

Thesis submitted to the faculty of the  
Virginia Polytechnic Institute and State University  
in partial fulfillment of the requirements for the degree of

Master of Science  
In  
Biomedical Engineering

Hampton C. Gabler  
Stefan M. Duma  
Warren N. Hardy

July 23, 2012

Blacksburg, VA

**KEYWORDS:** license suspension, restricted driver's license, driver risk, New Jersey

Copyright 2012, Stephanie Marie Kusano

## **Feasibility of Restricted Driver License for Suspended New Jersey Drivers**

Stephanie Marie Kusano

### **ABSTRACT**

In 2010, there were 6,714,288 total registered drivers in New Jersey. Approximately 4% (267,485) of these drivers had a suspended driver's license. The intent of suspending a driver's license is to keep hazardous drivers off of the roads, in hopes of having a safer driving environment for others on the road. Drivers in New Jersey can have their driver's license suspended for a number of reasons. These include dangerous driving behaviors such as reckless driving and driving under the influence of alcohol or drugs. However, there are also reasons for suspension that have little or nothing to do with driver behavior, such as failure to pay child support, failure to pay MVC insurance surcharge, or failure to appear in court. While these offenses are all due of consequence, they have little or nothing to do with driver behavior. This research program will conduct an analysis of the issues and implications of implementing a restricted-use license program for suspended New Jersey drivers, detailing key issues associated with restricted-use license programs. It was found that over two-thirds of suspended drivers in New Jersey receive driver's license suspensions for both driving and non-driving-related offenses, whereas only about four-percent of suspended drivers in New Jersey receive a driver's license suspension for driving-related reasons only. It was also found that drivers suspended for non-driving related reasons have different driver behavior than drivers suspended for driving related reasons. Surveying both New Jersey police chiefs, as well as U.S. state motor vehicle agencies, it was found that there is a generally positive perception of restricted driver's license programs. Overall, it is recommended that the New Jersey Motor Vehicle Commission implement a restricted driver's license program in New Jersey.

## **Grant Information**

This thesis was supported by the New Jersey Department of Transportation. Any views and opinions discussed are not necessarily representative of the views and opinions of the New Jersey Department of Transportation.

## Acknowledgments

First, I would like to thank Dr. Gabler. I am so grateful for your support and mentorship these past few years.

I would also like to thank Dr. Duma and Dr. Hardy for serving on my committee. I truly appreciate you adding yet another thing on your very long to-do lists.

I would like to thank the New Jersey Department of Transportation for their sponsorship of this study.

Also, thank you Dr. Guo and Youjia Fang for your assistance with the statistics of this analysis.

A huge thank you to each of my lab mates at the Center for Injury Biomechanics. You guys have been a great moral support through all the blood, sweat, and “mini” projects.

A special shout out to my cubey, Alli, and Liz. Thank you for the coffee runs, baked goods, girls’ nights, and the baskillion laughs. I owe my sanity (or at least what’s left of it) to the both of you!

I will never be able to give enough thanks to my family. John, Gabriela, and Markus – thanks for all the food, visits, and moving help! George and Sara – thanks for reminding me to keep things in perspective. Scott and Caroline – thanks for letting me bum out at your house countless times, and for cheering me through these last 2 years. Addison, Logan, and Isabel – thanks for keeping me humble and a kid at heart. Chloe – thanks for always being excited to see me; I always love seeing you too! Mami y Papi – gracias por todo. Thank you for being my #1 fans and for constantly believing in me no matter what I choose to do. I could not have done it without your emotional support.

Last, but absolutely not least, Kris – thank you for putting up with me, for loving to cook, and for always knowing when I just need a big hug. More importantly, thank you for not letting me give up and for reminding me of the importance of doing what I love. I dedicate this to you, because without you it would not have gotten done.

# Table of Contents

<b>List of Figures.....</b>	<b>viii</b>
<b>List of Tables .....</b>	<b>ix</b>
<b>1 Background and Objective.....</b>	<b>1</b>
1.1 Introduction.....	1
1.2 New Jersey Driver’s License Suspension Laws.....	2
1.3 Proposed and Pending New Jersey Restricted Driver’s License Laws.....	4
1.4 State Motor Vehicle Agency Surveys .....	5
1.5 Collecting Fees and Penalties Due.....	7
1.6 Cost and Benefits .....	9
1.7 Law Enforcement.....	9
1.8 Restricted Licenses and DWIs .....	10
1.9 Recidivism .....	11
1.10 Impact on Roadway Safety and Driver Behavior .....	11
1.11 Restricted Driver’s Licenses for DUI Offenders .....	14
1.12 Public Perceptions.....	15
1.13 Research Objectives.....	16
1.14 Organization of the Thesis .....	17
1.15 References.....	17
<b>2 Research Methods and Data Sources .....</b>	<b>19</b>
2.1 Introduction.....	19
2.2 Research Methods .....	19
2.2.1 Quantitative Data Analysis .....	19
2.2.2 Qualitative Analysis Through Surveys .....	21
2.3 Data Sources .....	22
2.3.1 New Jersey MVC Databases.....	22
2.3.2 U.S. Census Bureau Database.....	25
2.4 References.....	25
<b>3 Characteristics of Suspended Drivers in New Jersey .....</b>	<b>27</b>
3.1 Introduction.....	27
3.2 Objectives .....	28
3.3 Approach.....	28

3.4	Results.....	31
3.4.1	Annual Suspensions .....	32
3.4.2	Suspension Demographics .....	34
3.4.3	Suspension Characteristics.....	39
3.5	Conclusions.....	45
3.6	References.....	47
<b>4</b>	<b>Compatibility of RDL Programs with Commercial Driver Licenses .....</b>	<b>48</b>
4.1	Introduction.....	48
4.2	Objective.....	48
4.3	Methods.....	48
4.4	Federal Motor Carrier Safety Administration Regulations.....	49
4.4.1	FMCSA Regulations on Traffic Violations and Suspensions.....	50
4.4.2	FMCSA Prohibits Hardship Licenses.....	51
4.5	New Jersey Motor Vehicle Commission Commercial Driver License Regulations.....	52
4.6	Current Practices in States with RDL Programs.....	53
4.7	Conclusions.....	54
4.8	References.....	54
<b>5</b>	<b>Crash and Violation Risk of Suspended Drivers.....</b>	<b>56</b>
5.1	Introduction.....	56
5.2	Objective.....	57
5.3	Approach.....	57
5.4	Results.....	62
5.4.1	Comparisons of Driver Behavior .....	64
5.4.2	Changes in Driver Behavior of First-Time “Non-Driving” Suspended Drivers.....	66
5.5	Discussion .....	66
5.6	Limitations .....	69
5.7	Conclusion .....	69
5.8	References.....	70
<b>6</b>	<b>Surveying Perceptions of New Jersey Police Chiefs on Restricted Driver’s License Programs</b>	<b>71</b>
6.1	Introduction.....	71
6.2	Objective.....	71
6.3	Approach.....	71
6.4	Survey Limitations.....	72

6.5	Survey Results .....	72
6.6	Discussion .....	80
6.7	References.....	81
<b>7</b>	<b>Surveying Perceptions of U.S. State Motor Vehicle Agencies Survey on Restricted Driver’s License Programs.....</b>	<b>82</b>
7.1	Introduction.....	82
7.2	Objective.....	82
7.3	Approach.....	82
7.4	Responses.....	84
7.5	Conclusions.....	93
7.6	References.....	96
<b>8</b>	<b>Summary of Findings .....</b>	<b>97</b>
8.1	Potential for a Restricted Driver’s License Program in New Jersey.....	97
8.2	Demographics and Driving Behavior of Suspended Drivers.....	98
8.3	Stakeholder Perceptions .....	99
8.4	RDL Programs in Other States.....	100
8.5	Recommendations.....	100
8.6	Final Discussion.....	102
8.7	References.....	103
<b>9</b>	<b>Bibliography .....</b>	<b>105</b>
	<b>Appendix A: New Jersey Legislations Specific to Commercial Driver License .....</b>	<b>108</b>
	<b>Appendix B: New Jersey Police Chiefs Survey (sample).....</b>	<b>111</b>
	<b>Appendix C: U.S. State Motor Vehicle Agencies Survey (sample).....</b>	<b>116</b>
	<b>Appendix D: Poisson’s Regression Analysis .....</b>	<b>120</b>

## List of Figures

Figure 1. Total crash risk of suspended sub-groups as compared to.....	13
Figure 2. Required suspension for 1st DUI.....	14
Figure 3. Required suspension for 2nd or subsequent DUI. ....	14
Figure 4. Number of total suspensions ordered annually.....	33
Figure 5. Distribution of New Jersey drivers by age group. A disproportionate percentage of suspended drivers are between the ages of 18 to 34 years old. ....	34
Figure 6. Distribution of New Jersey drivers by sex as of August 2011. A disproportionate percentage of suspended drivers are male. ....	35
Figure 7. Correlation of average household income level and population density of all New Jersey drivers. ....	36
Figure 8. Percentage of NJ drivers by household income level.....	38
Figure 9. Percentage of NJ drivers by population density. ....	39
Figure 10. Percentage of NJ suspension events by reason for suspension and household income level. The boxed-in reasons are driving-related reasons.....	41
Figure 11. Percentage of NJ suspension events by reason for suspension and population density. The boxed-in reasons are driving-related reasons.....	42
Figure 12. Violation rates for single-suspension suspended drivers as compared with non-suspended drivers, based on a Poisson's regression analysis of NJ MVC Driver History database. All results were found to be significant ( $p<0.05$ ).....	65
Figure 13. Violation rates for single-suspension drivers suspended for 'driving' as compared with single-suspension drivers suspended for 'non-driving' reasons, based on a Poisson's regression analysis of NJ MVC Driver History database. All results except for speeding violations were found to be significant ( $p<0.05$ ).....	65
Figure 14. Distribution of reasons for subsequent suspensions .....	66
Figure 15. Responses to Survey Question 4: <i>Do you think that a RDL should be offered to drivers who had their license suspended for the following reasons?</i> .....	73
Figure 16. Responses to Survey Question 5: <i>If NJ offered a RDL, what privileges should the license allow?</i> .....	74
Figure 17. Responses to Survey Question 6: <i>What other restrictions/requirements would you want to institute if such a program was to be put in place?</i> .....	75
Figure 18. Responses to Survey Question 7: <i>Statements Describing RDL Programs</i> .....	76
Figure 19. Responses to Survey Question 8: <i>Why should New Jersey consider a RDL Program?</i> .....	77
Figure 20. Responses to Survey Question 9: <i>Statements to describe RDLs</i> . ....	78
Figure 21. Responses to Survey Question 10: <i>How much would you expect the following groups to agree with the establishment of a RDL Program in New Jersey?</i> .....	79

## List of Tables

Table 1. Common Types of Remedial Programs in the Known 37 States with Restricted-Use License Programs.....	6
Table 2. Definitions of suspension subgroups. (DeYoung et al., 2004) .....	12
Table 3. Number of total suspensions ordered annually .....	32
Table 4. Distribution of New Jersey drivers by age group. ....	34
Table 5. Suspension Demographics - Gender and Age (Active Suspensions).....	35
Table 6. Distribution of NJ licensed drivers by population density and household income.....	37
Table 7. Distribution of NJ actively suspended drivers by population density and household income....	37
Table 8. Suspension characteristics - Top 12 reasons for active suspension as of August 2011 .....	40
Table 9. Suspension characteristics - Drivers with multiple suspensions (Active Suspensions).....	43
Table 10. Distribution of suspended drivers by type of suspension as of August 2011.....	44
Table 11. Suspension characteristics - Number of accumulated points (Active Suspensions).....	44
Table 12. Top common violations for <i>all</i> drivers in New Jersey in 2010.....	59
Table 13. Most Common Reasons for Suspensions in New Jersey .....	60
Table 14. Distribution of drivers with violations recorded in MVC dataset.....	62
Table 15. Distribution of violations recorded in MVC dataset .....	62
Table 16. Distribution of Most Common Violations (%). ....	63
Table 17. Number of Violations .....	64
Table 18. Violation rates for single-suspension suspended drivers as compared with non-suspended drivers, based on a Poisson's regression analysis of NJ MVC Driver History database. All results were found to be significant ( $p < 0.05$ ).....	64
Table 19. Violation rates for single-suspension drivers suspended for 'driving' as compared with single-suspension drivers suspended for 'non-driving' reasons, based on a Poisson's regression analysis of NJ MVC Driver History database. All results <i>not</i> in bold were found to be significant ( $p < 0.05$ ).....	65
Table 20. States responding to the survey.....	84
Table 21. Distribution of responses to Question 1 .....	84
Table 22. Distribution of responses to Question 2.....	85
Table 23. Distribution of responses to Question 2.....	86
Table 24. Distribution of responses to Question 3.....	87
Table 25. Distribution of responses to Question 4.....	88
Table 26. Common descriptions of remedial programs.....	89
Table 27. Distribution of responses to Question 5.....	89
Table 28. Distribution of responses for Question 6 .....	90
Table 29. 49 CFR 383.31: "Notification of convictions for driver violations" .....	108
Table 30. 49 CFR 383.33: "Notification of driver's license suspensions" .....	109
Table 31. 49 CFR 383.37: Notification requirements and employer responsibilities: Employer responsibilities .....	109
Table 32. Minimum standards for substantial compliance by states: Limitation on licensing: (49 CFR 383.210).....	110

# 1 Background and Objective

---

## 1.1 Introduction

In New Jersey, driver license suspension for traffic-related offenses was established as a way to remove “bad drivers” from the roads. However, as Zimmerman et al. (2001) described, beginning in the early 1990s this punishment tool expanded to non-traffic-related offenses, such as failure to meet financial responsibilities or failure to acquire/maintain proper auto-insurance. In 1992, New Jersey became the first state to pass legislation to adopt a license suspension law for drug offenders (Zimmerman et al., 2001). In New Jersey, this has been a controversial issue, causing some groups to ask why non-traffic-related crimes are receiving traffic-related punishments, (Zimmerman et al., 2001; Voorhees et al., 2001).

The primary intent of suspending a driver’s license is to keep hazardous drivers off of the roads, in hopes of having a safer driving environment for others on the road. Drivers in New Jersey can have their driver’s license suspended for a number of reasons. These include dangerous driving behaviors such as reckless driving and driving under the influence of alcohol or drugs. However, there are also reasons for suspension that have little or nothing to do with driving behavior, such as failure to pay child support, failure to pay MVC insurance surcharge, or failure to appear in court. Although citizens should comply with these court ordered obligations, they have little or nothing to do with driver behavior. Suspending the driver’s licenses for these reasons can have severe impacts on the driver’s ability to maintain a stable financial well-being in order to meet the financial demands of child support or insurance surcharges. A number of states in the U.S. have countered this unintended impact by creating Restricted Use License programs, allowing

drivers with suspended licenses to drive in specific scenarios (e.g. drive to work). This research study will conduct an analysis of the issues and implications of implementing a restricted-use license program for suspended New Jersey drivers, detailing key issues associated with restricted-use license programs.

This study aims to examine the rationale for license suspensions, the effectiveness of alternatives to suspensions, and the public opinion on the issue. Specifically, this study will determine how restricted-use license programs are established and implemented in other states, and how they compare to license suspension. Effectiveness will be examined in terms of traffic safety, completion of compliance, fairness and affordability, habitual behavior, cost/benefit issues, and feasibility of enforcement. Note that this study will consider suspended drivers as an explicit group, rather than grouping all unlicensed drivers (unlicensed, suspended, unknown license status) into one single group as previous studies have done. In addition, this study will define variations of restricted-use license programs that might be considered by New Jersey. The idea of implementing restricted-use license programs in New Jersey is not a new discussion. This chapter presents background on this issue as described in the literature.

## **1.2 New Jersey Driver's License Suspension Laws**

Drivers' license suspensions in New Jersey presented by New Jersey Statutes (N.J.S.A §39.5, N.J.S.A. §39.4, N.J.S.A. §39.4, N.J.A.C § 13.19, N.J.S.A. §17:29, N.J.S.A. §13:1) State that New Jersey drivers' licenses can be suspended either administratively, by the Motor Vehicle Commission (MVC), or by judicial action.

Possible driving-related reasons for a driver's license suspension include, but are not limited to:

- 12+ traffic violation points on driver record
- Driving with suspended license
- Physical/mental disqualification
- DWI (drug/alcohol)
- Reckless driving
- Fault in fatal accident

Possible non-driving related reasons for a driver's license suspension include, but are not limited to:

- Failure to provide proof of insurance
- Failure to pay child support
- Failure to appear in court or pay fines
- Failure to pay surcharges

Drivers are notified of suspension via mail, and they may appeal any convictions through a court hearing. If guilty, the driver must surrender the driver's license to the judge during court or to the nearest New Jersey MVC Service Center. If the driver has received three (or more) suspensions within a 3-year period, the driver's license may be suspended for up to three years. The length and severity of suspension is determined by case, and is at the discretion of whomever is issuing the suspension (judge, MVC, etc.). If a driver is caught driving with a suspended driver's license, the driver may face up to five years in jail. After completion of the suspension period, the driver will receive notification of restoration via mail after paying a \$100

restoration fee. This general suspension information, along with more detailed information of New Jersey's suspension policies is available on New Jersey's MVC website (<http://www.state.nj.us/mvc/>).

### **1.3 Proposed and Pending New Jersey Restricted Driver's License Laws**

A bill sponsored by two assemblymen of New Jersey was introduced on March 4, 2010 proposing to permit "certain motor vehicle offenders to apply for restricted use licenses" (A2422, 2010). The proposed bill is described to be for a person who has had their license suspended for "certain motor vehicle violations" to be able to apply for a restricted use driver's license. The bill proposes that the restricted license should be used for the employment and educational purposes in the absence of other viable transportation options. Bill A2422 also states that "this bill is intended to mitigate the adverse effects of a suspension of driving privileges on certain persons who must drive motor vehicles to maintain their employment or continue their education." In terms of which motor vehicle offenders are eligible to apply for the restricted use license, the bill describes:

"Persons whose licenses were suspended for accumulating 12 or more motor vehicle points, driving without the required motor vehicle liability insurance, an offense that involved death or seriously bodily injury, exceeding the speed limit by more than 15 miles per hour, reckless driving, illegally passing a school bus or driving while the operator's license was suspended or revoked would be ineligible for the restricted use license."

In December 5, 2011, the New Jersey State Bar Association (NJSBA) issued a statement supporting bill A2422 as a remedial program for DWI offenders, however “the bill was held in committee, the NJSBA is working to have the legislation rescheduled for consideration.” (NJSBA, 2011)

#### **1.4 State Motor Vehicle Agency Surveys**

Carnegie et al. (2007) performed a survey of all state motor vehicle agencies in 2004. The objective of this study was to gather information specifically regarding license suspension programs, research evaluating suspension programs, and programs designed to mitigate unintended consequences of license suspensions. The survey was performed in two phases. The first phase was a simple 5-question survey completed via mail or email. The second phase was a phone or email follow-up interview. Of all 49 states (not including New Jersey) plus District of Columbia, 41 responded (including D.C.). Of the 41 respondents, 14 states stated that they have or are currently updating their license suspension program. Thirty-two states reported suspending licenses for non-driving related reasons. Common-reasons reported included unlawful use of driver’s license, medical/visual conditions, failure to appear in court, and failure to pay fines/fees. Of the 41 respondents, 37 states offered some form of a restricted-use license program and 6 states offered some form of payment plan, as shown in Table 1.

**Table 1. Common Types of Remedial Programs in the Known 37 States with Restricted-Use License Programs.**

<b>State</b>	<b>Type of Remedial Program</b>
– Alaska – Georgia	Limited License Program
– Arizona – Missouri – North Carolina	Restricted/Limited Driving Privilege
– Arkansas – Louisiana – Tennessee	Restricted Driver License Program & Payment Plan
– California – Idaho – Illinois – Kansas – Michigan – Montana – Nevada – Virginia	Restricted Driving License Program
– Colorado – Delaware – Washington – Wyoming	Conditional/Job-Related Probationary License Program
– Connecticut – Wisconsin	Occupational License Program
– D.C. – Ohio – Pennsylvania	Limited Occupational License Program & Payment Plan
– Hawaii – Oregon	Hardship/Restricted License Program
– Iowa	Temporary Restricted License
– Minnesota – North Dakota – South Dakota	Work/School Limited License Program
– Nebraska	Medical Hardship License and Employment Drive Permit Programs
– New York	Conditional Use License and Restricted Use License
– Oklahoma	Modified License
– Texas	Essential Needs License (occupational license program)

Thirteen states reported that they monitor driver's license suspensions, however only a few fully monitored license suspensions in terms of trends, failures, and successes. Three states reported that they were aware of studies dealing with the geographic and socioeconomic distribution of driver's license suspension.

A common policy found throughout the Carnegie state survey was that even when states offered restricted-use license programs, offenders typically had licenses suspended for a required amount of time; the requirement and amount of time was offense specific. In general, required suspension time was 30-90 days and sometimes up to half of the suspension period. Eligibility for restricted-use license programs was generally only for DUI offenders (1<sup>st</sup> or 2<sup>nd</sup> offense only) or for those with accumulation of traffic convictions. Most states did not consider those convicted of multiple DUI offenses, negligent vehicular homicide, habitual offenders, failure to render aid, or compliance issues eligible for restricted-use license programs. Restricted driving privileges were generally only for employment, educational, religious, medical, or child/elder care reasons. Most states believed their restricted-use license programs were effective. However, the only state that evaluated their program was Washington State. The Washington State motor vehicle agency reported a reduction of habitual offenders, unemployment, and family hardships, as well as improved driver behavior after completion of the program.

## **1.5 Collecting Fees and Penalties Due**

Thoennes et al. (2000) from the Center for Policy Research in Colorado's Office of Child Support Enforcement performed an analysis of the effectiveness of using driver's license

suspensions as a tool for child support enforcement. They concluded that the use of driver's license suspension as a tool for child support enforcement was a relatively effective enforcement tool in Colorado. Single-order obligors, i.e. people who have only one outstanding child-support payment, typically fulfilled obligations after receiving notice of possible suspension. Monitoring these obligors generated an average of \$212 per case. The trend of multiple-order obligors, i.e. people who have multiple outstanding child-support payments, was that 18% did not respond to license suspension notification, but 37% consistently met their child-support requirements after notification of potential license suspension. The remaining 44% were initially compliant after notification, but then returned to non-compliance.

Zimmerman et al. (2001) interviewed the New Jersey Department of Treasury, which reported that in the past five years (as of 2001) about 50% of insurance surcharges were paid. The New Jersey Parking Offenses Adjudication Act (POAA), which allows license suspension when a driver fails to appear in court to satisfy a parking summons, dropped the number of unpaid parking tickets from 4.4 million unpaid parking tickets in 1990 to only 400,000 unpaid parking tickets in 2004. However, those from low-income populations with license suspensions have been shown to struggle immensely with meeting payment deadlines. Zimmerman et al. (2001) discussed the case of two students who each owed \$15,000 in fines and fees. Being students with only part-time informal work, it was impossible for them to satisfy these payments. Much of the literature discussed in the Zimmerman report similarly recommends alternatives to license suspension for those suspended for cost reasons, with the belief that having the limited ability to drive for employment purposes will effectively allow opportunities for payment. There is little

evidence in the literature discussed within this report that shows a comparison of the effectiveness of license suspensions versus restricted license programs to collect fines and fees.

## **1.6 Cost and Benefits**

There is little discussion in the literature on the costs and benefits of a restricted-use license program. It can be speculated that possible costs associated with restricted-use license programs could be administrative or enforcement costs. Benefits that could be associated with restricted-use license programs are the economic benefits of reducing unemployment, reducing welfare costs, and possible increased revenue from more affordable payment plans for fines/fees. However, there is little in the literature to support this speculation.

## **1.7 Law Enforcement**

Possible methods, effectiveness, and manageability of law enforcement are not well discussed in the literature. One possibility is that law enforcement of restricted-use license programs would be akin to law enforcement of suspended licenses. However, there is little literature to support this idea.

DeYoung et al. (2004) discuss the difficulty with enforcing suspension laws. They describe it as “an ‘invisible’ offense, and rates of detection, prosecution, and conviction of drivers who violate their license suspension orders are very low.” Carnegie et al. (2007) discuss the effectiveness of enforcement in states with existing restricted-use license programs. All states report that

enforcement is limited to law enforcement personnel actions. However, some states reported a few strategies to enhance enforcement. For example, Hawaii has participants return to court on a schedule basis as a way to show proof of compliance. Idaho requires a participant's employer to notify the Department of Motor Vehicles of employment termination. Nevada requires follow-up audits conducted by the Department of Motor Vehicles to monitor employment status. This ensures that drivers under occupational license programs remain employed during the license program, warranting the need for an occupational license. Additionally, most states will cancel the restricted-use license program and reinstate the offender's suspension or revocation as penalties for violating program restrictions.

## **1.8 Restricted Licenses and DWIs**

In New Jersey, 3% of the suspensions were for driving while intoxicated (Carnegie, 2009). DeYoung et al. (2004) compared driving behavior of driver's with a history of suspension versus drivers with no history of suspension for the state of California. They concluded that drivers suspended for a DUI conviction posed a traffic risk twice the traffic risk of drivers with valid licenses. It is also known that alcohol-related crashes account for about 40% of all traffic fatalities in the U.S (NHTSA, 2010). As described by the state surveys performed by Carnegie et al. (2007), nearly all states with restricted-use license programs offer eligibility to 1<sup>st</sup> or 2<sup>nd</sup> DUI offenders. The only exception is Washington D.C. The reasoning for these policies was not discussed.

## **1.9 Recidivism**

Statistical studies have shown that remedial programs in combination with a probationary period appear to be the most effective in preventing recidivism. Recidivism is the act of a person reverting back to illegal behavior. Carnegie et al. (2009) discusses the recidivism rate among drivers with suspended driver's licenses in New Jersey. It was found that overall the highest rate of recidivism particularly in terms of alcohol/drug offenses (McKnight, 1991), was found among young male drivers (ages 18-24). Within the context of DUIs, from Carnegie's state survey, the Delaware Division of Motor Vehicles reported that ignition interlock devices were valuable and effective tools with a low recidivism rate associated with its use for DUI driver's license suspensions. However, there is little literature which discusses recidivism of drivers with suspended licenses.

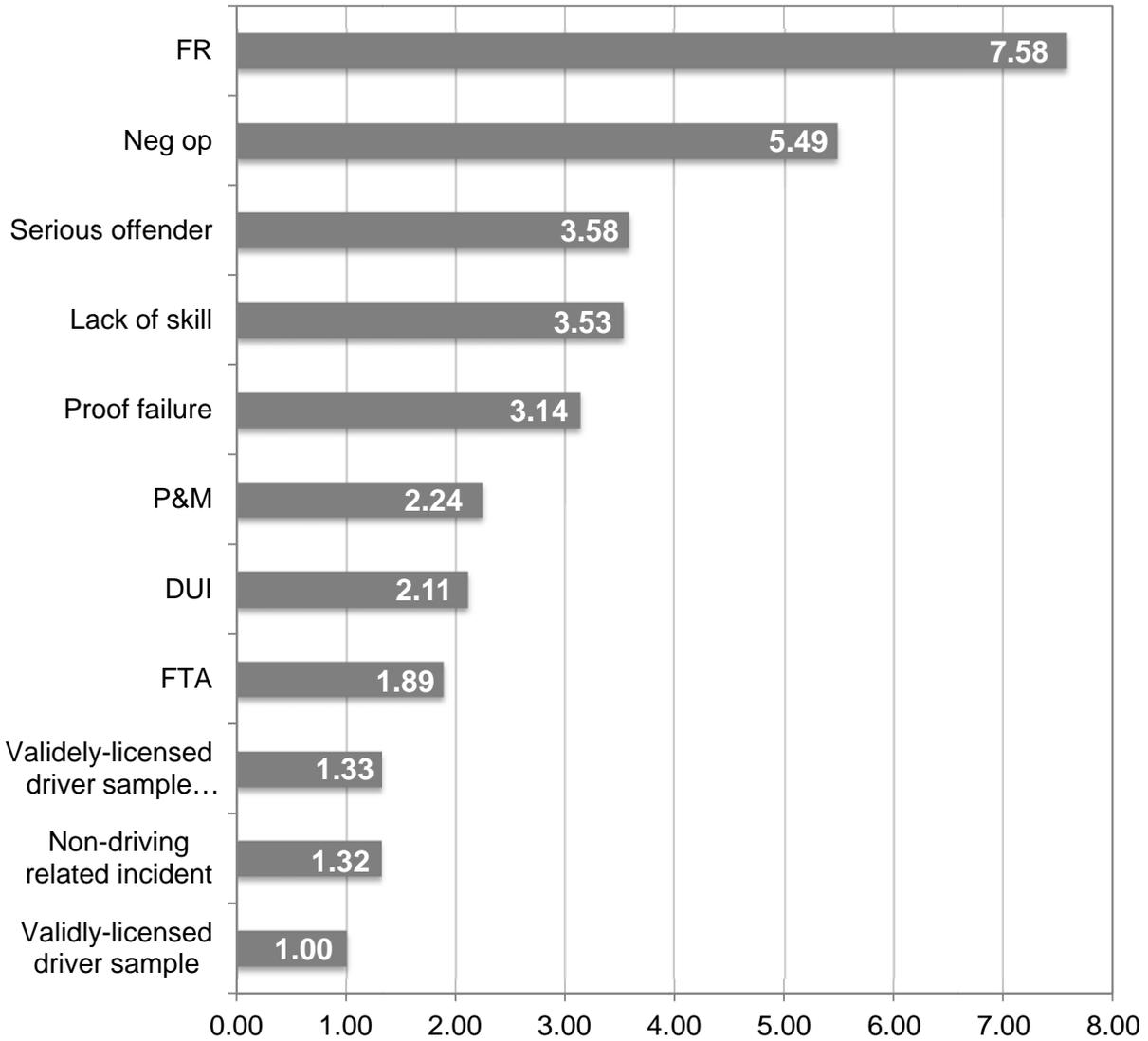
## **1.10 Impact on Roadway Safety and Driver Behavior**

DeYoung et al. (2004) compared the driving behavior of drivers with a history of suspension versus drivers with no history of suspension for the state of California. Rather than looking at the group of suspended driver's as a homogeneous group, DeYoung disaggregated this group into subgroups defined by the reason for suspension. The subgroups were defined as shown in Table 2.

**Table 2. Definitions of suspension subgroups. (DeYoung et al., 2004)**

<b>Sample groups</b>	<b>Definition</b>
<b>FR</b>	Financial Responsibility (unable to maintain proper auto insurance)
<b>Neg op</b>	Accumulation of negligent operator points
<b>Serious offender</b>	Convicted of road rage, reckless driving, manslaughter, etc.
<b>Lack of skill</b>	Lack of requisite skills needed to drive (typically elderly, or novice drivers). Evidence presented to DMV by physicians, peace officers, or family members, or discovered by a DMV driving examiner during a driving test.
<b>Proof failure</b>	Failure to prove proper auto insurance at the time of crash incident
<b>P&amp;M</b>	Physical and mental condition
<b>DUI</b>	Driving under the influence conviction
<b>FTA</b>	Failure to appear in court hearing or pay court fines
<b>Validly-licensed driver sample (males under 25)</b>	Male drivers under the age of 25 with a valid driver's license
<b>Non-driving related incident</b>	Failure to pay child support
<b>Validly-licensed driver sample</b>	All drivers with a valid driver's license

DeYoung found that while all license-suspended subgroups posed a higher traffic risk than the baseline group, the different subgroups varied significantly in the increased risk posed. The subgroup with the highest relative total crash risk was the group of people who lacked auto insurance at the time of their crash incident. Compared to validly-licensed drivers, whose relative total crash risk is 1.0, the subgroups compared as shown in Figure 1 (in order of lowest risk to highest risk).



**Figure 1. Total crash risk of suspended sub-groups as compared to validly-licensed drivers. (DeYoung et al., 2004)**

DeYoung's results showed that as a homogeneous group, suspended drivers are a higher crash risk than drivers with a valid license, however the subgroups within the suspended drivers groups are very diverse. Drivers who were suspended for a non-driving related incident (e.g. failure to pay child support) were more of a crash risk than validly licensed drivers, but not with statistical significance.

### 1.11 Restricted Driver's Licenses for DUI Offenders

Figure 2 and Figure 3 were based on state surveys performed by Carnegie et al. (2007), which show the number of months of required suspension for a 1<sup>st</sup> and 2+ DUI, and the number of states with these requirements.

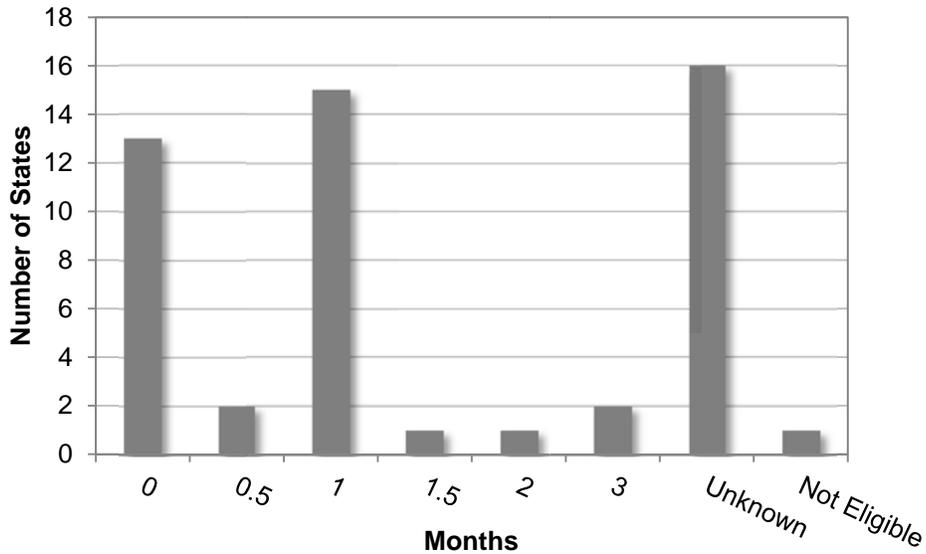


Figure 2. Required suspension for 1st DUI.

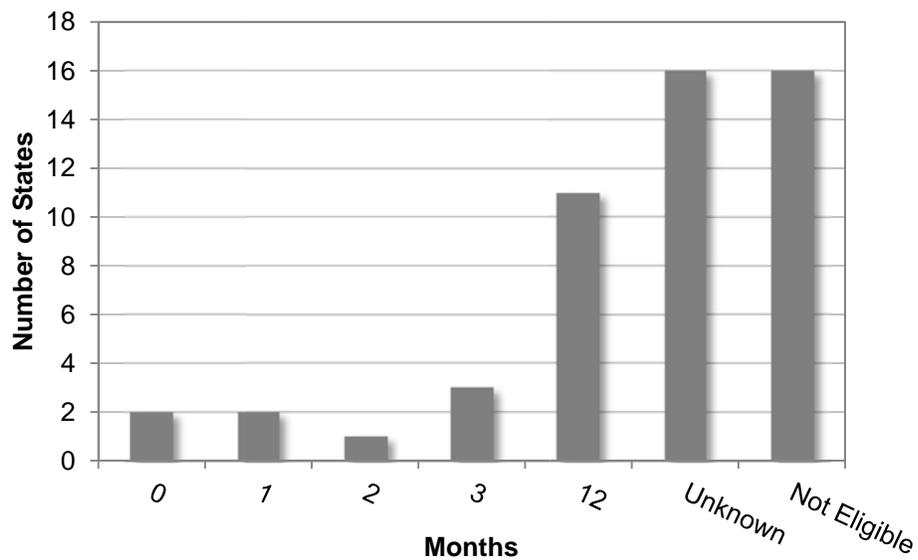


Figure 3. Required suspension for 2nd or subsequent DUI.

Figures 2 and 3 show that most states are more lenient towards a first-time DUI offense, but are less tolerant of 2 or more DUI offenses. As reported by the National Conference of State Legislatures (NCSL, 2011), all but two states – Alabama and South Dakota - have some form of an ignition interlock law. Sixteen states only allow eligibility for a restricted driver’s license (after suspension resulting from a DUI) if ignition interlocks are installed in the driver’s vehicle.

### **1.12 Public Perceptions**

Carnegie et al. (2007) surveyed 7500 New Jersey drivers, 5000 with a history of license suspensions and 2500 with no history of license suspensions. About 8% of drivers with a history of license suspensions responded, and about 28% of drivers with no history of license suspensions responded. More than three-quarters of respondents supported the concept of restricted-use license programs for some suspended drivers under some circumstances. Of those respondents with no history of license suspension, 69% supported a restricted-use license program. More than half supported such a program for drivers suspended for “money-related reasons”, but only 39% supported such a license for those failing to pay child support and only 28% supported such a license for those failing to appear in court. 96% of all respondents supported such a license for employment purposes, 75% for medical purposes, 68% for educational purposes, 65% for child/elder care, 57% for rehabilitation/counseling purposes, and 46% for personal/family needs.

From the perspective of key stakeholders, little literature is available which discusses the perceptions of stakeholders (e.g. law enforcement, insurance companies, and lobby groups). Motor vehicle agencies from states which offer some form of mitigation/remedial programs all

believed their programs to be generally effective. However, other stake holder perceptions are not known, as well as the perceptions of motor vehicle agencies from state which do not offer some form of mitigation/remedial programs.

### **1.13 Research Objectives**

The primary objective for this study was to explore the possibility, the consequences, and the implications of implementing a Restricted Driver's License (RDL) program in New Jersey. In order to address the different issues surrounding New Jersey driver's license suspension and the possibility of a RDL program, the following research objectives were met:

1. Evaluated New Jersey suspension characteristics as a comparison of driving behaviors between drivers with a suspended license and drivers with a valid license.
2. Conducted national survey of State motor vehicle agencies to gather information on other states' experiences with RDL programs.
3. Conducted survey of New Jersey Police Chiefs to gather information on the perceptions of New Jersey stakeholders regarding RDL programs.
4. Evaluated implications of a RDL program for drivers with Commercial Driver's Licenses (CDLs) to understand possible challenges of implementing and enforcing a RDL program.
5. Evaluate crash and violation risk of drivers with non-driving suspensions as a comparison of driver risk between drivers with a suspended license and drivers with a valid license. Also, compare drivers who were suspended for non-driving-related reasons to drivers who were suspended for driving-related reasons.

## **1.14 Organization of the Thesis**

In the thesis document that follows, Chapter 2 discusses the research methods used in the study. Specifically, Chapter 2 discusses the data sources used, as well as how they were used. Chapter 3 discusses the characteristics of suspended drivers in New Jersey, particularly in terms of driver demographics such as gender, age, population density, and average household income. Chapter 4 discusses the compatibility of restricted driver's licenses with commercial driver's licenses. The comparison of crash and violation risk between suspended drivers and validly-licensed drivers is then discussed in Chapter 5. This chapter also compares two groups within the suspended drivers group – non-driving suspensions and driving suspensions. Chapter 6 then discusses two surveys that were conducted for this study. The first survey presented is the New Jersey police chiefs survey, which discusses the perceptions of New Jersey police chiefs on restricted driver's license programs. The second survey presented is the state motor vehicle agencies survey, which discusses the experience of other states' approaches to restricted driver's licenses. Chapter 7, the final chapter, is a summary of the study findings.

## **1.15 References**

- Carnegie, J. A. and Voorhees, A.M. (2007). "Driver's License Suspensions, Impacts, and Fairness Study," NJDOT, 2007.
- Carnegie, J.A. and Voorhees, A.M. (2009). "Study of Recidivism Rates among Drivers Administratively Sanctioned by the New Jersey Motor Vehicle Commission," NJDOT, 2009.
- Diegnan, P.J. and Coleman, B.W. (2010). Assembly, No. 2422. State of New Jersey 214<sup>th</sup> Legislature. March 4, 2010.

- DeYoung, D. J. and Gebers, M.A. (2004). "An examination of the characteristics and traffic risks of drivers suspended/revoked for different reasons," *Journal of Safety Research*, vol. 35, pp. 287-295, January 2004.
- Griffin, L.I., and DeLaZerda, S. (2000). "Unlicensed to Kill," AAA Foundation for Traffic Safety, Washington, D.C., June 2000.
- Gustitus, S., Simmons, M., and Waller, M. (2008). "Access to Driving and License Suspension Policies for the Twenty-First Century Economy," *The Mobility Agenda*, Washington, D.C., June 2008.
- McKnight, J.A., and Voas, R.B. (1991). "The Effect of License Suspension Upon DWI Recidivism," *Alcohol, Drugs, and Driving*, vol. 7(1), pp.43-54, March 1991.
- NCSL. (2011) "State Ignition Interlock Laws." NCSL Home. N.p., n.d. Web. 7 Apr. 2011. <<http://www.ncsl.org/issues-research/transport/state-ignition-interlock-laws.aspx/>>.
- NHTSA. Traffic Safety Facts 2010, National Traffic Safety Administration. U.S. Department of Transportation; Washington, DC: 2010. Report No. DOT HS 811 606.
- NJSBA. (2011) New Jersey State Bar Association - Homepage. N.p., n.d. Web. 20 July 2012. <<http://www.njsba.com/resources/gov-affairs/capitol-report/capitol-report-arch/december-5-2011.html>>.
- Scopatz, R.A., Hatch, C.E., DeLucia, B.H., and Tays, K.A. (2003). "Unlicensed to Kill: The Sequel," AAA Foundation for Traffic Safety, January 2003.
- Thoennes, N., Pearson, J. (2000). "Multiple Intervention Grant: Driver's License Suspension as a Tool of Child Support Enforcement," *The Office of Child Support Enforcement*, Denver, September 2000.
- Voorhees, A. M., and Bloustein, E.J. (2006). "Motor Vehicles Affordability and Fairness Task Force," February 2006.
- Wagenaar, A.C., and Maldonado-Molina, M.M. (2007). "Effects of Drivers' License Suspension Policies on Alcohol-Related Crash Involvement: Long-Term Follow-Up in Forty-Six States," *Alcoholism: Clinical and Experimental Research*, vol.31(8), pp.1399-1406, August 2007.
- Zimmerman, K., and Fishman, N. (2001). "Roadblock on the Way to Work: Driver's License Suspension in New Jersey," *N. J. I. f. S. Justice*, Newark, 2001.

## 2 Research Methods and Data Sources

---

### 2.1 Introduction

Two major goals of this study were to analyze the behavior trends of New Jersey drivers, traffic violations, and driver's license suspensions, and to understand the perceptions of New Jersey stakeholders regarding restricted driver's licenses. The first objective was approached as a quantitative study, using data sources as means to answer the study questions. The second objective was approached as a qualitative study in which surveys were distributed and conducted to gather insights on the study questions.

### 2.2 Research Methods

#### 2.2.1 Quantitative Data Analysis

For the quantitative analysis of this study, the following data sources were used:

- New Jersey Motor Vehicle Commission (MVC) driver history database
- New Jersey Motor Vehicle Commission (MVC) driver's license database
- U.S. Census Bureau database

Data analysis was performed using SAS 9 .2 and Microsoft Excel 2010.

#### Driver Characteristics

Several studies in the United States have analyzed the characteristics of drivers as a way to compare the driving behavior differences between drivers with a suspended license and drivers

with a valid license (Voorhees, 2001; DeYoung, 2004; Zimmerman, 2006; Carnegie, 2007; Carnegie, 2009). Carnegie et al. (2007, 2009) used the New Jersey MVC driver history database to analyze driver characteristics, but this study is now nearly ten years old and needs to be updated.

### *Driver Demographics*

To supplement the study of driving behavior characteristics, driver demographics were also analyzed. Driver demographics provide information on possibly underlying factors that could relate to driver trends. The New Jersey MVC driver history database and the U.S. Census Bureau database were used to analyze driver characteristics (Carnegie, 2007; Carnegie, 2009; Thor, 2010).

### *Traffic Violation and Crash Counts*

In addition to comparing the driver characteristics between suspended and validly-licensed drivers, the New Jersey MVC driver history database and the New Jersey Crash database could be used to analyze traffic violation and accident trends as a way to compare drivers (DeYoung, 2004; Carnegie, 2007; Thor, 2010). This comparison provides insight on traffic risk of suspended drivers.

### *Statistical Approach*

As done in previous studies (DeYoung, 2004; Kirley, 2008; Thor, 2010), a Poisson regression was used for the statistical analysis of traffic violation and crash counts. Poisson regression is particularly relevant for evaluating data counts (Cameron, 2008). An additional advantage of

using Poisson regression is that it allows for confidence intervals to be computed determining statistical significance of data findings (Cameron, 1998).

### **2.2.2 Qualitative Analysis Through Surveys**

One goal of this study was to determine the perceptions of law enforcement regarding restricted driver's licenses. One of the most crucial stakeholders is police officers who would have to enforce restricted driver's license laws. To investigate the perception of New Jersey stakeholders, surveys of New Jersey police chiefs were conducted. In an effort to increase response speed, reduce costs, and accelerate analysis, the survey was designed to be electronic (Bachmann et al., 1996). Surveys were emailed to 31 police chiefs of different New Jersey cities and townships. The survey began with a brief description of restricted driver's licenses, as well as a brief explanation of why New Jersey might consider a Restricted Driver's License program. Each police chief was asked to give their information at the beginning of the survey for record-keeping purposes

Another important aspect of the New Jersey restricted driver's license study is considering how other states in the United States approach different strategies for dealing with driving offenders. A survey was emailed to the state motor vehicle and transportation agencies in the U.S. to collect information on States' approaches towards driving offenses. Fifty motor vehicle and transportation agencies were contacted; one from each state other than New Jersey, plus one from the District of Columbia. The survey asked questions pertaining specifically to the issue of suspended and restricted driver's licenses.

## **2.3 Data Sources**

The data sources used for this study include the New Jersey Motor Vehicle Commission Driver History database, the New Jersey Motor Vehicle Commission Driver's License database, the New Jersey Crash database, and the U.S. Census Bureau database.

### **2.3.1 New Jersey MVC Databases**

#### *New Jersey MVC Driver History database*

The primary data source used was the New Jersey driver history dataset provided by motor vehicle commission (MVC) in late August 2011. The dataset contains all driver events recorded by MVC for drivers with active licenses up through August 8, 2011. Prior to any analysis, all personal identifiers, e.g. name, driver license number and address, were removed to protect the identity of each driver. Before analysis, a unique, but random, numerical identifier was coded for each driver as an identifier to use during analysis. Following IRB protocols, the sanitized files were kept on a separate hard drive.

The analysis of this MVC dataset was compared with a previous analysis of NJ suspension characteristics conducted with MVC data through May 2004. MVC provided the research team with the original dataset used in the 2004 analysis (Carnegie, 2004) which permitted direct comparison of the 2004 and the current MVC datasets. Whereas the MVC dataset used in the previous study contained approximately over 95 million total event history records with data ranging from 1985 to May 2004, the current form of the MVC data contains approximately 71 million total event history records ranging from 1985 to August 2011. The current form of the

MVC data has about 25% fewer total records available for analysis than the previous study's form of the MVC data.

The MVC data in its current form contains 71,172,657 total event history records, 5,312,865 drivers with data in the event history records and 6,714,288 total registered drivers in New Jersey, with the event year ranging from 1985 to August 8, 2011. Analysis on currently active driver's license suspensions only used data from events occurring from 1995 to August 8, 2011 (13,526,329 suspension events).

The suspension characteristics as of May 2004 (Carnegie et al., 2007) were compared to the suspension characteristics as of August 2011. The most current MVC dataset (King, 2011) excluded the following drivers:

- Drivers that do not have a valid New Jersey address
- Businesses and drivers with only business license history.
- Drivers with expiration dates prior to 01-01-2008.
- Drivers with death dates prior to 01-01-2008.
- Canceled DLNs – ones no longer valid. Drivers would have been issued new ones.
- Owner only – never held a NJ license
- Violator only- (never held a NJ license)
- Handicapped ID
- People with ID documents that have never held a driving license

Excluding drivers with expiration dates prior to 01-01-2008 and drivers with death dates prior to 01-01-2008 excludes the historical data of these drivers' events. "Active" suspended driver's licenses were defined as drivers with a non-expired driver's licenses, and had one or more suspensions on their driver history record. It is not known how the elimination of these inactive drivers in the current dataset may bias the distributions of suspended drivers, if there is any bias at all. We assumed that these excluded records are a random sample of drivers. As a result of this assumption, comparisons between the updated suspension characteristics and the 2004 study's suspension characteristics were based off of percentages rather than raw values.

#### *New Jersey Motor Vehicle Commission Driver's License database*

In addition to the New Jersey MVC Driver History database, the Driver's License database was also provided. This database was based off of the MVC Driver History database, so it contains data for the same number of years. The difference from the Driver History database is that the Driver's License database consisted of *all* New Jersey driver's with unexpired driver's licenses. All personal identifiers were removed from this database, just as it was done with the MVC Driver History database. Again, before analysis, a unique, but random, numerical identifier was coded for each driver as an identifier to use during analysis. The database contained records of all drivers' dates-of-birth, sex, address zip code, and license class, license expiration date, and license transaction date for a driver's three most recent license transactions. The MVC Driver's License database allowed for exposure analysis, as it contained a record of all 6,714,288 registered New Jersey drivers. This database also offered information to determine per-capita rates in New Jersey, based on drivers' address zip codes. However, data analysis with this particular database was limited because of the limited information available for each driver.

### 2.3.2 U.S. Census Bureau Database

Population densities and average household income levels were defined using 2010 U.S. Census data, which states the average household income and population density for all New Jersey zip codes. The United States Census Bureau provides their website (U.S. Census Bureau, 2010) the results of the national census conducted every 10 years, as well as annual population estimates. For this study, the U.S. Census data was used to determine driver exposure rates, as well as for computing per-capita rates for New Jersey.

## 2.4 References

- Bachmann, D., Elfrink, J., and Vazzana, G. (1996). "Tracking the Progress of E-Mail vs. Snail-Mail," *Marketing Research*, vol. 8(2), pp. 30-35.
- Cameron, Adrian Colin, and P. K. Trivedi. *Regression analysis of count data*. Cambridge, UK: Cambridge University Press, 1998.
- Carnegie, J. A. and Voorhees, A.M. (2007). "Driver's License Suspensions, Impacts, and Fairness Study," NJDOT, 2007.
- Carnegie, J.A. and Voorhees, A.M. (2009). "Study of Recidivism Rates among Drivers Administratively Sanctioned by the New Jersey Motor Vehicle Commission," NJDOT, 2009.
- DeYoung, D. J. and Gebers, M.A. (2004). "An examination of the characteristics and traffic risks of drivers suspended/revoked for different reasons," *Journal of Safety Research*, vol. 35, pp. 287-295.
- Kirley, B.B., Feller, A., Braver, E., Langenberg, P. (2008). "Does the Maryland graduated driver licensing law affect both 16-year-old drivers and those who share the road with them?" *Journal of Safety Research*, 39(3), pp. 295-301.
- NJDOT (2011). Crash Records Summary: 2001-Current.  
<http://www.state.nj.us/transportation/refdata/accident/>

Voorhees, A. M., and Bloustein, E.J. (2006). "Motor Vehicles Affordability and Fairness Task Force," February 2006.

Thor, C.P. and Gabler, H.C. (2010). "Assessing the Residual Teen Crash Risk Factors after Graduated Drivers License Implementation." *AAAM*, 54: 295-308.

Zimmerman, K., and Fishman, N. (2001). "Roadblock on the Way to Work: Driver's License Suspension in New Jersey," *N. J. I. f. S. Justice*, Newark.

U.S. Census Bureau. (2010). State & county Quickfacts: New Jersey.  
<http://quickfacts.census.gov>.

## 3 Characteristics of Suspended Drivers in New Jersey

---

### 3.1 Introduction

The first step of this study was to examine the characteristics of the New Jersey driving population who would be affected by a Restricted Driver's License program. Carnegie (2007) conducted an analysis of the characteristics of NJ driver license suspensions with MVC data only through 2004. This previous analysis of NJ suspension characteristics is now nearly 10 years old and may not reflect the current characteristics of suspensions. One major event that has occurred since the 2004 study is the New Jersey Attorney General's ban on plea-bargaining for teens in September of 2008.

After New Jersey created a new teen driving program, the Graduated Driver's License (GDL) program in 2001, teen drivers were subjected to new laws pertaining to restriction imposed by the GDL program. Many of the offenses teen drivers were receiving were offenses with violation points that would remain on their driver record, and could cause insurance rate increases and other additional fees/fines. Teen drivers quickly learned that they could "plea-bargain", meaning they could plea to a lesser offense than the initial offense that they had received. This lesser offense would not result in an accumulation of violation points. (Thor, 2010) In response to this practice, the New Jersey Attorney General banned plea-bargaining agreements in September of 2008, potentially changing the trends of New Jersey violations. The 2004 study was conducted before the Attorney General's ban on plea-bargaining for teens in September 2008. An updated analysis is needed to determine any changes in the characteristics of suspensions since 2004, e.g., the effect of the AG plea ban for teen driver traffic violations.

## **3.2 Objectives**

The objective of this study is to determine the characteristics of New Jersey driver's license suspensions, as of August 2011.

## **3.3 Approach**

The analysis was based upon the MVC Driver History and Driver's License databases provided by MVC on August 2011. The Driver History database contains all driver events recorded by MVC for drivers with active licenses from 2008 to 2011. As described earlier in this thesis, all personal identifiers, e.g. name, driver license number and address, were removed to protect the identity of each driver. In the Driver History database, each driver has an "event type", which is a variable in the database which contains an identifier for every "event" recorded for the driver. These "events" include anything from a driver's license suspension, to a speeding ticket, to a driver's license restorations after suspension. In the discussion which follows, a suspension event is defined as when a driver has an event type listed as "Suspension" with a suspension indicator of "Basic Driving Privileges". A suspension indicator is another variable which identifies which driving privileges have been suspended. Other suspension indicators include "Active" suspended driver's licenses, which were defined as when a driver did not have an event type listed "license restoration" as of August 2011. "License restoration" indicates when a driver has completed their suspension term, and has restored validation of their driver's license.

The analysis of the MVC dataset was compared with a previous analysis of NJ suspension characteristics conducted with MVC data through May 2004. The two datasets were compared to determine any changes in the MVC data since 2004, as well as to determine changes in characteristic trends. MVC provided the research team with the original dataset used in the 2004 analysis which permitted direct comparison of the 2004 and the current MVC datasets. Whereas the MVC dataset used in the previous study contained over 95 million total event history records with data ranging from 1985 to May 2004, the current form of the MVC data contains approximately 71 million total event history records ranging from 1985 to August 2011. The current form of the MVC data has about 25% less total records available for analysis than the previous study's form of the MVC data.

Note that the MVC dataset used in the 2004 analysis, and the current MVC dataset, differ in several respects. Although the current dataset is largely consistent with the Carnegie dataset, MVC purged the new dataset of all drivers with licenses which expired before 2008 or who were deceased. As a consequence, the Carnegie dataset has more records than the current MVC dataset. Specifically, the most current MVC dataset (King, 2011) excluded the following drivers:

- Drivers that do not have a valid New Jersey address
- Businesses and drivers with only business license history.
- Drivers with expiration dates prior to 01-01-2008.
- Drivers with death dates prior to 01-01-2008.
- Canceled DLNs – ones no longer valid. Drivers would have been issued new ones.
- Owner only – never held a NJ license

- Violator only- (never held a NJ license)
- Handicapped ID
- People with ID documents that have never held a driving license

Excluding drivers with expiration dates prior to 01-01-2008 and drivers with death dates prior to 01-01-2008 excludes the historical data of these drivers' events. The previous study excluded similar records from this dataset. The Carnegie study included only drivers with valid NJ addresses and drivers with "active" suspended driver's licenses. "Active" suspended driver's licenses were defined by Carnegie as drivers with a non-expired driver's licenses (in 2004), or drivers whose licenses expired after May 2001 but had one or more suspensions on their driver history record. It is not known how the elimination of these inactive drivers in the current dataset may bias the distributions of suspended drivers, if there is any bias at all. Here the assumption is that these excluded records are a random sample of drivers. Comparisons between our updated suspension dataset and the 2004 study's suspension characteristics were done based on relative frequencies rather than absolute values.

The MVC data obtained in August 2011 contains 71,172,657 total event history records, 5,312,865 drivers with data in the event history records and 6,714,288 total registered drivers in New Jersey, with data dating from 1985 to August 2011. To be consistent between this study and the Carnegie study, analysis of recent driver's license only used data from suspension events occurring from 1995 to August 2011 (13,526,329 suspension events). The suspension characteristics as of May 2004 (Carnegie et al., 2007) were compared to the suspension characteristics as of August 2011.

The following descriptive statistics was computed:

- Number of suspensions ordered by MVC annually (1995-2010)
- Number of actively suspended drivers (Active suspensions – as of August 2011)
- Number of suspended drivers with multiple suspensions (Active suspensions)
- Point accumulations by suspended drivers (Active suspensions)
- Top twelve “reasons” for suspensions (Active suspensions)
- Suspension demographics by area type and household income level (Active suspensions)

For the analysis on suspended driver demographics, zip codes were used to determine average population densities (i.e. rural, suburban, urban) and average household income level (i.e. low, middle, high). Area types and household income levels were defined using 2010 U.S. Census data, which states the average household income and population density for all New Jersey zip codes. Note that the actual household income level of the drivers was not known; rather only the average income that represents the driver’s zip code was known. Then, using the zip code listed on their record, each driver’s area type and the average household income for this zip code was recorded. All analysis of the MVC data was conducted using SAS version 9.2.

### **3.4 Results**

As of August 2011 there were 6,714,288 total registered drivers in New Jersey, and 267,485 of those drivers had a suspended driver’s license. Data comparisons were performed between the 2004 study and this current study to (1) check that the two datasets were consistent during the period the two datasets overlapped and (2) to explore any changes between the two datasets. As

noted earlier, there are differences between the two datasets, as discussed earlier in the *Approach* section. Therefore, comparisons were done in terms of how the data might have changed in the past 5 years.

### 3.4.1 Annual Suspensions

The number of total suspensions ordered annually was tabulated, as shown in Table 3 and Figure 4. An event record was considered an ordered suspension if a record’s “Event Indicator” was either a suspension order, scheduled suspension, license limitation, or license restoration. These suspension identifiers were chosen based off of the 2004 study. License restoration was included to be consistent with the Carnegie study, but, as this is not an offense, will be omitted in future updates to this analysis.

**Table 3. Number of total suspensions ordered annually**

Year	Total Suspensions		% Difference
	2004 Study	MVC 2011	
1995	902,033	797,725	12.3%
1996	833,905	733,320	12.8%
1997	842,105	740,890	12.8%
1998	740,710	742,413	-0.2%
1999	874,866	748,566	15.6%
2000	867,065	761,576	13.0%
2001	856,816	782,569	9.1%
2002	841,097	801,501	4.8%
2003	795,258	759,621	4.6%
2004	825,320	802,996	2.7%
2005	-	861,714	-
2006	-	933,094	-
2007	-	948,357	-
2008	-	1,047,261	-
2009	-	1,020,783	-
2010	-	1,043,943	-

The results from the MVC data in its current form did differ slightly from the results from the 2004 study. The MVC data in its current form had about 2-15% fewer suspension events than the 2004 study. As discussed earlier, excluded records from the MVC data set excluded a significant portion of historical event records.

From 1995 to 2010, the number of suspensions increased from about 900,000 suspensions in 1995 to nearly 1.05 million suspensions in 2010.

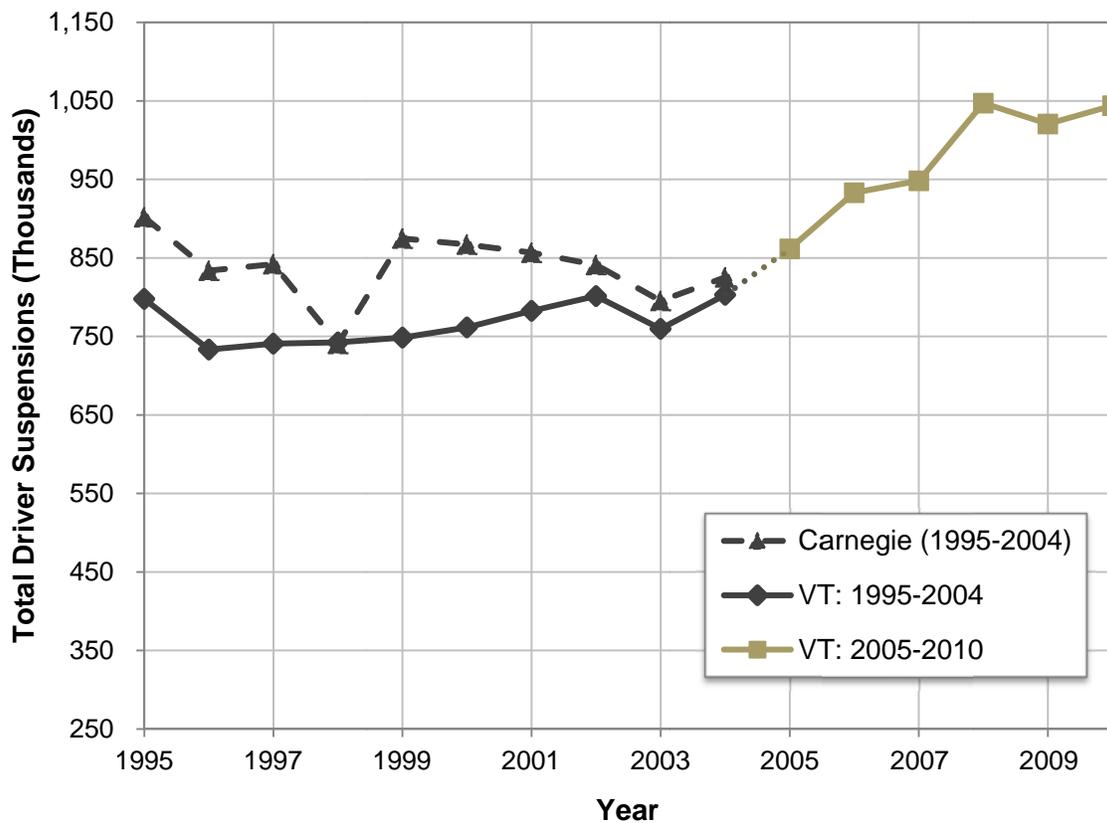


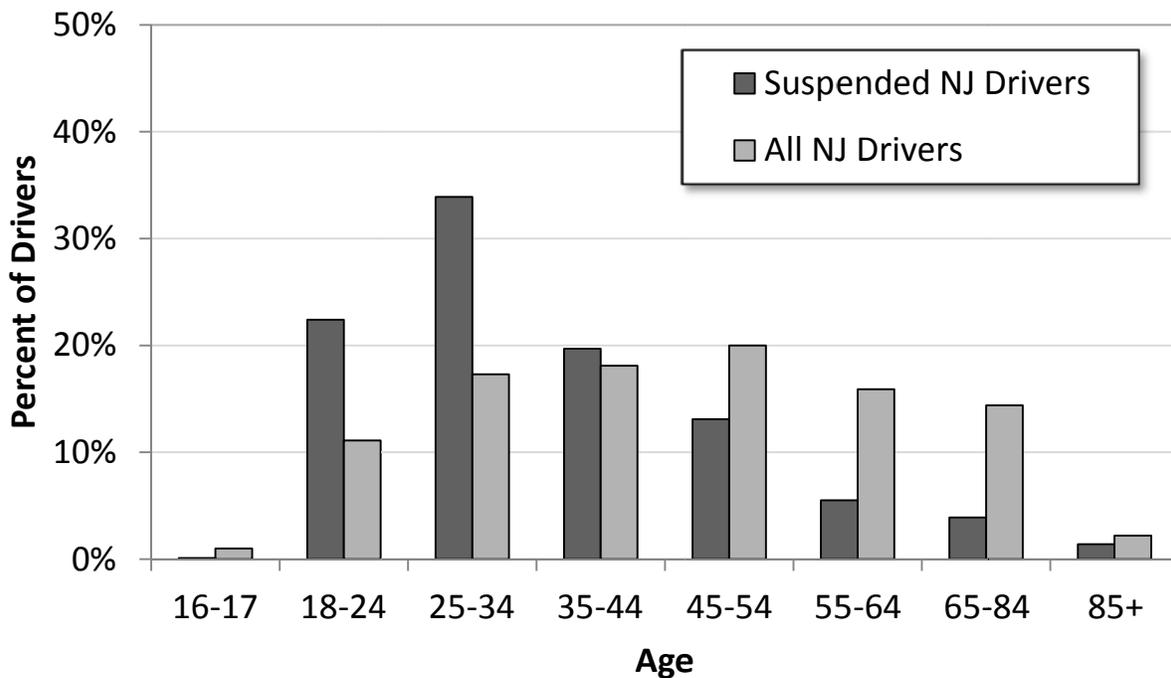
Figure 4. Number of total suspensions ordered annually.

### 3.4.2 Suspension Demographics

Table 4 and Figure 5 present the age distribution of all New Jersey drivers and all suspended drivers in New Jersey as of August 2011. Table 5 presents the age and gender demographics of the suspended drivers, and compares current demographics (as of August 2011) with the 2004 study (as of May 2004).

**Table 4. Distribution of New Jersey drivers by age group.**

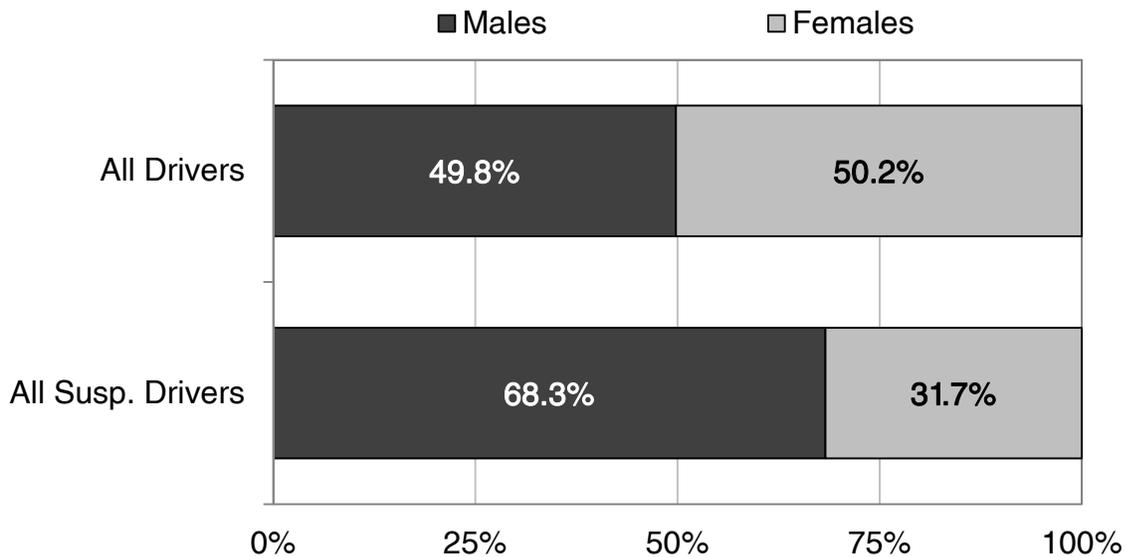
Age Group	Suspended Drivers	All Drivers
16-17	0.1%	1.0%
18-24	22.4%	11.1%
25-34	33.9%	17.3%
35-44	19.7%	18.1%
45-54	13.1%	20.0%
55-64	5.5%	15.9%
65-84	3.9%	14.4%
85+	1.4%	2.2%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>



**Figure 5. Distribution of New Jersey drivers by age group. A disproportionate percentage of suspended drivers are between the ages of 18 to 34 years old.**

**Table 5. Suspension Demographics - Gender and Age (Active Suspensions)**

Age Group	Male Drivers		Female Drivers		All Drivers	
	August 2011	May 2004	August 2011	May 2004	August 2011	May 2004
16-17	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%
18-24	23.4%	17.2%	20.1%	14.9%	22.4%	16.5%
25-34	33.7%	34.0%	34.2%	32.5%	33.9%	33.5%
35-44	19.6%	25.6%	20.1%	25.6%	19.7%	25.6%
45-54	13.0%	13.2%	13.4%	13.8%	13.1%	13.4%
55-64	5.6%	5.1%	5.3%	5.4%	5.5%	5.2%
65-84	3.5%	3.8%	4.9%	5.6%	3.9%	4.3%
85+	1.1%	1.1%	2.0%	2.0%	1.4%	1.4%
<b>Total</b>	<b>68.3%</b>	<b>70.2%</b>	<b>31.7%</b>	<b>29.8%</b>	<b>100.0%</b>	<b>100.0%</b>



**Figure 6. Distribution of New Jersey drivers by sex as of August 2011. A disproportionate percentage of suspended drivers are male.**

The current form of the MVC data shows that suspended drivers are primarily males, with 68.3% of suspended drivers being male, while 31.7% of suspended drivers are female. The percentage of suspended male drivers is disproportionate to the distribution of all New Jersey drivers (49.8% male, 50.1% female), as shown by Figure 6. The age group of 25-34 had the largest proportion of suspended drivers (33.9%). Comparing the age distribution of suspended drivers to the age

distribution of all New Jersey drivers, there is a disproportionately greater number of suspended drivers who are between the ages of 18-34 years old. These suspension characteristics are comparable to those of the 2004 study.

The 2004 study also considered the demographics of New Jersey drivers in terms of population density (i.e. urban, suburban, rural) and household income level (i.e. high, middle, low). Population density and household income were both determined based on the driver's listed zip code. Figure 7 shows the correlation of average household income level and population density of all New Jersey drivers. The majority of urban area drivers (61.2%) are in the lower income level, suburban area drivers are either in the lower (43.8%) or middle (46%) income level. The majority of rural area drivers (71.4%) are in the middle income level. Table 6 shows the distribution of currently licensed New Jersey drivers, as well as the total distribution found in the 2004 study. Table 7 shows the distribution of actively suspended New Jersey drivers.

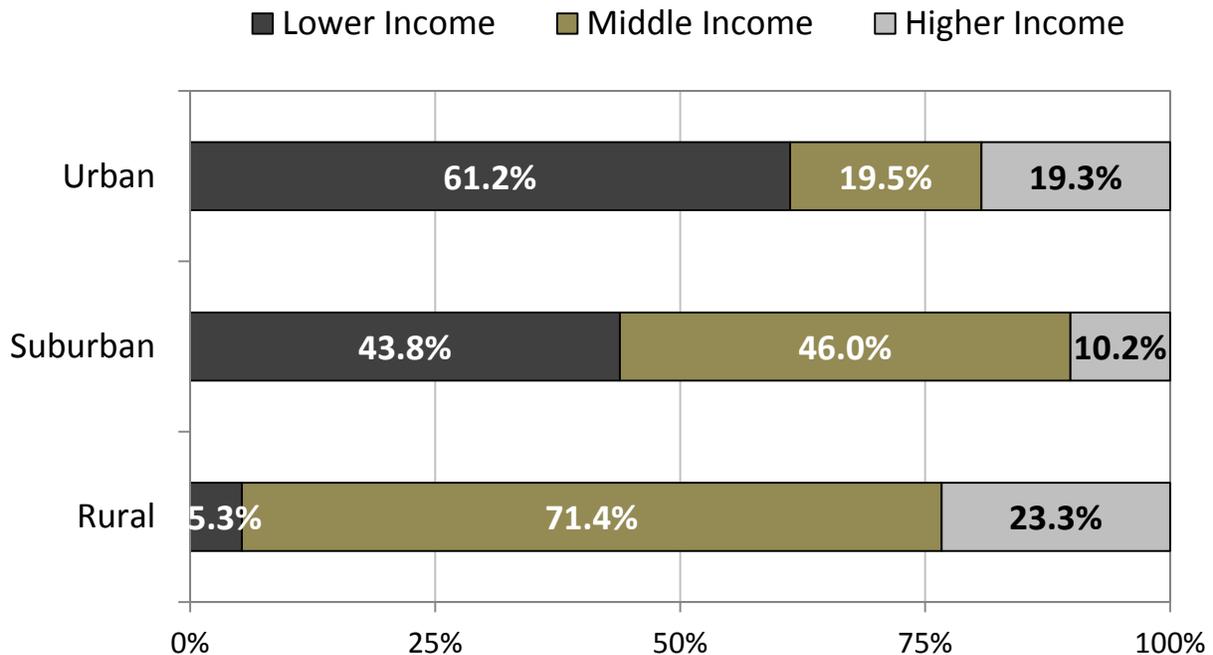


Figure 7. Correlation of average household income level and population density of all New Jersey drivers.

**Table 6. Distribution of NJ licensed drivers by population density and household income.**

	<b>All Licensed Drivers</b>	
	Aug. 2011 % Total	May 2004 %Total
<b>Statewide</b>	100.0%	100.0%
<b>By Population Density</b>		
Urban (>2,000 p/sq mi)	65.9%	43.1%
Suburban (500-2,000 p/sq mi)	25.3%	38.3%
Rural (<500 p/sq mi)	7.7%	18.7%
Unknown	1.1%	–
<b>By Household Income</b>		
High (>\$85,000)	17.8%	12.1%
Middle (\$40,001-\$85,000)	64.3%	71.4%
Low (<\$40,000)	16.8%	16.5%
Unknown	1.1%	–

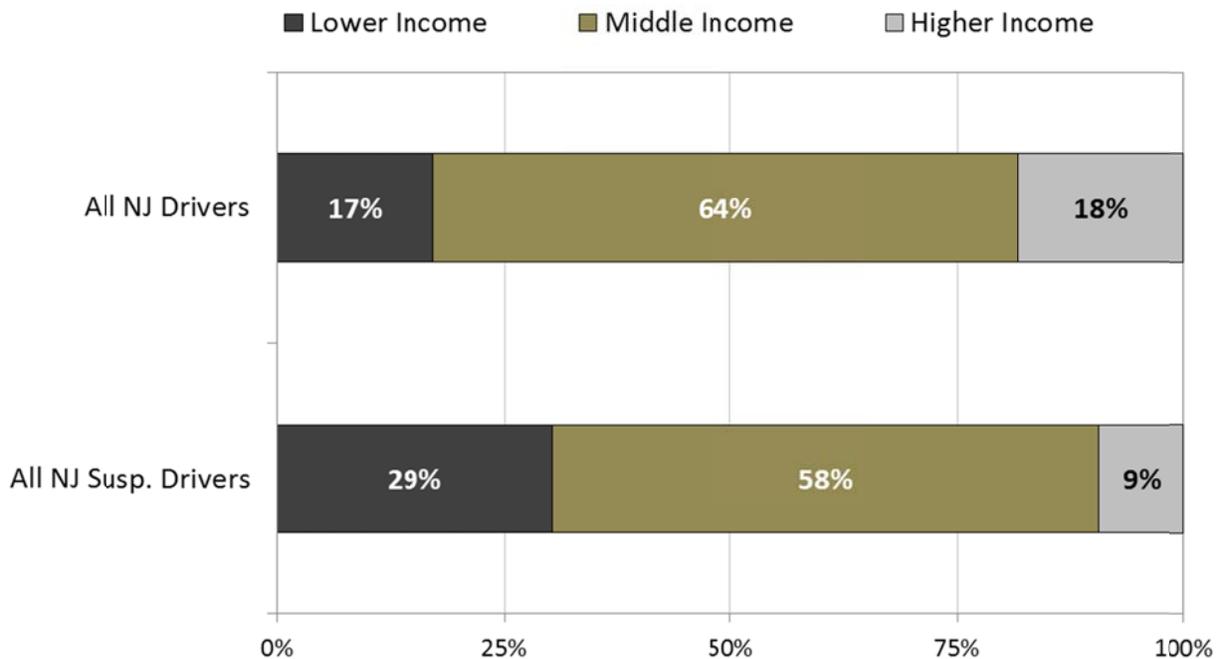
**Table 7. Distribution of NJ actively suspended drivers by population density and household income.**

	<b>Actively Suspended Drivers</b>	
	Aug. 2011 %Total	May 2004 %Total
<b>Statewide</b>	100.0%	100.0%
<b>By Population Density</b>		
Urban (>2,000 p/sq mi)	71.5%	63.2%
Suburban (500-2,000 p/sq mi)	18.5%	24.5%
Rural (<500 p/sq mi)	6.0%	11.7%
Unknown	4.0%	0.6%
<b>By Household Income Class</b>		
High (>\$85,000)	9.3%	3.5%
Middle (\$40,001-\$85,000)	58.1%	54.2%
Low (<\$40,000)	28.6%	41.7%
Unknown	4.0%	–

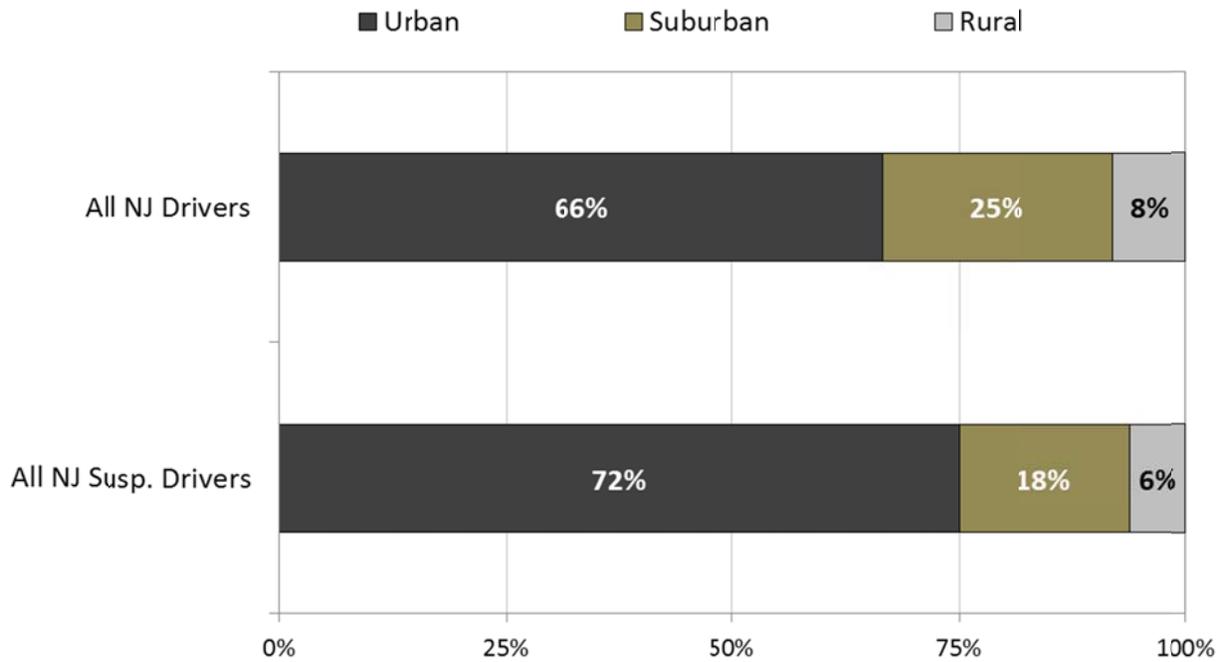
In the overall driving population of New Jersey drivers, there were more male drivers than female drivers, a high percentage of urban and middle income drivers, and a low percentage of rural, high, and low income drivers. This is consistent with the 2010 census of New Jersey residents, which shows a similar distribution (U.S. Census, 2010). The 2004 study found slightly less urban and high income drivers, but slightly more suburban, rural, and middle income

drivers. A possible reason for these differences could be due to a general change in census numbers. The 2004 study defined population densities and household incomes based on the 2000 U.S. Census data, whereas this defined them based on the 2010 U.S. Census data.

As for the distribution of actively suspended New Jersey drivers, the distributions are skewed a bit differently. A disproportionate percentage of suspended drivers are from urban areas and lower income areas. Over half of the suspended drivers are from suburban areas, but this is to be expected because suburban residents are such a large portion of New Jersey residents. To better visualize the distribution of suspended drivers, Figure 8 and Figure 9 compares the distribution of all licensed drivers with all actively suspended drivers in terms of income level (Figure 8) and population density (Figure 9).



**Figure 8. Percentage of NJ drivers by household income level.**



**Figure 9. Percentage of NJ drivers by population density.**

### 3.4.3 Suspension Characteristics

In New Jersey, there are many reasons for a driver having their license suspended. Table 8 shows the top 12 reasons for drivers having their license currently suspended (as of August 2011). The top 12 reasons for license suspension account for 91.6% of all drivers' license suspensions. The distributions shown are the percentage of all active suspensions.

**Table 8. Suspension characteristics - Top 12 reasons for active suspension as of August 2011**

<b>2011 Rank</b>	<b>Top Reasons for Suspension (Active Suspensions)</b>	<b>Abbreviation of Reason</b>	<b>% of total</b>	<b># Active Suspensions</b>
1	Failure to appear in court to satisfy a summons (moving violation, municipal ordinances)	FTA – Moving Violation	25.1%	191,427
2	Failure to pay MVC insurance surcharge	Nonpay Ins Surcharges	16.8%	127,688
3	Drug related offenses under the comprehensive drug reform act	Drug Offense – CDRA	9.6%	73,321
4	Driving while suspended	Driving While Suspended	9.2%	70,087
5	Uninsured motorist-Insurance cancelled or court ordered suspension for driving an uninsured motor vehicle	Uninsured Motorist	9.1%	69,171
6	Failure to appear in court to satisfy a parking summons (Parking Offenses Adjudication Act)	FTA – Parking	7.2%	55,083
7	Failure to comply with a court ordered installment plan or to satisfy other requirements of a court sentence (rehabilitation program, community service, court surcharges or assessments)	Nonpay Court Pay Plan	6.5%	49,666
8	Accumulation of points from moving violations/persistent violator	Points	3.5%	27,015
9	Operating a vehicle under the influence of alcohol or drugs	DUI	2.4%	18,445
10	Failure to comply with a child support order	Nonpay Child Support	1.0%	7,731
11	Failure to make good on dishonored checks submitted to courts and/or MVC for fees	Dishonored Checks	0.9%	6,972
12	Serious moving violation (reckless driving, leaving the scene of accident, high speed)	Moving Violation	0.3%	2,475

The top 3 reasons for license suspension for currently active suspensions are failure to appear in court to satisfy a summons (moving violation, municipal ordinances), failure to pay MVC insurance surcharges, and drug related offenses under the comprehensive drug reform act. The top 3 reasons are all non-driving related offenses.

Only 15.4% of the common reasons for driver’s license suspensions are direct driving offenses:

- Driving with a suspended license (9.2%)
- Accumulation of points from moving violations/persistent violator (3.5%)
- Operating a vehicle under the influence of alcohol or drugs (2.4%)
- Serious moving violation (0.3%)

The other 76.2% of active suspensions due to the top 12 suspension reasons are non-driving related offenses.

To get an idea of the demographics of drivers that are actively suspended, Figure 10 shows the percentage of suspension events per average household income for each reason for suspension.

The reasons boxed in red are driving-related reasons.

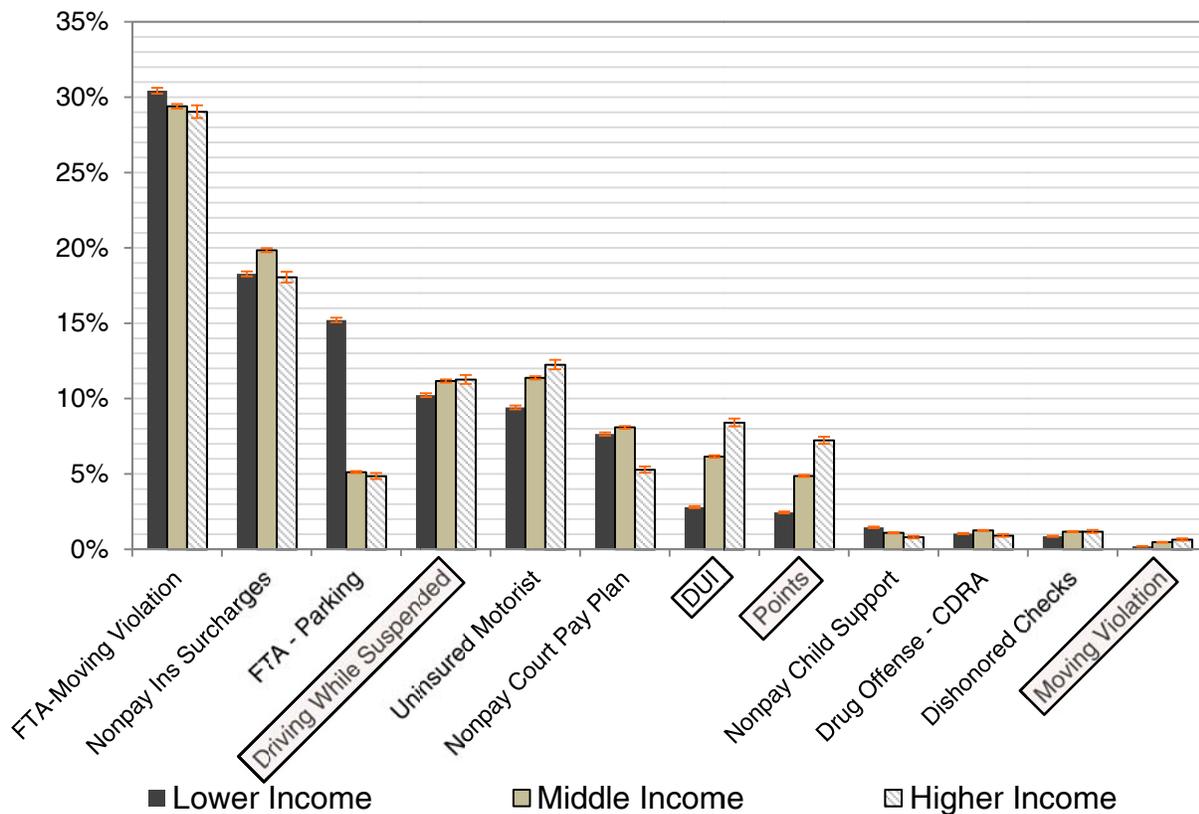
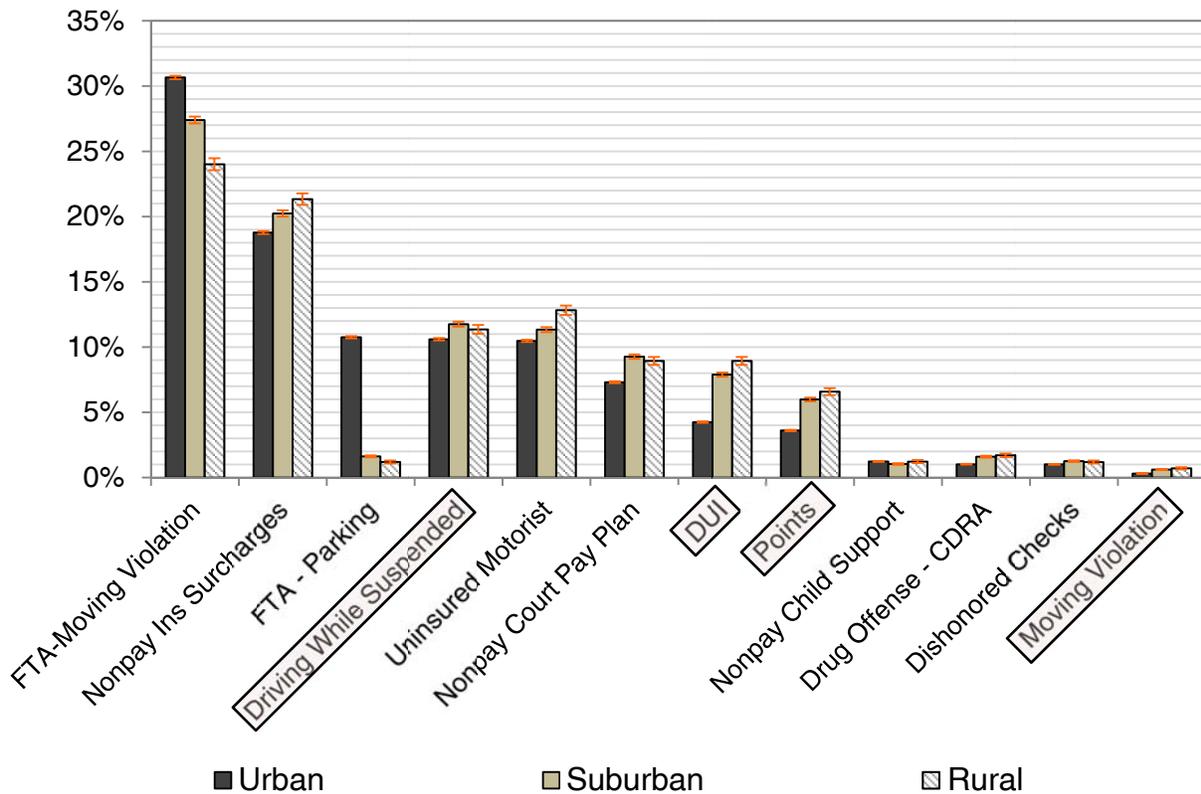


Figure 10. Percentage of NJ suspension events by reason for suspension and household income level. The boxed-in reasons are driving-related reasons.

For all income levels, the largest proportion of suspended drivers was suspended for failing to appear in court after receiving a moving violation, however this was not found to be statistically significant. For all reasons, excluding DUI and accumulation of points, there is a disproportional percentage of lower income receiving suspensions, particularly for the reason of failing to appear in court after receiving a parking offense. Also of interest is that a disproportional number of higher income suspended drivers were suspended for being uninsured motorists, DUIs, and accumulation of points.

Similarly, Figure 11 shows the distribution of suspension events as a function of population density for each reason for suspension.



**Figure 11. Percentage of NJ suspension events by reason for suspension and population density. The boxed-in reasons are driving-related reasons.**

For all population densities, the largest proportion of suspended drivers was suspension for failing to appear in court after receiving a moving violation, however this was not found to be statistically significant. There were a disproportionate number of urban suspended drivers who received a suspension under the Parking Offenses Adjudication Act, which allows municipal court judges to suspend a driver who has failed to pay or failed to appear in court to pay a parking ticket fine. Also of interest is that a disproportionate number of rural suspended drivers were suspended for essentially all other reasons, particularly uninsured motorist, DUI, and point accumulation violations.

Another suspension characteristic to consider is the number of suspensions accumulated by suspended drivers. As noted earlier, it is possible for drivers to have more than one suspension at a time. Table 9 shows the percentage of suspended drivers with more than one suspension.

**Table 9. Suspension characteristics - Drivers with multiple suspensions (Active Suspensions)**

# Suspensions	August 2011		May 2004	
	# Drivers	% Drivers	# Drivers	% Drivers
1	128,642	48%	105,020	36%
2	60,471	23%	37,603	13%
3	20,774	8%	22,575	8%
4	14,721	6%	16,772	6%
5	9,614	4%	13,166	5%
6	7,212	3%	10,865	4%
7	5,154	2%	9,249	3%
8	4,208	2%	7,819	3%
9	3,173	1%	6,673	2%
10	2,574	1%	5,863	2%
11	1,993	1%	4,989	2%
12	1,614	1%	4,583	2%
13	1,271	0.48%	3,959	1%
14	1,087	0.41%	3,658	1%
15+	4,977	2%	36,806	13%
<b>Total</b>	<b>267,485</b>	<b>100%</b>	<b>289,600</b>	<b>100%</b>

Over half of actively suspended drivers (52%) have more than one active suspension. Over one-fifth of suspended drivers have two suspensions, nearly one-tenth have three suspensions, and the other 22% of suspended drivers have four or more suspensions. In comparison with the 2004 study, there are currently a lower proportion of suspended drivers with multiple suspensions, but in general, overall observations are similar.

Table 10 shows the percent of drivers with records of non-driving suspensions only, driving suspensions only, and both non-driving and driving suspensions. Over two-thirds of suspended drivers have both non-driving and driving suspensions, the remaining one-third are almost all non-driving suspended drivers. Only about 4% of suspended drivers had only driving-related suspensions.

**Table 10. Distribution of suspended drivers by type of suspension as of August 2011.**

<b>Type of Suspensions</b>	<b># of Suspended Drivers</b>	<b>% of Suspended Drivers</b>
Non-Driving Only	73,826	27.6%
Driving Only	10,432	3.9%
Non-Driving and Driving	183,227	68.5%
<i>Total</i>	<i>267,485</i>	<i>100%</i>

One way to judge driver behavior is to look at the cumulative number of violation points suspended drivers have accrued. Table 11 shows the percentage of suspended drivers with accumulated violation points.

**Table 11. Suspension characteristics - Number of accumulated points (Active Suspensions)**

<b>Number of Points</b>	<b>August 2011</b>		<b>May 2004</b>	
	<i># Drivers</i>	<i>% Drivers</i>	<i># Drivers</i>	<i>% Drivers</i>
0 points	56,380	21.1%	170,407	58.8%
1-6 points	50,483	18.9%	74,087	25.6%
7-12 points	50,809	19.0%	25,970	9.0%
>12 points	109,813	41.1%	19,136	6.6%
<b>Total</b>	<b>267,485</b>	<b>100%</b>	<b>289,600</b>	<b>100.0%</b>

About one-fifth of actively suspended drivers have no accumulation of violation points, about 19% have an accumulation of 1-6 points and another 19% have an accumulation of 7-12 points. The largest proportion of actively suspended drivers (41.1%) has an accumulation of over 12 points. Compared to the 2004 study, these observations are considerably different. The 2004 study found the majority of suspended drivers to have no accumulation of violation points, and only 6.6% to have an accumulation of over 12 points. A possible reason for this difference might be differences in calculating accumulated violation points. For this study, the driver's full violation point history was accumulated to calculate the full sum of points they have acquired over their driver history. This study did not take into account that points can be subtracted if drivers take the Probationary Driving Programs or Defensive Driving Programs class, or if the driver has not acquired additional points within an unbroken 12-month period. Note that this limits the results to accumulating *all* points recorded on a driver's history records, rather than only accumulating "active" points (points currently affecting the driver). It is not clear how the 2004 study calculated accumulated violation points.

### **3.5 Conclusions**

The objective of this study was to examine the characteristics of New Jersey driver license suspensions. The current characteristics of driver suspensions were compared to an earlier study on driver suspensions (Carnegie, 2007). Considering the overall trend from 1995-2010, the number of suspensions has increased from about 900,000 suspensions in 1995 to nearly 1.05 million suspensions in 2010.

The results of this analysis showed:

- Suspended drivers are primarily male (68%), which is disproportionate to the distribution of male drivers in the general New Jersey driving population.
- Suspended drivers are primarily younger drivers between the ages of 18-34 years old (55%), which is disproportionate to the proportion of 18-34 year old drivers in the general New Jersey driving population.
- A disproportionate proportion of suspended drivers from urban areas when comparing the demographics of suspended drivers to the demographics of the general New Jersey driving population.
- A disproportionate proportion of suspended drivers from lower income areas when comparing the demographics of suspended drivers to the demographics of the general New Jersey driving population.
- The top 3 reasons for license suspension for currently active suspensions are failure to appear in court to satisfy a summons (moving violation, municipal ordinances), failure to pay MVC insurance surcharges, and drug related offenses under the comprehensive drug reform act, which are all non-driving related offenses.
- Only 15.4% of currently suspended drivers were suspended because of direct driving offenses.
- The largest proportion of suspended drivers (36%) had only one suspension.
- The largest proportion of suspended drivers (41.1%) had an accumulation of over 12 violation points.

The results of this updated analysis show that the large majority of suspended drivers were suspended for non-driving related reasons.

### 3.6 References

Carnegie, J.A. (2007). "Driver's License Suspensions, Impacts, and Fairness Study." NJDOT Final Report. FHWA-NJ-2007-020.

DeYoung, D. J. and Gebers, M.A. (2004). "An examination of the characteristics and traffic risks of drivers suspended/revoked for different reasons," *Journal of Safety Research*, vol. 35, pp. 287-295, January 2004.

King, N. (2011). "Criteria And Field Definition". (Personal Communications), August 2011, NJMVC, Trenton, NJ.

Thor, C.P. and Gabler, H.C. (2010). "Assessing the Residual Teen Crash Risk Factors after Graduated Drivers License Implementation." *AAAM*, 54: 295-308.

U.S. Census Bureau. (2010). State & county Quickfacts: New Jersey.  
<http://quickfacts.census.gov>.

## **4 Compatibility of RDL Programs with Commercial Driver Licenses**

---

### **4.1 Introduction**

Restricted Driver's licenses frequently permit drivers to drive their jobs. The question however is how this might affect a person whose job is to drive. Examples would be truck drivers, school bus drivers, and chauffeurs. These types of jobs require the driver to hold a Commercial Driver's License (CDL). Whether restricted licenses can be issued for drivers with a CDL is an issue that needs to be considered for the New Jersey Restricted Driver License (RDL) study. In August 2011, there were 262,157 issued CDLs in New Jersey (expiration year 2011 and on).

### **4.2 Objective**

The purpose of this task is to determine the implications which Restricted Driver License programs might have on CDLs.

### **4.3 Methods**

This analysis gathered information from the U.S. Federal Motor Carrier Safety Administration (FMCSA) to determine whether there are any conflicts or issues with Federal regulations in implementing a restricted-use license program for drivers with a CDL. This chapter also examines previous literature that has discussed the issue of CDL policies. Sources for this analysis included the U.S. Department of Transportation Federal Motor Carrier Safety

Administration (FMCSA), the New Jersey Motor Vehicle Commission's Commercial Driver License Manual, and the research team's survey of the licensing practices of other states with a Restricted DL program

#### **4.4 Federal Motor Carrier Safety Administration Regulations**

The U.S. Department of Transportation Federal Motor Carrier Safety Administration (FMCSA) develops national testing and licensing standards for commercial motor vehicle (CMV) drivers. FMCSA also collects and analyzes data, coordinates research and development, and ensures regulatory compliance and enforcement in an effort to improve motor carrier safety. FMCSA also provides the States with financial assistance for CMV safety programs and roadside inspections. Since April 1992, all drivers of a CMV are required to have a CDL. CDL registration is administered by the States, but standards and regulations are defined by FMCSA.

There are three classes of a CDL: Class A, Class B, and Class C. The different classes indicate vehicle maximum loads or number of passengers permitted. Drivers can take tests in addition to the standard CDL test to obtain additional endorsements and restrictions on the CDL. The additional endorsements and the necessary additional tests are:

- Double/Triple Trailers (knowledge test)
- Passenger (knowledge and skills test)
- Tank Vehicle (knowledge test)
- Hazardous Materials (knowledge test and TSA threat assessment)
- Combination of Tank Vehicle and Hazardous Materials
- School Bus (knowledge and skills test)

A restriction that might be applied to a CDL is prohibition from driving a CMV with air brakes. If a driver does not pass the air brake portion of the knowledge or skills test, the driver is restricted from driving a CMV with air brakes. Further, in order for a driver to be eligible for CDL registration, the driver could not have had a history of more than one license suspension, had any license suspension/revocation/cancellation, not had any convictions in a motor vehicle for a major disqualifying offense, had more than one conviction in a motor vehicle for a serious traffic violation, had any violation of State or local law relating to motor vehicle traffic control, or have any record of an at-fault accident, all within the 2-year period prior to CDL application.

#### **4.4.1 FMCSA Regulations on Traffic Violations and Suspensions**

FMCSA requires drivers to notify employers of any traffic violation within 30 days of conviction, not including parking violations. Additionally, drivers must notify employers of a driver's license suspension / revocation / cancellation / disqualification by the end of the next business day following the notification of lost privilege. These policies are detailed in Table 29.

**49 CFR 383.31: “Notification of convictions for driver violations”** in Appendix A, “49 CFR 383.31: Notification of convictions for driver violations” and Table 30. **49 CFR 383.33: “Notification of driver's license suspensions”** in Appendix A, “49 CFR 383.33: Notification of driver's license suspension”.

#### **4.4.2 FMCSA Prohibits Hardship Licenses**

In 49 CFR 384.210, “Limitation on licensing”, FMCSA regulations state that a State must not knowingly issue a CDL or a commercial special license or permit (including a provisional or temporary license) permitting a person to drive a commercial motor vehicle (CMV) during a period in which the driver is suspended. In a Federal Register notice (FMCSA, 2007), FMCSA states that the interpretation of this rule includes "a prohibition on issuing a hardship license to operate a CMV while under suspension (section 384.210);" The only exception is if the suspension was related to parking offenses:

“Section 12003 requires the CMV driver conducting operations in commerce to notify both the designated State of licensure official and the driver's employer of any convictions of State or local laws relating to traffic control (except parking tickets).”

This would appear to be recognition by FMCSA that many suspensions are not related to ‘bad driving’.

In the Federal Register notice (FMCSA, 2002) that pertains to commercial driver’s license standards, requirements and penalties, commercial driver’s license program improvements and non-commercial motor vehicle violation, FMCSA discusses the issue of hardship licenses. This report discussed that Section 384.210 was amended in July 2002 “to prohibit a State from issuing a special commercial driver’s license or permit (including a provisional or temporary license) to any CDL driver who is disqualified or who has his or her non-commercial driver’s license or driving privilege revoked, suspended or canceled.” During the discussion of this issue, a number

of State agencies raised the concern that the agencies do not control the actions of the courts issuing such licenses. However, the FMCSA report stated that “the FMCSA notes that this action is required by the Motor Carrier Safety Improvement Act (MCSIA) and urges all States to take appropriate action to bring their laws, regulations and judicatory procedures into compliance with this new requirement for identifying and removing drivers whose violations warrant such action. The statute anticipates and FMCSA believes that the branches of government can work cooperatively to address this public safety issue.”

The report does not discuss any comments referring to the reasoning behind these decisions. However, from the context of the report, it appears that FMCSA initiated these regulations as an effort to keep the number of potentially hazardous drivers from the roads. For example, when discussing the requirements of disqualification of a driver, the report says, “The FMCSA agrees [that the MCSIA require the disqualification of a driver determined to constitute an imminent hazard], and has accordingly amended the final rule to state that a driver must be disqualified where the Assistant Administrator finds the driver’s continued operation of a CMV poses an imminent hazard.”

#### **4.5 New Jersey Motor Vehicle Commission Commercial Driver License Regulations**

As required by FMCSA, each State, including New Jersey, manages CDL registration. New Jersey CDL registration is managed by the New Jersey Motor Vehicle Commission. NJ MVC is required by FMCSA and the Commercial Motor Vehicle Safety Act of 1986 to meet the

minimum standards for commercial driver licensing. All New Jersey CDL applicants must be New Jersey residents and at least 18 years of age. Applicants for a hazardous material, passenger, or interstate commercial vehicle endorsement must be at least 21 years old.

As discussed in the previous section, drivers must notify employers of any traffic violations or license suspensions, revocations, etc. In New Jersey violators of this regulation will either be fined \$5,000 or jailed. If a driver is caught driving a CMV with a suspended CDL (among other convictions), the driver will lose the CDL for at least one year for first conviction, and for life for a second conviction. Simply stated, a loss-of-privilege driver's license prohibits the driver from operating any vehicle, including CMVs.

#### **4.6 Current Practices in States with RDL Programs**

Drivers with a restricted driver license in states with a restricted driver license program may not drive a CMV. For example, the Washington State Department of Licensing offers an Occupational/Restricted Driver License (ORL) to eligible drivers with a licensed suspension or revocation. ORLs are intended for work, educational, court-ordered community service, rehabilitation, or healthcare purposes, as well as for the purpose of continuing care for a dependent. Although intended for work purposes, ORLs cannot be used to drive CMVs. ORLs can only be used to operate non-commercial motor vehicles. This policy is common among other states which offer restricted driver license programs.

## 4.7 Conclusions

Our conclusion is that federal statute does not allow a driver with a restricted driver's license to hold a CDL. Regulations involving commercial driver's licenses are developed by the U.S. Department of Transportation Federal Motor Carrier Safety Administration. Enforcement and registration of CDLs is the responsibility of the States. In New Jersey, the Motor Vehicle Commission administers CDLs. In 49 CFR 384.210, FMCSA regulations prohibit a State from issuing a hardship license to operate a CMV while under suspension. The only exception appears to be if the suspension was related to parking offenses. This would appear to be recognition by FMCSA that many suspensions are not related to 'bad driving'.

## 4.8 References

U.S. Dept. of Transportation Federal Motor Carrier Safety Administration. "Commercial Driver's License Program (CDL/CDLIS)" Retrieved from:  
<http://www.fmcsa.dot.gov/registration-licensing/cdl/cdl.htm>

New Jersey Motor Vehicle Commission. (2009) "Commercial Driver License Manual: Requirements for Licensing in New Jersey". (Publication No. DTFH61-97-X-00017).

49 CFR 383.31: "Notification of convictions for driver violations"

49 CFR 383.33: "Notification of driver's license suspension"

49 CFR 383.37: "Notification requirements and employer responsibilities"

49 CFR 383.210: "Limitation on licensing"

FMCSA, "Agency Information Collection Activities; Revision of an Approved Information Collection", Federal Register: October 17, 2007 (Volume 72, Number 200), pp. Page 58926-58929. (viewed on 3/31/2012 at <http://www.fmcsa.dot.gov/rules-regulations/administration/rulemakings/notices/E7-20490-Info-Col-Revision-CDL-and-Test-Satndards-10-17-07.htm>)

FMCSA, " Commercial Driver's License Standards, Requirements and Penalties; Commercial Driver's License Program Improvements and Noncommercial Motor Vehicle Violations; Final Rule", Federal Register: July 31, 2002 (Volume 67, Number 147), pp. 49742-49764. (viewed on 4/1/2012 at <http://www.fmcsa.dot.gov/documents/CDL-Final-Rule.pdf>)

California Department of Motor Vehicles, "V C Section 13353.7 Restricted Noncommercial Driver s License" Retrieved from: <http://www.dmv.ca.gov/>

Oregon Department of Transportation, "Hardship and Probationary Permits", Retrieved from: <http://www.oregon.gov/ODOT/DMV/driverid/hardship.shtml>

Washington State Department of Licensing. "Occupational/Restricted Driver License (ORL)". Retrieved from: <http://www.dol.wa.gov/driverslicense/orl.html>

Virginia Department of Motor Vehicles, "Restricted Driving Privileges". Retrieved from: [http://www.dmv.state.va.us/webdoc/citizen/drivers/restrict\\_privs.asp](http://www.dmv.state.va.us/webdoc/citizen/drivers/restrict_privs.asp)

## 5 Crash and Violation Risk of Suspended Drivers

---

### 5.1 Introduction

The primary intent of suspending a driver's license is to keep hazardous drivers off of the roads, in hopes of having a safer driving environment for others on the road. This study has shown that driver's licenses in New Jersey are more frequently suspended for non-driving-related reasons than for driving-related reasons. Driving-related reasons for suspension include dangerous driving behaviors such as reckless driving and driving under the influence of alcohol or drugs. Non-driving-related reasons for suspension include failing to pay child support, failing to pay MVC insurance surcharges, or failing to appear in court. Although citizens should comply with these court ordered obligations, they have little or nothing to do with driver behavior.

One argument for Restricted Driver Licenses is that drivers suspended for non-driving reasons (e.g. parking tickets) do not pose an unusual driving risk and are hence ideal candidates for an RDL. One concern that has been raised, however, is that drivers with a suspension for non-driving reasons may actually be riskier drivers than the non-suspended driving population. In this chapter we seek to evaluate this question. Our approach to evaluate the relevance of a driving-related punishment for a non-driving-related violation is to analyze the traffic risk of drivers with a history of license suspensions. Previous studies have used relative rates as a means for determining the crash and violation risks comparing different driver groups (DeYoung, 2004; Carnegie, 2007; Thor, 2010).

## **5.2 Objective**

The purpose of this analysis is to compare drivers suspended for driving-related reasons with drivers suspended for non-driving-related reasons, as well as to compare the violation rates of suspended drivers and validly licensed drivers. In the discussion which follows, the term “validly licensed drivers” will refer to are drivers who have received traffic tickets, but have no had their driver’s license suspended.

Specifically, our objectives are to determine:

1. Are drivers suspended for driving-related reasons more likely to be involved in a crash than drivers suspended for non-driving-related reasons
2. Are drivers suspended for driving-related reasons more likely to be cited for a traffic violation than drivers suspended for non-driving-related reasons
3. Are drivers suspended for either reason more likely to be involved in a crash than validly-licensed drivers
4. Are drivers suspended for either reason more likely to obtain a traffic violation than validly-licensed drivers

## **5.3 Approach**

The analysis was based upon the New Jersey driver history dataset provided by the NJ MVC, which contains the driver history records of all New Jersey drivers who have received any traffic ticket. The dataset contained a record of all driver events as reported by MVC for drivers with active licenses up through August 8, 2011. For the first part of this analysis, only drivers with a

single suspension were examined to prevent confounding factors associated with drivers with multiple suspensions. Prior to analysis, all personal identifiers, e.g. name, driver license number and address, were removed to protect the identity of each driver.

The dataset was first split into two groups, ‘suspended’ drivers and ‘validly-licensed’ drivers, which will be referred to as ‘suspended’ and ‘valid’ respectively here forth. This approach is similar to how previous studies have approached this kind of analysis (DeYoung, 2004; Carnegie, 2007). The ‘suspended’ group contained drivers who had any history of a driver’s license suspension(s). The ‘valid’ drivers from the MVC Driver History database are drivers who have received traffic tickets reported on their history records, but have no history of having their driver’s license suspended. It is important to note that for this study the entire New Jersey driving population could not be used due to limitations of the New Jersey Motor Vehicle Commission Driver’s License database. Although the Driver’s License database contains all licensed New Jersey drivers, the major limitation is that there is limited available information for each driver in the database. Specifically, this dataset does not include any driver history records. Since violation history was the topic of interest for this analysis, only the New Jersey Motor Vehicle Commission Driver History database could be used in order to examine violation counts. Violations were reduced to the top common violations for *all* drivers, as shown in Table 12. Note that these violations are what are generally considered “poor” or “dangerous” driving behavior.

**Table 12. Top common violations for *all* drivers in New Jersey in 2010**

<b>Top Common Violations</b>	<b>Num. Violations</b>
Involved in police-reported accident	385,528
Failure to wear seat belt	156,915
Speeding	145,720
Unsafe operation of a motor vehicle	90,449
Using hand held cell while driving	82,189
Careless driving	65,052
Driving while under the influence	35,839

The ‘suspended’ group was then split into two distinct groups – drivers with a non-driving-related license suspension (‘Non-driving’) and drivers with a driving-related license suspension (‘Driving’). ‘Non-driving’ and ‘driving’ reasons were determined based on the top reasons for suspension for the ‘suspended’ group as a whole, as shown in Table 13. The ranking of most common reasons for suspension was computed in Chapter 3 of this thesis. The reasons observed agree with previous studies that have determined the following reasons to be top reasons for suspension (DeYoung, 2004; Carnegie, 2007).

**Table 13. Most Common Reasons for Suspensions in New Jersey**

<b>Top Reasons for Suspension</b>	<b>Abbreviation of Reason</b>	<b>Driving Related</b>	<b>Non-Driving Related</b>
Failure to appear in court to satisfy a summons (moving violation, municipal ordinances)	FTA – Moving Violation		✓
Failure to pay MVC insurance surcharge	Nonpay Ins Surcharges		✓
Drug related offenses under the comprehensive drug reform act	Drug Offense – CDRA		✓
Driving while suspended	Driving While Suspended	✓	
Uninsured motorist-Insurance cancelled or court ordered suspension for driving an uninsured motor vehicle	Uninsured Motorist		✓
Failure to appear in court to satisfy a parking summons (Parking Offenses Adjudication Act)	FTA – Parking		✓
Failure to comply with a court ordered installment plan or to satisfy other requirements of a court sentence (rehabilitation program, community service, court surcharges or assessments)	Nonpay Court Pay Plan		✓
Accumulation of points from moving violations/persistent violator	Points	✓	
Operating a vehicle under the influence of alcohol or drugs	DUI	✓	
Failure to comply with a child support order	Nonpay Child Support		✓
Failure to make good on dishonored checks submitted to courts and/or MVC for fees	Dishonored Checks		✓
Serious moving violation (reckless driving, leaving the scene of accident, high speed)	Moving Violation	✓	

The common violations from Table 12 were then compared between the suspension groups ('non-driving' and 'driving'). Also, validly-licensed drivers were compared to 'non-driving' suspended drivers, 'driving' suspended drivers, and the two suspended drivers groups combined. The absolute counts of violations were tabulated for each group, and the counts were normalized

by group population. For all suspended driver groups, only violations that occurred *before* suspension were examined. By examining all violations that occurred before suspension, driver behavior before suspension can be analyzed.

Poisson’s regression analyses were performed to determine the violation risk of the two suspension groups, as well as to compute the confidence intervals to test for statistical significance of any differences found between groups. An expanded description of Poisson’s regression is provided in the appendices. Relative rates were defined as shown in Equation 1, where  $S$  represents either of the ‘suspended’ groups and  $V$  represents the ‘valid’ group, and Equation 2, where  $S_{nd}$  represents the ‘non-driving suspensions’ group and  $S_d$  represents the ‘driving suspensions’ group. Note that violation counts were normalized by population to account for differences in population size between the groups. This statistical approach has been found to be an appropriate method of analysis specifically when evaluating count data (Cameron, 1998; DeYoung, 2004; Thor, 2010). All analysis of the MVC data was conducted using SAS version 9.2 and Microsoft Excel 2010.

$$Relative\ Rate[S, V] = \frac{\# Violation[S] / Driving\ Population[S]}{\# Violation[V] / Driving\ Population[V]} \quad [1]$$

$$Relative\ Rate[S_d, S_{nd}] = \frac{\# Violation[S_d] / Driving\ Population[S_d]}{\# Violation[S_{nd}] / Driving\ Population[S_{nd}]} \quad [2]$$

The second part of this analysis examined suspended drivers whose first suspension was for a non-driving-related offense, and later received suspensions for driving-related reasons. Analysis was done for drivers who had no history of any type of traffic violation prior to the non-driving suspension event. Any additional driver's license suspensions accumulated by these drivers up through August 8, 2011, were then labeled as 'non-driving' or 'driving'. By restricting the analysis to this group of drivers, changes in driver behavior could be determined for drivers who were considered "good drivers" (no violations) before the license suspension.

## 5.4 Results

For the first part of the analysis, there were a total of 5,312,865 drivers with violations recorded by the New Jersey MVC. By comparison there were approximately 6.7 million total drivers in New Jersey in August 2011. Table 14 shows the distribution of drivers with violations. Table 15 shows the distribution of violations recorded.

**Table 14. Distribution of drivers with violations recorded in MVC dataset.**

<b>Driver description</b>	<b>Total Number</b>
<b>All Drivers w/ Violations</b>	<b>3,484,725</b>
All drivers with no suspensions	3,228,992
All suspended drivers	255,733
<i>Drivers w/ only one suspension</i>	<i>108,437</i>
→ <i>'Non-driving' suspended drivers</i>	<i>65,033</i>
→ <i>'Driving' suspended drivers</i>	<i>43,404</i>

**Table 15. Distribution of violations recorded in MVC dataset.**

<b>Top Common Violations</b>	<b>Total Number</b>
<b>Total violations</b>	<b>9,654,131</b>
Other violations	2,303,750
Violations by drivers with no suspension	6,239,841
<i>Violations by drivers w/ only one suspension</i>	<i>409,131</i>
→ <i>Violations by drivers with 'non-driving' suspension</i>	<i>229,265</i>
→ <i>Violations by drivers with 'driving' suspension</i>	<i>179,866</i>

As shown in Table 15 there were a greater number of violations for drivers with no suspension. This is consistent with Table 14 which shows that there were a greater number of drivers without a driver’s license suspension. Of interest, Table 14 shows that there were a larger number of drivers with suspensions for “non-driving” reasons than drivers with suspensions for “driving” reasons. Note that only drivers suspended for violations considered “top common violations” were used for the analysis. Previous studies have also only considered drivers with “common” reasons for suspension (DeYoung, 2004; Carnegie, 2007).

Of particular interest are the relative rates at which these different groups of drivers commit common violations. In other words, the objective is to find how driving behavior differs between the driving groups. Table 16 and Table 17 show the distribution of the most common violations from Table 12. The following subsections will discuss the comparison between suspended drivers and validly-licensed drivers, as well as the comparison between drivers suspended for non-driving-related reasons and drivers suspended or driving-related reasons.

**Table 16. Distribution of Most Common Violations (%).**

	<b>Drivers Suspended for Driving Reasons</b>	<b>Drivers Suspended for Non-Driving Reasons</b>	<b>Drivers with Valid License in Driver History Database</b>	<b>All Drivers in Driver History Database</b>
<b>Accident</b>	15.40%	28.00%	41.82%	40.31%
<b>Careless Driving</b>	15.77%	8.17%	6.79%	7.09%
<b>Using Cell Phone</b>	38.70%	18.39%	18.66%	18.91%
<b>DWI</b>	2.29%	5.40%	3.89%	3.91%
<b>Unbelted</b>	11.44%	6.00%	1.81%	2.39%
<b>Speeding</b>	8.81%	19.13%	9.48%	10.09%
<b>Unsafe Operation</b>	7.59%	14.91%	17.56%	17.30%
<b>Total</b>	<i>100.00%</i>	<i>100.00%</i>	<i>100.00%</i>	<i>100.00%</i>

Table 17. Number of Violations

	Drivers Suspended for Driving Reasons	Drivers Suspended for Non-Driving Reasons	Drivers with Valid License in Driver History Database	All Drivers in Driver History Database
<b>Accident</b>	24,098	23,703	1,843,815	2,034,419
<b>Careless Driving</b>	24,685	6,921	299,165	357,579
<b>Using Cell Phone</b>	60,576	15,568	822,871	954,487
<b>DWI</b>	3,583	4,573	171,322	197,264
<b>Unbelted</b>	17,913	5,082	79,795	120,598
<b>Speeding</b>	13,793	16,193	417,870	509,236
<b>Unsafe Operation</b>	11,875	12,622	774,070	873,236
<b>Total</b>	<b>229,265</b>	<b>179,866</b>	<b>6,239,841</b>	<b>6,648,972</b>

### 5.4.1 Comparisons of Driver Behavior

Table 18 and Figure 12 show the resulting violation relative rates for single-suspension ‘driving’ suspended drivers, single-suspension ‘non-driving’ suspended drivers, and the two suspended groups combined as compared to validly-licensed drivers. Table 19 and Figure 13 show single-suspension drivers suspended for ‘driving’ reasons compared to single-suspension drivers suspended for ‘non-driving’ reasons. The two tables provide the relative rate and the 95% confidence intervals for each violation and for each group. Any results *not* in bold were found to be statistically significant.

Table 18. Violation rates for single-suspension suspended drivers as compared with non-suspended drivers, based on a Poisson's regression analysis of NJ MVC Driver History database. All results were found to be significant ( $p < 0.05$ ).

	Unbelted	Accident	Careless Driving	Speeding	Using Cell Phone	Unsafe Operation
	RR (95% CI)					
<b>Susp. for Driving Offenses</b>	<b>1.71</b> (1.69-1.74)	<b>1.56</b> (1.55-1.56)	<b>2.03</b> (2.00-2.05)	<b>1.75</b> (1.75-1.76)	<b>1.24</b> (1.21-1.27)	<b>1.37</b> (1.36-1.39)
<b>Susp. for Non-Driving Offenses</b>	<b>1.84</b> (1.83-1.86)	<b>1.24</b> (1.23-1.24)	<b>1.58</b> (1.57-1.59)	<b>1.75</b> (1.75-1.75)	<b>1.69</b> (1.67-1.72)	<b>1.47</b> (1.46-1.48)
<b>Susp. combined</b>	<b>1.81</b> (1.79-1.82)	<b>1.32</b> (1.32-1.32)	<b>1.70</b> (1.68-1.71)	<b>1.75</b> (1.75-1.75)	<b>1.58</b> (1.56-1.60)	<b>1.45</b> (1.44-1.45)

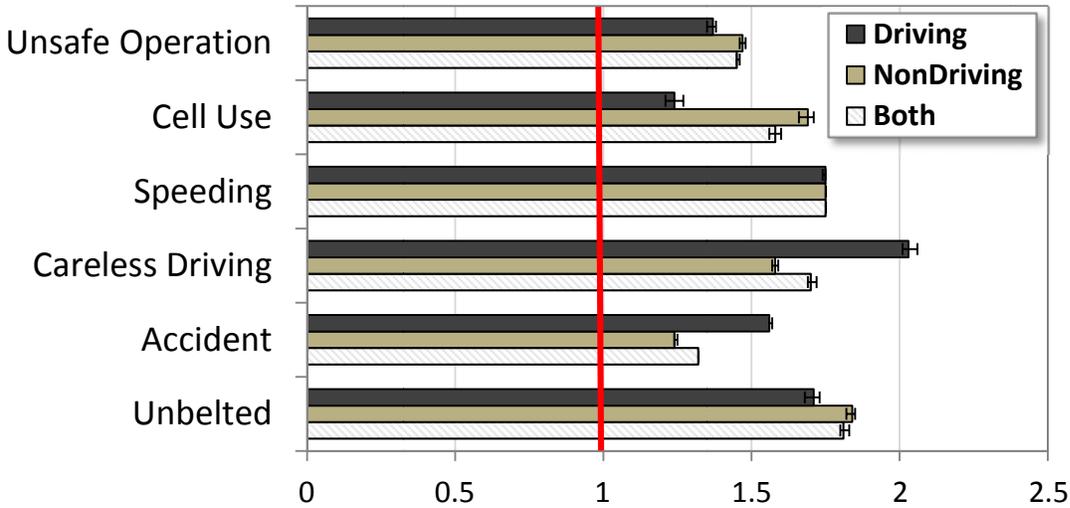


Figure 12. Violation rates for single-suspension suspended drivers as compared with non-suspended drivers, based on a Poisson's regression analysis of NJ MVC Driver History database. All results were found to be significant ( $p < 0.05$ ).

Table 19. Violation rates for single-suspension drivers suspended for 'driving' as compared with single-suspension drivers suspended for 'non-driving' reasons, based on a Poisson's regression analysis of NJ MVC Driver History database. All results *not* in bold were found to be significant ( $p < 0.05$ ).

	Unbelted	Accident	Careless Driving	Speeding	Using Cell Phone	Unsafe Operation
	RR (95% CI)	RR (95% CI)	RR (95% CI)	RR (95% CI)	RR (95% CI)	RR (95% CI)
<b>Driving/Non</b>	0.93 (0.91-0.95)	1.26 (1.25-1.27)	1.28 (1.27-1.30)	<b>1.00</b> (1.00-1.01)	0.73 (0.71-0.75)	0.93 (0.92-0.94)

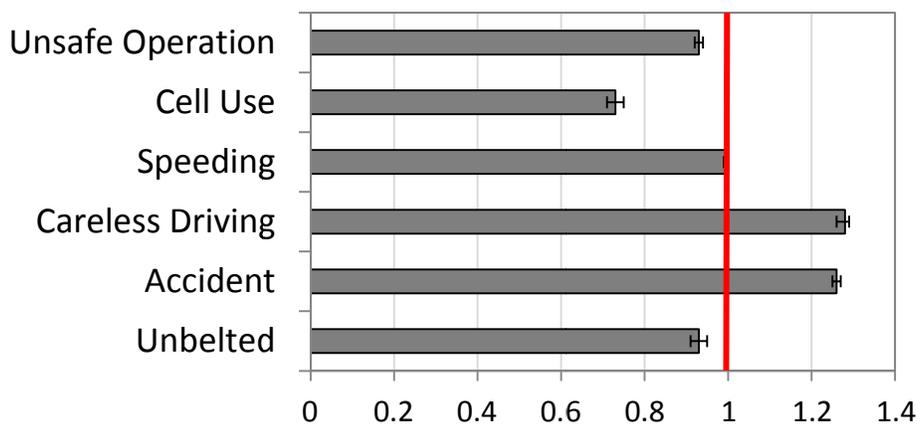


Figure 13. Violation rates for single-suspension drivers suspended for 'driving' as compared with single-suspension drivers suspended for 'non-driving' reasons, based on a Poisson's regression analysis of NJ MVC Driver History database. All results except for speeding violations were found to be significant ( $p < 0.05$ ).

### 5.4.2 Changes in Driver Behavior of First-Time “Non-Driving” Suspended Drivers

As of August 8, 2011, there were 167,985 drivers (about 63% of all suspended drivers) who had no previous history of traffic violations and had a first-time driver’s license suspension for a non-driving-related reason. This group of drivers had 1,008,834 subsequent driver’s license suspensions, 93% of which were also non-driving-related suspensions, with the remaining 7% of which were driving-related suspensions. Figure 14 shows the distribution of these drivers which have no subsequent suspensions, subsequent non-driving only suspensions, subsequent driving only suspensions, or subsequent suspensions for both non-driving and driving reasons.

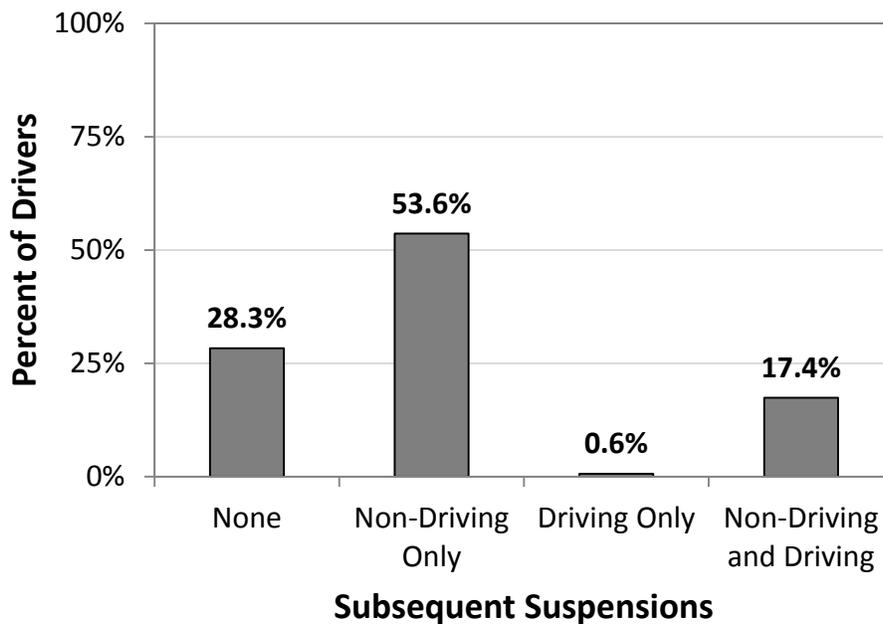


Figure 14. Distribution of reasons for subsequent suspensions

## 5.5 Discussion

When comparing violation histories of first-time suspended drivers to the violation histories of validly-licensed drivers, it was found that suspended drivers had significantly more traffic

violations than validly-licensed driver. On average, suspended drivers had about 1.60 times more traffic violations than validly-licensed drivers. This was also true when comparing validly-licensed drivers to drivers with driving-related suspensions (1.61) and drivers with non-driving related suspensions (1.59) individually.

The relative rate for DWI, as previously defined by Equations 1 and 2, was not shown, because DWI violations were found to be heavily skewed towards suspended drivers, specifically driving-related suspended drivers. Because DWI violations are almost always an automatic reason for driver's license suspension, it would be only a very rare event for a driver to be issued a DWI and not receive a driver's license suspension. However, it is important to mention that when comparing non-driving-related suspended drivers to validly-licensed drivers, DWI occurrences were only 1.14 times more common for 'non-driving' suspended drivers, with 95% confidence intervals of 0.92-1.42, which is not statistically significant. This implies that non-driving suspended drivers are not any more likely to be issued a DWI than validly-licensed drivers.

When comparing violation histories of first-time 'driving' suspended drivers to first-time 'non-driving' suspended drivers, it was found that drivers suspended for driving reasons had significantly more occurrences of police-reported accidents and careless driving traffic violations than drivers suspended for 'non-driving' reasons. Again, relative rate results for DWI violations are not shown, because these violations were found to be heavily skewed towards 'driving' suspended drivers. However, 'non-driving' suspended drivers had significantly more occurrences of failing to wear a seat belt, using a cell phone while driving, and unsafe operation

of a motor vehicle than 'driving' suspended drivers. The ratio of speeding violations were not found to be significantly different between the two suspension groups.

These results have a number of implications. First, these results show that suspended drivers are more likely to commit the top common traffic violations than validly-licensed drivers, and this is more apparent for 'driving' suspended drivers. These results agree with previous studies which show that suspended drivers have more traffic violations than validly-licensed drivers (Carnegie, 2007). However, another important implication that these results indicate is that suspended drivers are not a homogeneous group of drivers. In general, these results showed that drivers suspended for driving-related reasons have higher occurrences of accidents and careless driving than drivers suspended for non-driving-related reasons. Conversely, 'non-driving' suspended drivers had significantly more occurrences of failing to wear a seat belt, using a cell phone while driving, and unsafe operation of a motor vehicle than 'driving' suspended drivers. This indicates that there is a diverse set of driving behaviors within the suspended drivers group. These findings agree with findings from previous studies (DeYoung, 2004). These results imply that while non-driving related offenses should be considered punishable offenses, these offenses should be treated differently than driving related offenses. Also, any future studies of suspended drivers should consider the heterogeneity of suspended drivers.

When considering drivers who had no previous history of traffic violations and had a first-time driver's license suspension for a non-driving-related reason, almost a third of these drivers (28.3%) of these drivers had no subsequent suspensions, over half (53.6%) of these drivers had only non-driving-related suspensions following their first suspension. Less than one-percent of

these drivers had only driving-related suspensions following their first suspension, and about 17.4% had both driving-related and non-driving related suspensions following their suspension. Of the 17.4% of drivers with both driving- and non-driving related suspensions, less than half a percent (0.12%) were subsequently suspended for driving while suspended/unlicensed. The majority (over 60%) of the 17.4% of drivers with both driving- and non-driving related suspensions had subsequent suspensions for failing to appear in court. This offense is a non-driving related offense, but it was typically preceded other offenses which were driving-related.

## **5.6 Limitations**

This analysis was not without its limitations. Due to data availability, this analysis compares suspended drivers to drivers who are not suspended, but who have traffic tickets. Some of the non-suspended drivers might be on their way to getting a suspension due to excess traffic violations. An improvement of this analysis would be to compare suspended drivers to drivers who have no traffic tickets.

## **5.7 Conclusion**

The results show that the majority of driver suspended for non-driving-related reasons do not have worse driving behavior after their first suspension. Rather, these results imply that ‘non-driving’ suspended drivers continue to struggle to meet outstanding payments that lead to driver’s license suspensions. However, it cannot be ignored that 17% of first-time non-driving

suspended drivers went on to later get a driving suspension, whereas only 2% of *all* drivers get a suspension. This implies that drivers with a non-driving suspension are more likely than the general population to get a follow-on driving suspension. The results show that even though all suspended drivers have more violations than validly-licensed drivers, drivers suspended for non-driving reasons mostly struggle with outstanding payment issues rather than poor driving issues.

## 5.8 References

- Cameron, Adrian Colin, and P. K. Trivedi. *Regression analysis of count data*. Cambridge, UK: Cambridge University Press, 1998.
- Carnegie, J.A. (2007). "Driver's License Suspensions, Impacts, and Fairness Study." NJDOT Final Report. FHWA-NJ-2007-020.
- DeYoung, D. J. and Gebers, M.A. (2004). "An examination of the characteristics and traffic risks of drivers suspended/revoked for different reasons," *Journal of Safety Research*, vol. 35, pp. 287-295, January 2004.
- Griffin, L.I., and DeLaZerda, S. (2000). "Unlicensed to Kill," AAA Foundation for Traffic Safety, Washington, D.C., June 2000.
- Thor, C.P. and Gabler, H.C. (2010). "Assessing the Residual Teen Crash Risk Factors after Graduated Drivers License Implementation." *AAAM*, 54: 295-308.
- U.S. Census Bureau. (2010). State & County Quickfacts: New Jersey.  
<http://quickfacts.census.gov>.

## **6 Surveying Perceptions of New Jersey Police Chiefs on Restricted Driver's License Programs**

---

### **6.1 Introduction**

An essential goal of this study was to understand the perceptions of New Jersey stakeholders regarding restricted driver's licenses. One of the most crucial stakeholders are police officers who would have to enforce the law. This chapter examines the perceptions of New Jersey police chiefs regarding the possibility of a Restricted Driver's License (RDL) program in New Jersey. By understanding their perception of restricted driver's licenses, we can better understand the feasibility of enforcement. We will also be able to determine if law enforcement officials believe restricted driver's licenses could improve overall road safety.

### **6.2 Objective**

The objective of this survey study is to determine the perceptions of New Jersey police chiefs on a Restricted Driver's License program in New Jersey.

### **6.3 Approach**

To increase the response speed, reduce costs, and accelerate analysis the survey was designed to be electronic (Bachmann et al., 1996). Screenshots of the survey are presented in the appendices. Surveys were emailed to about 300 police chiefs of different New Jersey cities and townships (Sklar, 2012). There was a 10% response rate overall (31 out of 300); some of the

questions were skipped by 1-3 respondents. The survey began with a brief description of restricted driver's licenses, as well as a brief explanation of why New Jersey might consider a Restricted Driver's License program. Each police chief was asked to give their contact and title information at the beginning of the survey for record-keeping purposes. The survey had 11 questions total, 8 multiple choice and 3 comment-based questions. A sample of the survey can be found in Appendix B.

## **6.4 Survey Limitations**

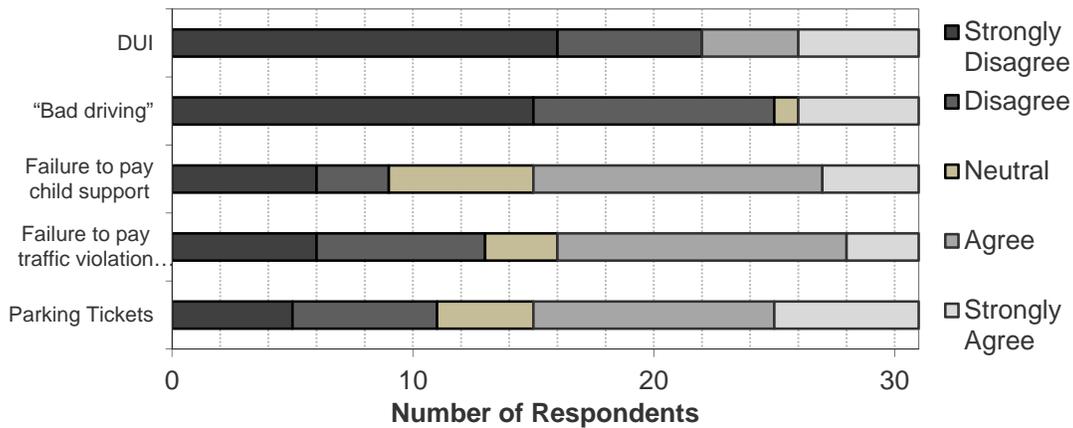
As previously mentioned, the response rate was about 10%, which corresponds to 31 responses out of about 300 surveys emailed. It is important to keep this response rate in mind when considering the results of the surveys. With only 31 responses, the following results cannot be said to be representative of *all* New Jersey police chiefs, but rather only of those 31 police chiefs who responded.

## **6.5 Survey Results**

Throughout the survey the amount of responses varied from 28 to 31 as some of the responders chose to skip some questions. The survey first asked if they were aware of RDL programs in other states. Out of the 31 respondents that took the survey 28 were not familiar with other states' programs. The three respondents who knew of such programs in other states had known of RDL programs in Alabama, Arkansas, and Pennsylvania. These three respondents were asked to comment on how the law enforcement officials in those states perceived RDL programs. Two

of the three could not describe the perceptions but one said “they are a good tool and permit individuals the opportunity to travel to and from work”.

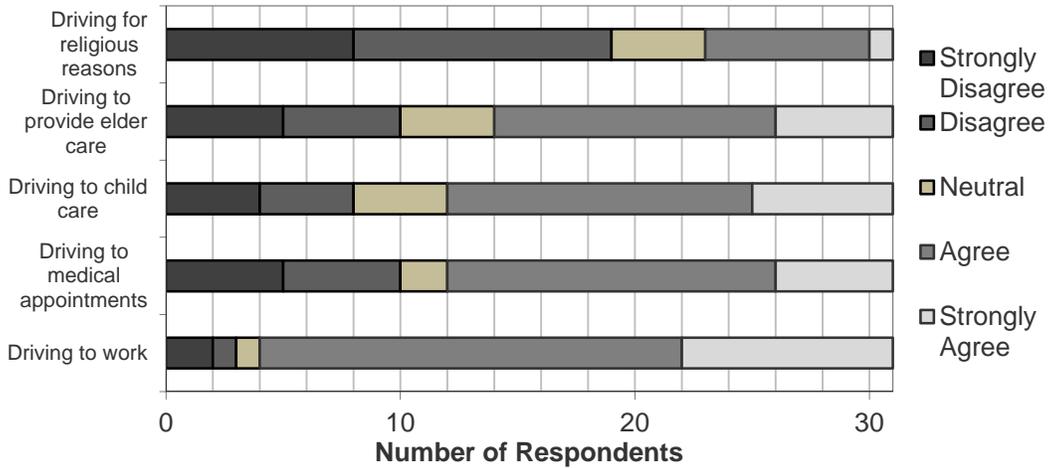
The survey then asked whether suspended drivers should be offered a RDL, with respect to the reason for suspension. Figure 15 shows the responses.



**Figure 15. Responses to Survey Question 4: *Do you think that a RDL should be offered to drivers who had their license suspended for the following reasons?***

The responses indicate that about half of the respondents agree that those who have a suspended driver’s license for non-driving related reasons should be offered a RDL. Less than a third of the respondents agree that those who have a suspended driver’s license for driving related reasons should also be offered a RDL.

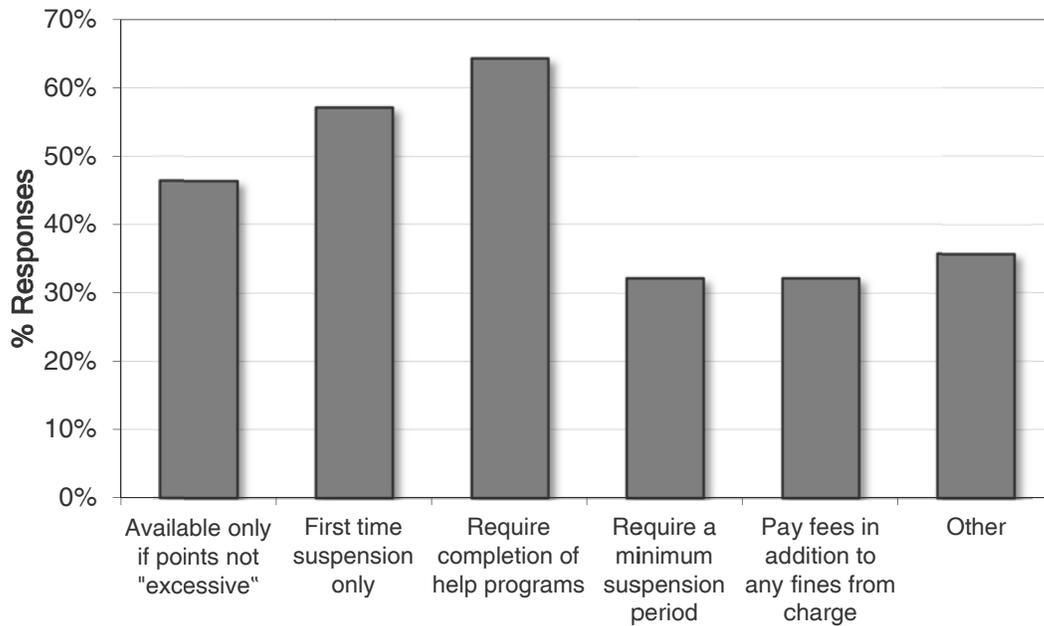
As a follow-up to the previous question, the respondents were asked which driving limitations should be imposed on RDLs. Figure 16 shows the responses received.



**Figure 16. Responses to Survey Question 5: *If NJ offered a RDL, what privileges should the license allow?***

Nearly all of the respondents agreed that restricted drivers should be allowed to drive to work. Nearly half of the respondents agreed that medical appointments, child care, and providing elderly care were legitimate reasons for allowing restricted drivers to drive. About two-thirds of the respondents agreed that driving for religious reasons was not nearly as important.

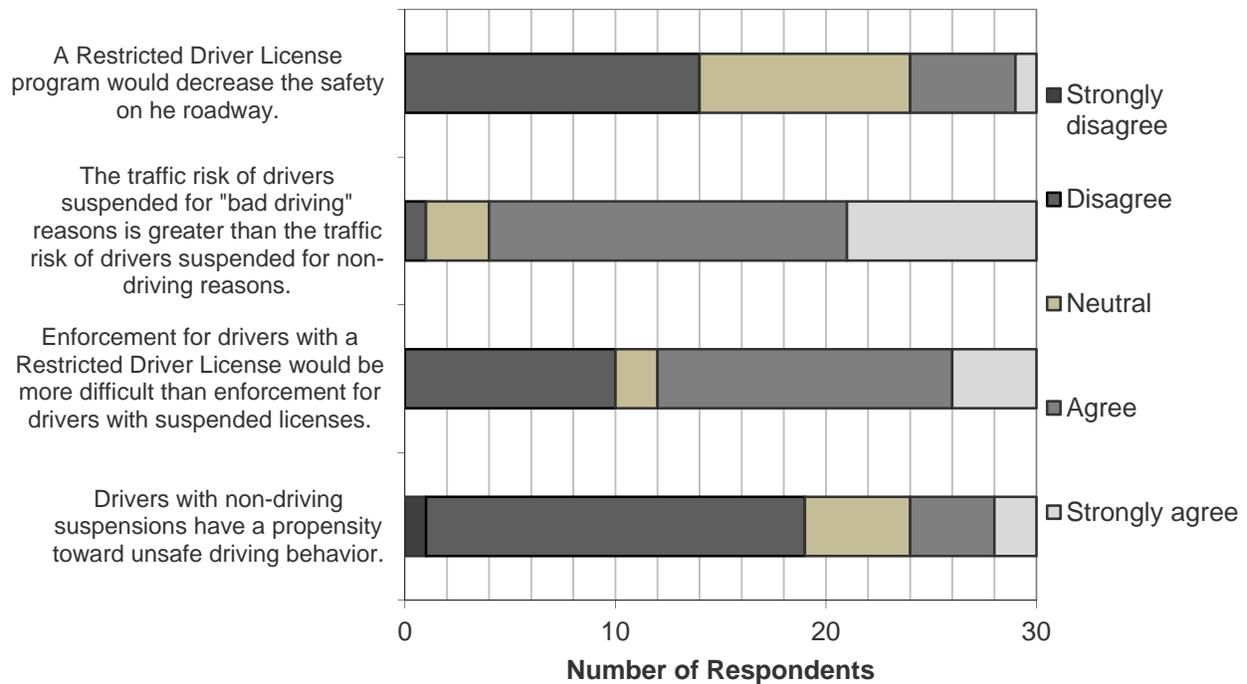
The survey then asked if there were other restrictions that should be applied to restricted drivers, apart from driving restrictions. Figure 17 below shows the responses of this question.



**Figure 17. Responses to Survey Question 6: *What other restrictions/requirements would you want to institute if such a program was to be put in place?***

Over half of the respondents agreed that only first time suspensions can be offered RDLs, and requiring completion of help programs should be a part of the RDL programs. Almost half of the respondents agreed that RDLs should only be given to drivers who do not have “excessive” violation points, and about a third suggested including fees in addition to any fines from charge. Other suggestions included installing a device to ensure that a driver only drives during RDL hours. The majority of the respondents agreed that suspensions should be lengthened, or penalties should be imposed if the driver has additional violations during the RDL programs.

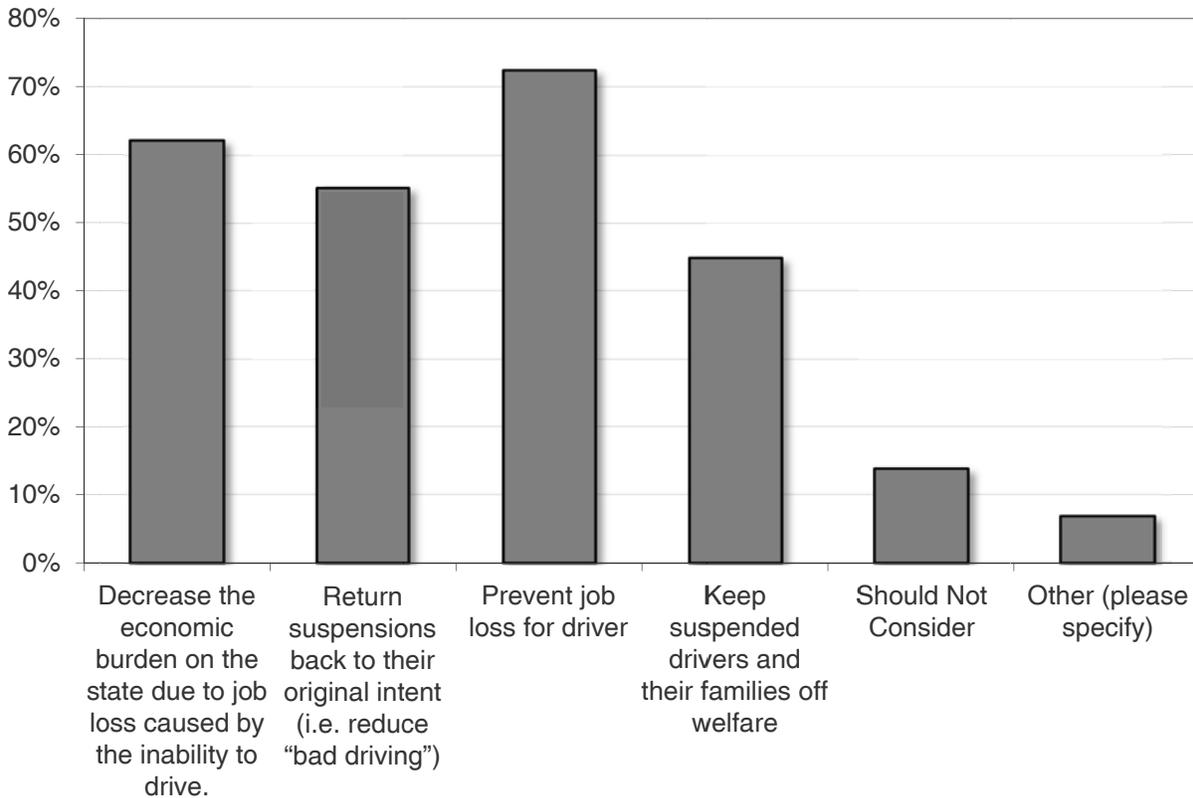
The next portion of the survey asked the opinions of the police chiefs on a list of statements. The statements were possible descriptions or opinions on RDL programs. The responses are shown in Figure 18.



**Figure 18. Responses to Survey Question 7: Statements Describing RDL Programs.**

Nearly two-thirds of the respondents disagreed with the statement that drivers with non-driving related suspensions have a propensity toward unsafe driving, which is to say that they are no more dangerous on the road than any other driver. Almost two-thirds of the respondents agreed that enforcing the RDL programs would be more difficult than enforcing a suspended license. One police chief commented that he/she believed that drivers on a RDL system would lie about reasons that could allow him/her to drive. Nearly all who took the survey agreed that the traffic risk of suspended drivers for “bad driving” was greater than that of those who were suspended for non-driving reasons. About half of the police chiefs disagreed with the statement that the RDL would decrease safety on the road and a third of them were not sure.

The next part of the survey asked why the RDL programs should be implemented in New Jersey, listing a few top reasons. Figure 19 shows the responses of this question.

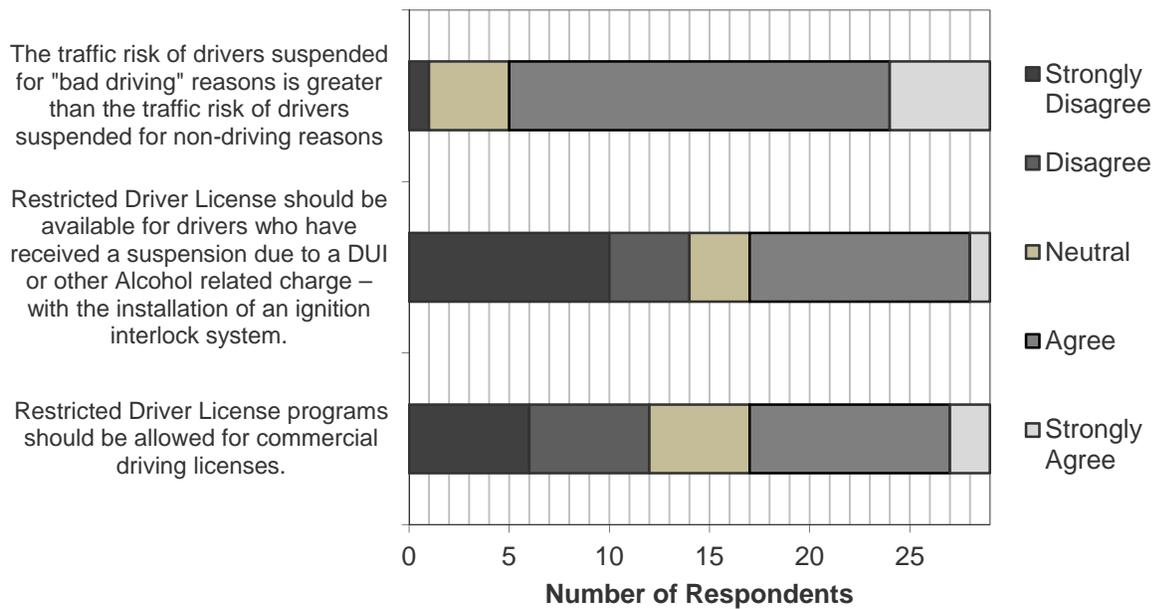


**Figure 19. Responses to Survey Question 8: Why should New Jersey consider a RDL Program?**

Over 70% of the respondents agreed that a RDL programs should be considered because it would help keep the unemployment rate down by preventing job loss. Similarly, about 60% of the respondents believed implementing a RDL programs in New Jersey might help decrease economic burden due to job loss. Forty-five percent of the respondents believed a program should be implemented because it could help keep suspended drivers and their families off of welfare, thus reducing the New Jersey economic burden. Also, over half of the police chiefs agreed that such a program would bring the suspended license penalty back to its original intent, which was to reduce “bad driving”. About 14% of the respondents did not believe a RDL

programs should be considered. There was also a suggestion to require installment of an ignition interlock system, in addition to the RDL, to first time DWI offenders.

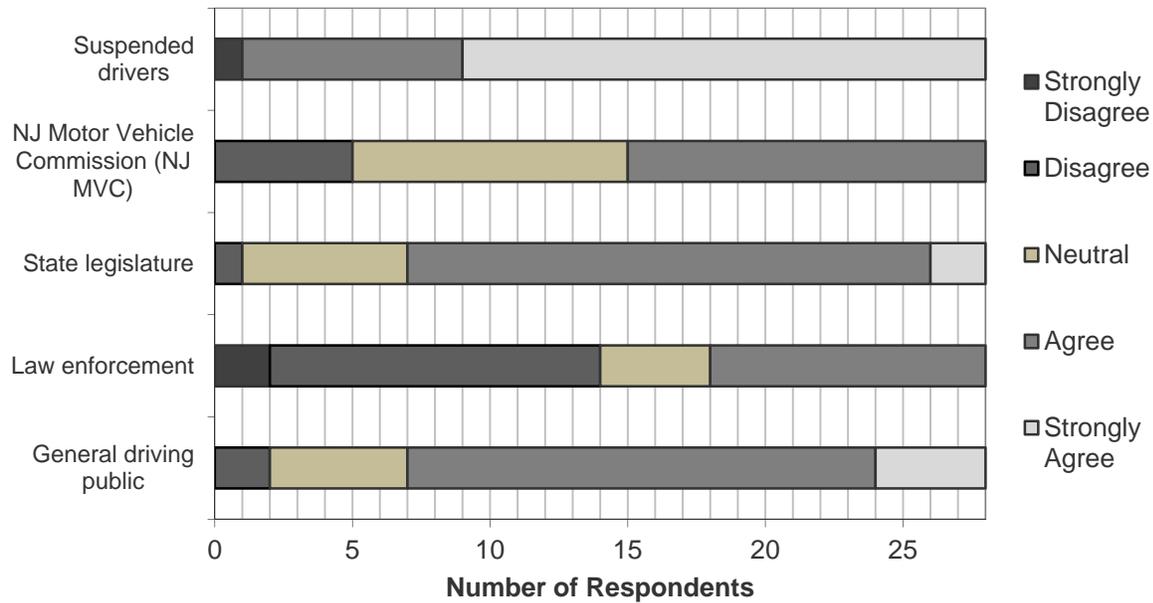
The next part of the survey was a slight continuation of the question depicted in Figure 4, listing more specific statements that could be used to describe RDL programs. The responses are shown in Figure 20.



**Figure 20. Responses to Survey Question 9: Statements to describe RDLs.**

In general, the police chiefs had a neutral opinion on whether commercial driver’s licenses should be allowed RDLs, and whether DUI or other alcohol related charges should be eligible for RDLs with an installation of an ignition interlock system. The majority of respondents agreed that those suspended for “bad driving” are more of a traffic risk than those suspended for other reasons.

The next question inquired about which agencies the police chiefs thought would agree to a RDL programs in New Jersey. The responses are shown in Figure 21.



**Figure 21. Responses to Survey Question 10: How much would you expect the following groups to agree with the establishment of a RDL Program in New Jersey?**

The police chiefs strongly agreed that the general driving public, the state legislature, and suspended drivers would agree to a RDL Program in New Jersey. The police chiefs believed that law enforcement officials would be less likely to support a RDL program than other groups. The police chiefs believed the MVC would be slightly more accepting to a RDL programs.

The last question of the survey asked why the police chiefs thought New Jersey does not have a RDL program already, even though 37 states already have some form of a RDL program. Most of the respondents agreed that it is because of a combination of bureaucracy, difficulty to enforce, and no one wanting to step up to head the project. Other reasons why included that

people would not want a RDL program at all, that costs to run a RDL program would be too high, or the respondents just were not sure of a reason.

## **6.6 Discussion**

In general, the police chiefs had positive perceptions in regards to a Restricted Driver's License program. Out of the 31 respondents that took the survey 28 were not familiar with other states' programs. One of the respondents familiar with other states' programs believed that "they are a good tool and permit individuals the opportunity to travel to and from work". The responses indicate that about half of the respondents agree that those who have a suspended driver's license for non-driving related reasons should be offered a RDL. Nearly all of the respondents agreed that restricted drivers should be allowed to drive to work.

Over half of the respondents agreed that only first time suspensions can be offered RDLs, and requiring completion of help programs should be a part of the RDL programs. The majority of the respondents agreed that suspensions should be lengthened, or penalties should be imposed if the driver has additional violations during the RDL programs. Nearly two-thirds of the respondents disagreed with the statement that drivers with non-driving related suspensions have a propensity toward unsafe driving, which is to say that they are no more dangerous on the road than any other driver.

However, almost two-thirds of the respondents agreed that enforcing the RDL programs would be more difficult than enforcing a suspended license. One police chief was concerned about suspended drivers being dishonest about possible reasons for qualifying for a restricted driver's

license. One suggestion was to install a device to ensure that a driver only drives during RDL hours.

Even with these concerns, about half of the police chiefs disagreed with the statement that the RDL would decrease safety on the road and a third of them were not sure, and over 70% of the respondents agreed that a RDL programs should be considered because it would help keep the unemployment rate down by preventing job loss. In general, the police chiefs had a neutral opinion on whether commercial driver's licenses should be allowed RDLs.

In regards to other stakeholder perceptions, the police chiefs strongly agreed that the general driving public, the state legislature, and suspended drivers would agree to a RDL Program in New Jersey. As to why they believed a RDL program is not already in place in New Jersey, most of the respondents agreed that it is because of a combination of bureaucracy, the ability of enforcement, and no one wanting to step up to head the project.

## **6.7 References**

Sklar MC, Executive Director New Jersey State Association of Chief of Police, Personal Communication, 04 January 2012.

## **7 Surveying Perceptions of U.S. State Motor Vehicle Agencies Survey on Restricted Driver's License Programs**

---

### **7.1 Introduction**

An important aspect of the New Jersey restricted driver's license study is considering how other states in the United States approach different strategies for dealing with driving offenders. To acquire this information a survey was emailed to the state motor vehicle and transportation agencies. The survey asked questions pertaining to the issue of suspended and restricted driver's licenses. Fifty motor vehicle and transportation agencies were contacted; one from each state, excluding New Jersey, plus one from the District of Columbia. The following report discusses the results and observations aggregated from the survey responses.

### **7.2 Objective**

The purpose of this survey was to determine current driver's license suspension and restricted-use license program policies among state agencies.

### **7.3 Approach**

Surveys of restricted-use license for suspended drivers were emailed to the 50 U.S. state motor vehicle agencies (all states except NJ plus District of Columbia). The survey was a short 8-question survey that was organized in two sections: *license suspension program policies* and *unintended consequences of license suspensions*. Topics of interest included:

- Eligibility requirements for a restricted-use license program

- Driving-related violations versus non-driving related violations
- Enforcement of license suspension/restrictions
- The possibility of unintended consequences as a result of license suspension

The surveys were emailed on 5 January 2012, with a request for either a mailed or emailed response by 1 February 2012. Follow-up requests for responses were emailed on 13 February 2012 and on 27 February 2012. To increase the response speed, reduce costs, and accelerate analysis the survey was designed to be electronic (Bachmann et al., 1996). Of the 50 state motor vehicle agencies contacted, 17 responded, yielding a 34% response rate. Six of the eight questions were answered by all respondents. The last two questions, which involved describing restricted license state procedures, were answered by all but one state. A sample of the survey can be found in the appendices.

Analysis of responses was done depending on the question style. Responses to dichotomous questions (Yes/No) were simply tabulated, as well as multiple-choice and check-list questions. For the dichotomous, multiple-choice, or check-list questions, if a descriptive answer was also provided, either the quote or a paraphrase synthesis of similar comments are reported. Of greater challenge were free-response questions. Key words or phrases that were similarly mentioned between the respondents were aggregated and synthesized into a single observation. Particularly interesting quotes are also reported.

## 7.4 Responses

Table 20 shows the 17 states which responded to the survey and the agency within each state which replied. Sixteen of the 17 states responded to all 8 questions of the survey. New Hampshire answered 6 of the 8 survey questions; the last two questions of the survey were left blank. The aggregated responses are presented below in the order that the questions were presented in the survey.

**Table 20. States responding to the survey**

<b>State</b>	<b>Agency</b>
Alaska	<i>Division of Motor Vehicles</i>
Arkansas	<i>Dept. of Finance &amp; Admin.</i>
Connecticut	<i>Dept. of Motor Vehicles</i>
Florida	<i>Dept. of Highway Safety &amp; Motor Vehicles</i>
Hawaii	<i>Dept. of Transportation</i>
Illinois	<i>Driver Services Department</i>
Kentucky	<i>Division of Driver Licensing</i>
Missouri	<i>Dept. of Revenue</i>
Montana	<i>Dept. of Justice</i>
Nevada	<i>Dept. of Motor Vehicles</i>
New Hampshire	<i>Dept. of Motor Vehicles</i>
North Dakota	<i>Dept. of Transportation</i>
Ohio	<i>Bureau of Motor Vehicles</i>
Oregon	<i>Driver and Motor Vehicle Services</i>
South Dakota	<i>Driver Licensing Program</i>
Tennessee	<i>Dept. of Safety &amp; Homeland Security</i>
Wyoming	<i>Dept. of Transportation</i>

**Question 1: Has your state recently updated or considered updating your license suspension programs?**

**Table 21. Distribution of responses to Question 1**

	<b>Total</b>	<b>Percent</b>
<b>Yes</b>	6	35.3%
<b>No</b>	11	64.7%
<b>Do not know</b>	0	0.0%

Of the 17 responding states, 6 reported that the state has or is in the process of updating license suspension programs. Arkansas, Florida, and Illinois similarly responded that state legislature passes new laws every 1-2 years which require updating license suspension programs. Connecticut and Montana have recently updated license suspension programs in regards to alcohol offenses and ignition interlock devices. Ohio reported that the state is “considering possible options to decrease non-driving suspensions.” The remaining 11 states reported that the state has not or is not considering updates to license suspension programs.

***Question 2: Does your state suspend driver’s licenses for non-driving related reasons?***

**Table 22. Distribution of responses to Question 2**

	<b>Total</b>	<b>Percent</b>
<b>Yes</b>	17	100%
<b>No</b>	0	0.0%
<b>Do not know</b>	0	0.0%

All 17 responding states reported that the state *does* suspended driver’s licenses for non-driving related reasons. The states were asked to check from a list of common offenses which offenses might cause a driver to have their license suspended. The list of common offenses is shown in Table 23, along with the distribution of responses.

**Table 23. Distribution of responses to Question 2**

<b>Common Offenses</b>	<b>Total</b>	<b>Percent</b>
Altered/unlawful use of driver's license	15	88.2%
Fraudulent application for driver's license documents	15	88.2%
Alcohol related offense by a minor	15	88.2%
Medical/visual conditions	14	82.4%
Alcohol/chemical dependency or offense	14	82.4%
Failure to answer court summons	14	82.4%
Failure to maintain mandatory insurance	17	100%
Failure to pay tickets or court ordered fees/fines	14	82.4%
Failure to pay child support	16	94.1%

Of the 17 responding states, 88.2% (15 states) responded that drivers might have a license suspended for unlawful use of the driver's license, fraudulent application for driver's license documents, and alcohol-related offenses by a minor. Fourteen states (82.4%) said medical/visual conditions, alcohol/chemical offenses, failing to answer court summons, and failing to pay parking tickets or court ordered fees all have a consequence of license suspension. All the states, except for Hawaii, reported suspended driver's licenses if the driver fails to pay child support. All 17 states reported suspending the driver's licenses of drivers who fail to maintain car insurance.

The states were also asked to list any other common offenses that were not included in the given check-list. Illinois, Kentucky, Missouri, and Ohio reported motor vehicle fuel theft as a reason for driver's license suspension. Ohio, Oregon, and Tennessee listed withdrawing from school (drivers under 18 years of age) as a reason for driver's license suspension. A few other common reasons listed included:

- drug offenses not involving a vehicle
- illegal possession of a weapon

- violation of ignition interlock program
- failing to pay loans/taxes/transportation fees

Florida responded that “there are 341 reasons [in addition to the reasons in the check-list] that a court of competent jurisdiction can suspend, cancel, or revoke a Florida driving privilege. About half are for driving related issues and the rest are non-driving issues.”

*Question 3: Are driver’s license suspensions monitored or tracked in your state in the context of trends, successes, and failures of suspension programs?*

**Table 24. Distribution of responses to Question 3**

	<b>Total</b>	<b>Percent</b>
<b>Yes</b>	2	11.8%
<b>No</b>	13	76.5%
<b>Do not know</b>	2	11.8%

Only 2 states, Florida and Montana, reported that the state does monitor driver’s license suspension for analysis. Florida stated that:

“All suspensions are tracked on the driver’s history. Point suspensions, DUI revocations are studied annually in July of each year looking at trends. Any of the other reasons are only studied upon the requirement to do so.”

Montana similarly reported that the state does comparative analysis on suspended/revoked driver’s license and reinstated driver’s licenses, as well as “other removal/rescind information”.

Thirteen (76.5%) of the 17 responding states reported that the state does not monitor or track driver’s license suspensions for the use of analyzing trends, successes, and failure of suspension

programs. The respondents from New Hampshire and Wyoming did not know if their state monitored suspensions.

**Question 4: Does your state offer relief or remedial programs (e.g. Restricted Use Driver License Programs, payment plans) with the intention of limiting the unintended consequences of license suspensions (e.g. inability to drive to employment, medical appointments, etc.)?**

**Table 25. Distribution of responses to Question 4**

	<b>Total</b>	<b>Percent</b>
<b>Yes</b>	16	94.1%
<b>No</b>	0	0.0%
<b>Do not know</b>	1	5.9%

All of the responding states, except for New Hampshire, reported that the state *does* offer relief/remedial programs for the intention of limiting the unintended consequences of license suspensions. The respondent from New Hampshire did not know if the state offered relief/remedial programs.

The states were also asked to describe the remedial program offered by the state, the eligibility requirements of the program, the duration of necessary suspension before eligibility, the costs/fees associated with the program, and the policies associated with violations of the program. A wide range of differing responses were given. Common responses are shown in Table 26.

**Table 26. Common descriptions of remedial programs**

<b>Question</b>	<b>Common responses</b>
<b>Program description</b>	<ul style="list-style-type: none"> <li>- Limited license for work, educational, medical purposes</li> <li>- Ignition interlock device programs for alcohol-related offenses</li> <li>- Commonly named “Hardship” or “Limited” license</li> </ul>
<b>Program eligibility</b>	<ul style="list-style-type: none"> <li>- Only for specific offenses, unless otherwise decided by the court</li> <li>- No pending offenses or other license restrictions</li> </ul>
<b>Duration of necessary suspension</b>	<ul style="list-style-type: none"> <li>- Depends on number of past offenses</li> <li>- Minimal suspension time served</li> <li>- 1 month to up to 1 year suspension period</li> </ul>
<b>Program costs/fees</b>	<ul style="list-style-type: none"> <li>- Not including court costs:</li> <li>- Range from \$5 to \$250 (typically around \$50)</li> </ul>
<b>Policies associated with violations of program</b>	<ul style="list-style-type: none"> <li>- Cancellation or revocation of limited license</li> <li>- Additional license actions (such as added suspension time or fees/fines)</li> </ul>

*Question 5: Are you aware of any studies concerned with the geographic and/or socioeconomic distribution of driver’s license suspensions in your state?*

**Table 27. Distribution of responses to Question 5**

	<b>Total</b>	<b>Percent</b>
<b>Yes</b>	1	5.9%
<b>No</b>	14	82.4%
<b>Do not know</b>	2	11.8%

Fourteen of the respondents (82.4%) answered that they were not aware of any studies concerned with the geographic or socioeconomic distribution of driver’s license suspensions. New Hampshire and Missouri did not know if any studies had been done. Florida was the only state that reported an awareness of studies being done in Florida. However, the respondent stated that they were only aware of the studies done by the Department of Highway Safety and Motor Vehicles, but not by any other organizations. The Florida respondent also noted that the studies they were aware of were the ones that they described to answer Question 3, which involved analyzing point suspensions and DUI revocations for yearly trends.

**Question 6: What limitations are placed on the restricted license for out-of-state use?**

**Table 28. Distribution of responses for Question 6**

<b>Limitations</b>	<b>Total</b>	<b>Percent</b>
Does not apply	2	11.8%
Driver is allowed to drive out-of-state	8	47.1%
Driver is NOT allowed to drive out-of-state	4	23.5%
Prevents person from obtaining license in another state	5	29.4%
Do not know	0	0.0%

The topic most different among the states surveyed were the limitations placed on restricted driver’s licenses for out-of-state use. Eight states (47.1%) responded that they *allow* restricted drivers to drive out-of-state, whereas four states (23.5%) responded that drivers are *not* allowed to drive out-of-state. Five states (29.4%) responded that the suspended license policies prevent drivers from obtaining a license in another state during license suspension. Two states (11.8%) did not know if there were limitations placed on the restricted license for out-of-state use. Note that some states responded with more than one type of answer. For instance, Arkansas not only prohibits suspended drivers from driving out-of-state, but they also prevent suspended drivers from obtaining a license from another state. The majority of responding states made sure to note that while their state allows out-of-state driving, the driver should verify with the state to which they are traveling to ensure that state will honor the restricted license. Some states, such as Florida, also noted that it depends on the reason for travel. While drivers might be allowed to drive out-of-state for work purposes, drivers are not allowed to drive out-of-state for personal matters. A few states also noted limiting the mileage that restricted drivers are allotted. For example, Illinois specified:

“Offender can drive 250 miles from home, for example, to fulfill his employment related driving needs. This need is verified by the employer.

If this radius carries over into another state, we tell the petitioner that it is up to the other state whether it will honor the [restricted driving permit].”

***Question 7: Please explain how your state identifies a driver’s license as a restricted license.***

As expected with a free-response question, a wide range of answers were given in response to this question, but a common theme was observed between all responding states. One common approach was to use additional documentation that identifies a driver’s license as a “limited privilege” license. Illinois, Montana, Nevada, North Dakota, South Dakota, and Wyoming all mentioned in some way that a driver on a restricted driver’s license is given a sheet of paper that states that they have been given limited driving privileges. The drivers must carry this sheet with them just as they would with their driver’s license. North Dakota describes that this sheet is a “...temporary restricted license has its own unique format (easily distinguishable from the original license/permit).” The other states that use this approach described similar methods.

All but six states similarly mentioned that a driver’s license restrictions are reflected on the driver’s history record. Each state discussed unique identifiers, but all had essentially the same meaning. Another common strategy was the use of unique restricted license identifiers. For example, Nevada stated, “The driver’s license will have a header indicating it is a restricted [driver’s license] and the driver must also carry a detail form explaining the restrictions.” Another example is Kentucky, which “prints on license as a Hardship license with supporting documentation.” A common approach seen by all states is that the restricted drivers’ licenses are somehow easily identifiable, either through driver records, additional documentation, or physical alteration of licenses.

Note that New Hampshire did not respond to this question. While “Do not know” and “Does not apply” were possible answer choices, the respondents intended answer choice cannot be assumed.

***Question 8: Please explain your state’s procedure when dealing with a driver who is in violation of his/her restricted driver’s license restrictions.***

Similar to question 7, a wide range of answers were given to this free-response question, but again a closely related theme was observed between all responding states. All responding states, except for Hawaii, reported the possibility of cancellation of a driver’s restricted license and reinstatement of the suspended license if a driver is found in violation of the license restrictions. For example, Arkansas stated “their restriction is revoked and they return to ‘suspended’ status.” Some states’ policies were more stringent than others. For instance, Oregon reported one of the more stringent policies:

“Upon determining a violation of a restriction, DMV proceeds to revoke the permit and the person is not eligible for any type of permit for the remainder length of the underlying suspension or one year, whichever occurs first.”

An example of a less stringent policy is Alaska. While Alaska does send a “cancellation letter” of the limited license, the driver is given the “right to an administrative appeal.” Hawaii was the only responding state that did not revoke the limited license of the driver within violation.

Hawaii stated that the “driver is cited for a violation of the driver’s privilege and subject to the appropriate fine.”

Again, note that New Hampshire did not respond to this question. Just as with Question 7, the intended answer choice of the respondent cannot be assumed, since the answer choices “Do not know” nor “Does not apply” were not marked.

## **7.5 Conclusions**

The main objective of this survey was to determine current driver’s license suspension and restricted-use license program policies among state agencies in the United States. All 50 states except NJ, plus the District of Columbia, were contacted via email with a survey with 8 questions pertaining to restricted-use license program policies. Of the 50 agencies contacted, 17 responded, yielding a 34% response rate. The main observations from the surveys are italicized below:

The observations made from the responses found that the *majority of the responding states were not (or had not) currently updated driver’s license suspension policies*. From the responses of the six states that are (or have) currently updated suspension policies similarly mentioned external initiative from state legislature.

*Every state responded that drivers in their state could have their licenses suspended for non-driving reasons. Almost every state reported one or more of the following reasons as possible reasons for license suspension:*

- Altered/unlawful use of driver's license
- Fraudulent application for driver's license documents
- Alcohol related offense by a minor
- Medical/visual conditions
- Alcohol/chemical dependency or offense
- Failure to answer court summons
- Failure to maintain mandatory insurance
- Failure to pay tickets or court ordered fees/fines
- Failure to pay child support

*The majority (13) of the responding states responded that their state does not monitor or track for trends, successes, or failures of license suspensions. Two of the states responded that their state does monitor or track for trends, successes, or failures, more specifically tracking annual trends. The respondents for the remaining two states did not know.*

*All but one state said that a relief/remedial program is offered to suspended drivers. The respondent from New Hampshire was the one state that did not report this, instead responding that they did not know. Remedial programs were typically named "Hardship" or "Limited" license programs, and were typically used for essential driving needs (e.g. work, education, medical). Eligibility generally depended on the offenses that resulted in the license suspension,*

and costs/fees pertaining to the program ranged anywhere from \$5 to \$250, with the majority of states reporting fees around \$50.

*The majority (14) of the responding states were not aware of any studies concerned with the geographic or socioeconomic distribution of driver's license suspensions.* Florida was the only state that reported an awareness of studies being done in Florida. However, the respondent stated that they were only aware of the studies done by the Department of Highway Safety and Motor Vehicles, but not by any other organizations.

*The topic most different among the states surveyed were the limitations placed on restricted driver's licenses for out-of-state use.* Eight states allow restricted drivers to drive out-of-state, whereas four states do not allow driving out-of-state. Five states prevent drivers from obtaining a license in another state during license suspension. The two states did not know if there were limitations placed on the restricted license for out-of-state use. Note that some states responded with more than one type of answer. For instance, Arkansas not only prohibits suspended drivers from driving out-of-state, but they also prevent suspended drivers from obtaining a license from another state. The majority of responding states made sure to note that while their state allows out-of-state driving, the driver should verify with the state to which they are traveling to ensure that state will honor the restricted license.

A wide range of responses were observed pertaining to the topic of how restricted-use licenses can be identified, but a common theme was observed between all responding states. *One common approach for identifying restricted-use driver's licenses is to use additional*

*documentation that identifies a driver's license as a "limited privilege" license. Another common approach is to have some kind of an identifier on the driver's history record.*

A wide range of responses were observed pertaining to the topic of the consequences of a driver found within violation of their restricted-use license program. However, a closely related theme was observed between all responding states. *All responding states that offer remedial programs, except for Hawaii, reported the possibility of cancellation of the restricted driver's license program and reinstatement of the suspended license if a driver is found in violation of the license restrictions.* Some states' policies were more stringent than others. Hawaii was the only responding state that did not revoke the limited license of the driver within violation.

Again, it is important to note the low response rate (34%). The low response rate does not guarantee that response bias was prevented. That is to say, it is possible that only specific states responded for a reason. Therefore, the findings for the responses should be considered with that in mind.

## **7.6 References**

Bachmann, D., Elfrink, J., and Vazzana, G. (1996). "Tracking the Progress of E-Mail vs. Snail-Mail," *Marketing Research*, vol. 8(2), pp. 30-35.

## 8 Summary of Findings

---

### 8.1 Potential for a Restricted Driver's License Program in New Jersey

Driver's license suspension was established in New Jersey as a tool for removing "bad drivers" from the roads. However, beginning in the early 1990s, driver's license suspension expanded to include non-traffic-related offenses, such as failure to meet financial responsibilities or failure to acquire/maintain proper automobile insurance. In 1992, New Jersey was the first state in the U.S. to pass the legislation which suspended driver's licenses of drug offenders (Zimmerman et al., 2001). The approach of suspending driver's licenses for non-traffic-related offenses has been a controversial topic in New Jersey since its initiation. There are some groups who believe license suspension is an effective method to enforce fee payments (e.g. parking tickets, child support, insurance), as well as an effective method to prevent recidivism (Scopatz et al., 2003). These groups also believe that just the mere threat of license suspension, or detection of driving without a valid license, is enough to encourage better driving behavior. However, there are others who believe license suspension is not an effective traffic-related punishment method, let alone one that is appropriate for non-traffic-related offenses (Zimmerman et al., 2001; Voorhees et al., 2001). These groups believe it is unreasonable to expect someone to pay the initial fee, plus additional fees due to the license suspension, while not being able to drive to work, potentially costing them their job.

This study examined the rationale for license suspensions, the effectiveness of alternatives to suspensions, and the public opinion on the issue. Driver's license suspension effectiveness was examined in terms of traffic safety, completion of compliance, fairness and affordability,

habitual behavior, cost/benefit issues, and feasibility of enforcement. In addition, this study gathered information of others states' approaches of restricted driver's license programs that might be considered by New Jersey.

As discussed later in this chapter, my recommendation is that New Jersey implement a restricted driver's license program in which all first-time offenders are eligible. Second-time offenders should be required to first meet a mandatory license suspension period before receiving eligibility for a restricted driver's license. Third-time offenders should receive automatic license suspension, with eligibility of a restricted-driver's license once the license suspension conditions have been met. It is also recommended that any driver found to be violating the conditions of the restricted driver's license program, no matter if it is the first or third offense, receive automatic license suspension. These recommendations are based on the study's findings, including the stakeholder perceptions and the characteristics of suspended drivers, which are summarized below along with a more detailed description of the recommendations.

## **8.2 Demographics and Driving Behavior of Suspended Drivers**

The number of suspensions in New Jersey has increased from about 900,000 suspensions in 1995 to nearly 1.05 million suspensions in 2010. In general, there are more male suspended drivers than female suspended drivers, a high percentage of urban and middle income drivers, and a low percentage of rural, high, and low income drivers. A disproportional percentage of suspended drivers are from urban areas and the lower income areas. This agrees with similar findings in previous studies (Carnegie, 2007). Only 15.4% of currently suspended drivers were suspended

because of direct driving offenses. The largest proportion of suspended drivers (36%) had only one suspension. The largest proportion of suspended drivers (41.1%) had an accumulation of over 12 violation points. Suspended drivers were 1.2-2 times more likely to have traffic violations than validly-licensed drivers, and this is more apparent for specific violations. However, suspended drivers are not a homogeneous group of drivers, but rather a diverse group with different traffic behaviors and characteristics. While drivers suspended for non-driving reasons are riskier drivers than validly-licensed drivers, this group of suspended drivers were significantly less risky than drivers suspended for driving-related reasons.

### **8.3 Stakeholder Perceptions**

A key element of this study was to determine the perceptions of New Jersey police chiefs regarding the possibility of a Restricted Driver's License program in New Jersey, as well as to gather information and examine how other states in the United States approach different strategies for dealing with traffic offenders. In regards to other stakeholder perceptions, the police chiefs strongly believed that the general driving public, the state legislature, and suspended drivers would agree to a restricted driver's license (RDL) program in New Jersey. As to why they believed a RDL program is not already in place in New Jersey, most of the police chiefs agreed that it is due to a combination of bureaucracy, the challenge of enforcement, and no one wanting to step up to head the project. Over half of the police chiefs agreed that only first time suspensions should be offered RDLs and that requiring completion of help programs should be a part of the RDL programs. The majority of police chiefs agreed that suspensions should be lengthened, or penalties imposed if the driver incurred additional violations during the RDL

programs. Nearly two-thirds of police chiefs disagreed with the statement that drivers with non-driving related suspensions have a propensity toward unsafe driving, which is to say that they are no more dangerous on the road than any other driver.

#### **8.4 RDL Programs in Other States**

This study surveyed other states to determine strategies for dealing with traffic offenders. The survey found that every responding state suspended driver's licenses in their state for non-driving reasons. All but one of the responding states said that a relief/remedial program is offered to suspended drivers (i.e. RDL program). In terms of enforcement, among the responding states one common approach for identifying restricted-use driver's licenses was to use additional documentation that identifies a driver's license as a "limited privilege" license. Another common approach was to have some kind of an identifier on the driver's history record. All responding states, except for Hawaii, reported the possibility of cancellation of the restricted driver's license program and reinstatement of the suspended license if a driver is found in violation of the license restrictions.

#### **8.5 Recommendations**

Having conducted this study, the following section describes my recommendations for an RDL program in New Jersey, and the rationale for those recommendations. Note that these are my personal recommendations and do not necessarily reflect the views of NJDOT or NJMVC. As previously mentioned, it is recommended that New Jersey implement a restricted driver's license

program in which all first-time offenders are eligible, regardless of offense. This is a similar approach to how other states run their RDL programs, except that most other states do not allow drivers who were suspended for non-driving reasons to receive a restricted driver's license. However, from the findings of violation risk (Chapter 5), it appears as if drivers suspended for driving-related reasons pose the most traffic risk, one that is significantly higher than drivers suspended for non-driving-related reasons. The results from the violation risk analysis (Chapter 5) also showed that drivers suspended for non-driving reasons are not necessarily "bad drivers", but rather continue to struggle to meet outstanding payments. For this reason, it is recommended that New Jersey implement a RDL program that would be eligible to all first-time offense drivers.

Second-time offenders should be required to first meet a mandatory license suspension period before receiving eligibility for a restricted driver's license. State agency surveys showed that it was a common approach to require a minimum license suspension period that had to be served before receiving eligibility for a RDL. This minimum serving time should range from one month to up to a year, at the discretion of the judge or MVC agency. Third-time offenders should receive automatic license suspension, and are not eligible for a restricted driver's license. The currently policy which states that any driver with three license suspensions issued within a three year time period can have their license suspended for up to three years should remain as is. It is also recommended that any driver found to be violating the conditions of the restricted driver's license program, regardless of the number of offenses, receive automatic license suspension. This approach was also common among states with RDL programs, as discussed in Chapter 7.

For the RDL program, it is recommended that a mandatory remedial course be required. This remedial course should be begun within two-to-four weeks within the initiation of the probationary period. As discussed in Chapter 6, the New Jersey police chiefs who responded to the survey conducted for this study recommended that the RDL program include a requirement of a remedial course. Also, studies have shown that recidivism is most effectively reduced if suspension/probationary programs are given in conjunction with remedial driver programs. Effectiveness of remedial programs has been found to reduce as the time period between conviction and the start of the program increase (Carnegie, 2009). Drivers requesting a RDL should be required to list reasons for why they need the RDL, and these reasons should be verified by the MVC before the RDL is approved and issued. Acceptable reasons should include, but might not be limited to, driving to work, driving to school, driving necessities for hospital visits, driving necessities to care for elderly/children, religious obligations, driving necessities for civil duties, or in case of an emergency (proof of emergency should be verified by MVC within two weeks of event). All of the listed reasons should not be approved if there is viable public transportation is readily available. The listed reasons are comparable to acceptable reasons listed by state agencies that currently offer RDL programs, as determined by the state agency surveys discussed in Chapter 7.

## **8.6 Final Discussion**

One last thing to note is to ask is there really such thing as “accident proneness”? In other words, do some people have a tendency, out of their control, towards accident involvement? Dr.

David Shinar prompts this same question, and discusses in his book, *Traffic Safety and Human Behavior*:

“From the statistical perspective, accidents – including traffic accidents – by their nature are rare events... Despite the apparent concentration of accidents within a small sub-sample, this is still a random distribution of rare events... if we were to remove these people from the population... we would not significantly reduce future accidents of the population. It would only change the people that will have them.”

What Dr. Shinar describes in *Traffic Safety and Human Behavior* is an important thought to consider. While there are definitely “bad drivers” out on the roads, as evidenced by anyone’s driving experience on U.S. roadway, accidents are still relatively rare and random events. The initial intention of driver’s license suspensions was to increase traffic safety by reducing the number of “bad drivers”. However, these initial intentions have expanded so far that offenses that are not even traffic-related are being included. It is apparent that driver’s license suspension is no longer solely about increasing traffic safety, but also increasing state revenue. While effective at doing so, it is recommended that the New Jersey Motor Vehicle Commission revisit its license suspension policies and legislation to more appropriately fit the punishable offenses.

## **8.7 References**

Carnegie, J.A. (2007). "Driver’s License Suspensions, Impacts, and Fairness Study." NJDOT Final Report. FHWA-NJ-2007-020.

Carnegie, J.A. and Voorhees, A.M. (2009). "Study of Recidivism Rates among Drivers Administratively Sanctioned by the New Jersey Motor Vehicle Commission," NJDOT, 2009.

DeYoung, D. J. and Gebers, M.A. (2004). "An examination of the characteristics and traffic risks of drivers suspended/revoked for different reasons," *Journal of Safety Research*, vol. 35, pp. 287-295, January 2004.

Scopatz, R.A., Hatch, C.E., DeLucia, B.H., and Tays, K.A. (2003). "Unlicensed to Kill: The Sequel," AAA Foundation for Traffic Safety, January 2003.

Shinar, D. *Traffic safety and human behavior*. Amsterdam: Elsevier, 2007.

Voorhees, A. M., and Bloustein, E.J. (2006). "Motor Vehicles Affordability and Fairness Task Force," February 2006.

Zimmerman, K., and Fishman, N. (2001). "Roadblock on the Way to Work: Driver's License Suspension in New Jersey," N. J. I. f. S. Justice, Newark.

## 9 Bibliography

---

49 CFR 383.31: "Notification of convictions for driver violations"

49 CFR 383.33: "Notification of driver's license suspension"

49 CFR 383.37: "Notification requirements and employer responsibilities"

49 CFR 383.210: "Limitation on licensing"

Bachmann, D., Elfrink, J., and Vazzana, G. (1996). "Tracking the Progress of E-Mail vs. Snail-Mail," *Marketing Research*, vol. 8(2), pp. 30-35.

California Department of Motor Vehicles, "V C Section 13353.7 Restricted Noncommercial Driver s License" Retrieved from: <http://www.dmv.ca.gov/>

Cameron, Adrian Colin, and P. K. Trivedi. *Regression analysis of count data*. Cambridge, UK: Cambridge University Press, 1998.

Carnegie, J. A. and Voorhees, A.M. (2007). "Driver's License Suspensions, Impacts, and Fairness Study," NJDOT, 2007.

Carnegie, J.A. and Voorhees, A.M. (2009). "Study of Recidivism Rates among Drivers Administratively Sanctioned by the New Jersey Motor Vehicle Commission," NJDOT, 2009.

Diegnan, P.J. and Coleman, B.W. (2010). Assembly, No. 2422. State of New Jersey 214<sup>th</sup> Legislature. March 4, 2010.

DeYoung, D. J. and Gebers, M.A. (2004). "An examination of the characteristics and traffic risks of drivers suspended/revoked for different reasons," *Journal of Safety Research*, vol. 35, pp. 287-295, January 2004.

FMCSA, "Agency Information Collection Activities; Revision of an Approved Information Collection", Federal Register: October 17, 2007 (Volume 72, Number 200), pp. Page 58926-58929. (viewed on 3/31/2012 at <http://www.fmcsa.dot.gov/rules-regulations/administration/rulemakings/notices/E7-20490-Info-Col-Revision-CDL-and-Test-Satndards-10-17-07.htm>)

FMCSA, " Commercial Driver's License Standards, Requirements and Penalties; Commercial Driver's License Program Improvements and Noncommercial Motor Vehicle Violations; Final Rule", Federal Register: July 31, 2002 (Volume 67, Number 147), pp. 49742-49764. (viewed on 4/1/2012 at <http://www.fmcsa.dot.gov/documents/CDL-Final-Rule.pdf>)

- Griffin, L.I., and DeLaZerda, S. (2000). "Unlicensed to Kill," AAA Foundation for Traffic Safety, Washington, D.C., June 2000.
- Gustitus, S., Simmons, M., and Waller, M. (2008). "Access to Driving and License Suspension Policies for the Twenty-First Century Economy," The Mobility Agenda, Washington, D.C., June 2008.
- King, N. (2011). "Criteria And Field Definition". (Personal Communications), August 2011, NJMVC, Trenton, NJ.
- Kirley, B.B., Feller, A., Braver, E., Langenberg, P. (2008). "Does the Maryland graduated driver licensing law affect both 16-year-old drivers and those who share the road with them?" *Journal of Safety Research*, 39(3), pp. 295-301.
- McKnight, J.A., and Voas, R.B. (1991). "The Effect of License Suspension Upon DWI Recidivism," *Alcohol, Drugs, and Driving*, vol. 7(1), pp.43-54, March 1991.
- NCSL. (2011) "State Ignition Interlock Laws." NCSL Home. N.p., n.d. Web. 7 Apr. 2011. <<http://www.ncsl.org/issues-research/transport/state-ignition-interlock-laws.aspx/>>.
- New Jersey Motor Vehicle Commission. (2009) "Commercial Driver License Manual: Requirements for Licensing in New Jersey". (Publication No. DTFH61-97-X-00017).
- NHTSA. Traffic Safety Facts 2010, National Traffic Safety Administration. U.S. Department of Transportation; Washington, DC: 2010. Report No. DOT HS 811 606.
- NJDOT (2011). Crash Records Summary: 2001-Current.  
<http://www.state.nj.us/transportation/refdata/accident/>
- NJSBA. (2011) New Jersey State Bar Association - Homepage. N.p., n.d. Web. 20 July 2012. <<http://www.njsba.com/resources/gov-affairs/capitol-report/capitol-report-arch/december-5-2011.html>>.
- Oregon Department of Transportation, "Hardship and Probationary Permits", Retrieved from: <http://www.oregon.gov/ODOT/DMV/driverid/hardship.shtml>
- Scopatz, R.A., Hatch, C.E., DeLucia, B.H., and Tays, K.A. (2003). "Unlicensed to Kill: The Sequel," AAA Foundation for Traffic Safety, January 2003.
- Sklar MC, Executive Director New Jersey State Association of Chief of Police, Personal Communication, 04 January 2012.
- Shinar, D. *Traffic safety and human behavior*. Amsterdam: Elsevier, 2007. Print.

- Thoennes, N., Pearson, J. (2000). "Multiple Intervention Grant: Driver's License Suspension as a Tool of Child Support Enforcement," The Office of Child Support Enforcement, Denver, September 2000.
- Thor, C.P. and Gabler, H.C. (2010). "Assessing the Residual Teen Crash Risk Factors after Graduated Drivers License Implementation." *AAAM*, 54: 295-308.
- U.S. Census Bureau. (2010). State & county Quickfacts: New Jersey.  
<http://quickfacts.census.gov>.
- U.S. Dept. of Transportation Federal Motor Carrier Safety Administration. "Commercial Driver's License Program (CDL/CDLIS)" Retrieved from:  
<http://www.fmcsa.dot.gov/registration-licensing/cdl/cdl.htm>
- Wagenaar, A.C., and Maldonado-Molina, M.M. (2007). "Effects of Drivers' License Suspension Policies on Alcohol-Related Crash Involvement: Long-Term Follow-Up in Forty-Six States," *Alcoholism: Clinical and Experimental Research*, vol.31(8), pp.1399-1406, August 2007.
- Washington State Department of Licensing. "Occupational/Restricted Driver License (ORL)". Retrieved from: <http://www.dol.wa.gov/driverslicense/orl.html>
- Virginia Department of Motor Vehicles, "Restricted Driving Privileges". Retrieved from:  
[http://www.dmv.state.va.us/webdoc/citizen/drivers/restrict\\_privs.asp](http://www.dmv.state.va.us/webdoc/citizen/drivers/restrict_privs.asp)
- Voorhees, A. M., and Bloustein, E.J. (2006). "Motor Vehicles Affordability and Fairness Task Force," February 2006.
- Zimmerman, K., and Fishman, N. (2001). "Roadblock on the Way to Work: Driver's License Suspension in New Jersey," N. J. I. f. S. Justice, Newark, 2001.

## Appendix A: New Jersey Legislations Specific to Commercial Driver License

**Table 29. 49 CFR 383.31: “Notification of convictions for driver violations”**

Subpart C - Notification requirements and employer responsibilities

§ 383.31 Notification of convictions for driver violations.

(a) Each person who operates a commercial motor vehicle, who has a commercial driver's license issued by a State or jurisdiction, and who is convicted of violating, in any type of motor vehicle, a State or local law relating to motor vehicle traffic control (other than a parking violation) in a State or jurisdiction other than the one which issued his/her license, shall notify an official designated by the State or jurisdiction which issued such license, of such conviction. The notification must be made within 30 days after the date that the person has been convicted.

(b) Each person who operates a commercial motor vehicle, who has a commercial driver's license issued by a State or jurisdiction, and who is convicted of violating, in any type of motor vehicle, a State or local law relating to motor vehicle traffic control (other than a parking violation), shall notify his/her current employer of such conviction. The notification must be made within 30 days after the date that the person has been convicted. If the driver is not currently employed, he/she must notify the State or jurisdiction which issued the license according to §383.31(a).

(c) Notification. The notification to the State official and employer must be made in writing and contain the following information:

- (1) Driver's full name;
- (2) Driver's license number;
- (3) Date of conviction;
- (4) The specific criminal or other offense(s), serious traffic violation(s), and other violation(s) of State or local law relating to motor vehicle traffic control, for which the person was convicted and any suspension, revocation, or cancellation of certain driving privileges which resulted from such conviction(s);
- (5) Indication whether the violation was in a commercial motor vehicle;
- (6) Location of offense; and
- (7) Driver's signature.

[52 FR 20587, June 1, 1987, as amended at 54 FR 40787, Oct. 3, 1989]

**Table 30. 49 CFR 383.33: “Notification of driver's license suspensions”**

**Subpart C - Notification requirements and employer responsibilities**

**§ 383.33 Notification of driver's license suspensions.**

Each employee who has a driver's license suspended, revoked, or canceled by a State or jurisdiction, who loses the right to operate a commercial motor vehicle in a State or jurisdiction for any period, or who is disqualified from operating a commercial motor vehicle for any period, shall notify his/her current employer of such suspension, revocation, cancellation, lost privilege, or disqualification. The notification must be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification.

[54 FR 40788, Oct. 3, 1989]

**Table 31. 49 CFR 383.37: Notification requirements and employer responsibilities:  
Employer responsibilities**

**Subpart C - Notification requirements and employer responsibilities**

**§ 383.37 Employer responsibilities.**

No employer may knowingly allow, require, permit, or authorize a driver to operate a CMV in the United States in any of the following circumstances:(a) During any period in which the driver does not have a current CLP or CDL or does not have a CLP or CDL with the proper class or endorsements. An employer may not use a driver to operate a CMV who violates any restriction on the driver's CLP or CDL.(b) During any period in which the driver has a CLP or CDL disqualified by a State, has lost the right to operate a CMV in a State, or has been disqualified from operating a CMV.(c) During any period in which the driver has more than one CLP or CDL.(d) During any period in which the driver, or the CMV he/she is driving, or the motor carrier operation, is subject to an out-of-service order.(e) In violation of a Federal, State, or local law or regulation pertaining to railroad-highway grade crossings.

[76 FR 26879, May 9, 2011]

**Table 32. Minimum standards for substantial compliance by states: Limitation on licensing: (49 CFR 383.210)**

**Subpart B - Minimum standards for substantial compliance by states**

**§ 384.210 Limitation on licensing.**

A State must not knowingly issue a CLP, a CDL, or a commercial special license or permit (including a provisional or temporary license) permitting a person to drive a CMV during a period in which:

- (a) A person is disqualified from operating a CMV, as disqualification is defined in §383.5 of this subchapter, or under the provisions of §383.73(j) or §384.231(b)(2) of this subchapter;
- (b) The CLP or CDL holder's noncommercial driving privilege has been disqualified; or
- (c) Any type of driver's license held by such person is disqualified by the State where the driver is licensed for any State or local law related to motor vehicle traffic control (other than parking, vehicle weight or vehicle defect violations).

[76 FR 26894, May 9, 2011]

## Appendix B: New Jersey Police Chiefs Survey (sample)

The survey began with a brief background on Restricted Driver License program for New Jersey issue:

---

Rowan University is asking for your views on a Restricted Driver License program for New Jersey. Following is a brief background on this issue.

- What is a Restricted Driver License?

Many states allow a Restricted Driver License which permits limited driving privileges for drivers with suspended licenses. The restricted license would allow a limited amount of driving, e.g., driving to work or to medical appointments.

- Why might NJ offer a Restricted Driver License?

Driver license suspensions were originally intended to get 'bad drivers' off the road. However, over 90% of suspended licenses in NJ were for non-driving offenses, e.g. failure to pay child support or appear in court. Although citizens should comply with these court ordered obligations, studies have shown that loss of driving license frequently is accompanied by the driver losing their job, making it difficult to meet financial obligations such as paying fines or child support. A Restricted Driver License might let drivers meet these financial obligations.

- Would a Restricted Driver License program be safe?

A crucial consideration of restricted driver license is law enforcement and maintaining public safety. In this survey, we are actively seeking your viewpoint as a law enforcement official on the acceptability of a restricted driver license programs.

---

The survey questions were as follows:

### 1. Agency Information

Name:

Title:

Address:

City/Town:

ZIP:

Email Address:

Phone number:

**2. Are you familiar with the Restricted Driver License Programs of other states?  
If yes, which states? (check all that apply)**

<input type="checkbox"/> No	<input type="checkbox"/> Alabama	<input type="checkbox"/> Alaska	<input type="checkbox"/> Arizona
<input type="checkbox"/> Arkansas	<input type="checkbox"/> California	<input type="checkbox"/> Colorado	<input type="checkbox"/> Connecticut
<input type="checkbox"/> Delaware	<input type="checkbox"/> Florida	<input type="checkbox"/> Georgia	<input type="checkbox"/> Hawaii
<input type="checkbox"/> Idaho	<input type="checkbox"/> Illinois	<input type="checkbox"/> Indiana	<input type="checkbox"/> Iowa
<input type="checkbox"/> Kansas	<input type="checkbox"/> Kentucky	<input type="checkbox"/> Louisiana	<input type="checkbox"/> Maine
<input type="checkbox"/> Maryland	<input type="checkbox"/> Massachusetts	<input type="checkbox"/> Michigan	<input type="checkbox"/> Minnesota
<input type="checkbox"/> Mississippi	<input type="checkbox"/> Missouri	<input type="checkbox"/> Montana	<input type="checkbox"/> Nebraska
<input type="checkbox"/> Nevada	<input type="checkbox"/> New Hampshire	<input type="checkbox"/> New Mexico	<input type="checkbox"/> New York
<input type="checkbox"/> North Carolina	<input type="checkbox"/> North Dakota	<input type="checkbox"/> Ohio	<input type="checkbox"/> Oklahoma
<input type="checkbox"/> Oregon	<input type="checkbox"/> Pennsylvania	<input type="checkbox"/> Rhode Island	<input type="checkbox"/> South Carolina
<input type="checkbox"/> South Dakota	<input type="checkbox"/> Tennessee	<input type="checkbox"/> Texas	<input type="checkbox"/> Utah
<input type="checkbox"/> Vermont	<input type="checkbox"/> Virginia	<input type="checkbox"/> Washington	<input type="checkbox"/> West Virginia
<input type="checkbox"/> Washington, D.C.	<input type="checkbox"/> Wisconsin	<input type="checkbox"/> Wyoming	

**3. How would you describe the perception law enforcement officials in these states have on Restricted Driver License programs? (If previous answer was no, then skip this question).**

**4. Do you think that a Restricted Driver License should be offered to drivers who had their license suspended for: (please select the option you most agree with)**

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Parking Tickets					
Failure to pay traffic violation fines					
Failure to pay child support					
“Bad driving”					
DUI					

**5. If NJ offered a Restricted Driver License, what driving privileges should this license allow: (please select the option you most agree with)**

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Driving to work					
Driving to medical appointments					
Driving to child care					
Driving to provide elder care					
Driving for religious reasons					

**6. What other restrictions/requirements would you want to institute if such a program was to be put in place? (Check all that apply)**

- Available only if points not 'excessive'
- First time suspension only
- Require completion of help programs
- Require a minimum suspension period
- Pay fees in addition to any fines from charge
- Other: \_\_\_\_\_

**7. Please select the option that best matches your opinion.**

Drivers with non-driving suspensions have a propensity toward unsafe driving behavior.

- Strongly agree    Agree    Neutral    Disagree    Strongly disagree

Enforcement for drivers with restricted licenses would be more difficult than enforcement for drivers with suspended licenses.

- Strongly agree    Agree    Neutral    Disagree    Strongly disagree

The traffic risk of drivers suspended for 'bad driving' reasons is greater than the traffic risk of drivers suspended for non-driving reasons.

- Strongly agree    Agree    Neutral    Disagree    Strongly disagree

A restricted license program would decrease the safety on the roadway.

- Strongly agree    Agree    Neutral    Disagree    Strongly disagree

**Comments:**

**8. Why should New Jersey consider a Restricted Driver License program? (choose all that apply)**

- Decrease the economic burden on the state due to job loss caused by the inability to drive.
- Return suspensions back to their original intent (i.e. reduce "bad driving")
- Prevent job loss for driver
- Keep suspended drivers and their families off welfare
- Other: \_\_\_\_\_

**9. Please select the option that best matches your opinion.**

Restricted license programs should be allowed for commercial driving licenses.

Strongly agree    Agree    Neutral    Disagree    Strongly disagree

Restricted driving licenses should be available for drivers who have received a suspension due to a DUI or other Alcohol related charge – with the installation of an ignition interlock system.

Strongly agree    Agree    Neutral    Disagree    Strongly disagree

The traffic risk of drivers suspended for ‘bad driving’ reasons is greater than the traffic risk of drivers suspended for non-driving reasons.

Strongly agree    Agree    Neutral    Disagree    Strongly disagree

**10. How much would you expect the following groups to agree with the establishment of a Restricted Driver License program in New Jersey?**

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
General driving public					
Law enforcement					
State legislature					
NJ Motor Vehicle Commission (NJ MVC)					
Suspended drivers					

**11. Thirty-seven (37) states have a Restricted Driver License program in some form. Why do you think New Jersey has not established a Restricted Driver License to date?**

# Appendix C: U.S. State Motor Vehicle Agencies Survey (sample)

## A Survey of Restricted-Use License for Suspended Drivers Spring 2011

### Agency Information

- a. Agency \_\_\_\_\_
- b. Responder \_\_\_\_\_
- c. Title \_\_\_\_\_
- d. Email \_\_\_\_\_
- e. Phone Number \_\_\_\_\_
- f. Fax Number \_\_\_\_\_
- g. Address \_\_\_\_\_  
\_\_\_\_\_

### Goal

Rowan University in collaboration with Virginia Tech is conducting an analysis of the issues and implications of implementing a restricted-use license program for suspended New Jersey drivers. The purpose of this survey is to determine current driver's license suspension and restricted-use license program policies among state agencies. Of particular interest are the eligibility requirements for a restricted-use license program, e.g. driving-related violations versus non-driving related violations, enforcement of license suspension/restrictions, and the possibility of unintended consequences as a result of license suspension. A copy of the official project background and objective has been attached to provide additional information.

### License Suspension Program Policies

1. Has your state recently updated or is considering updating your license suspension programs?

Yes       No

If yes, please describe.

---

---

---

---

---

2. Does your state suspend driver's licenses for non-driving related reasons?

Yes      No

If yes, please choose all that apply:

- Altered/unlawful use of driver's license
- Fraudulent application for driver's license documents
- Attempt to purchase alcohol; purchase of alcohol; consumption of alcohol; public intoxication; driving under the influence; ALL by a minor
- Medical/visual conditions
- Alcohol/chemical dependency or offense
- Failure to answer court summons
- Failure to maintain mandatory insurance
- Failure to pay tickets or court ordered fees/fines
- Failure to pay child support
- Other: \_\_\_\_\_

3. Are driver's license suspensions monitored or tracked in your state in the context of trends, successes, and failures of suspension programs?

Yes      No

If yes, please describe.

---

---

---

---

---



5. Are you aware of any studies concerning with the geographic and/or socioeconomic distribution of driver's license suspensions in your state?

- Yes      No

If yes, please describe.

---

---

---

---

---

---

---

---

6. What limitations are placed on the restricted license for out-of-state use?

- Allowed to be used to travel out of state  
 Not allowed to be used to travel out of state  
 Prevents person from obtaining a license in another state  
 Other: \_\_\_\_\_

**Thank you for participating in the survey.**

## Appendix D: Poisson's Regression Analysis

Poisson's regression analysis was used in this study to determine differences in driver behavior between driver subgroups and to determine confidence limits to test for statistically significant difference between driver subgroups. As described in Chapter 5, Poisson's regression is often the gold standard for modeling count data, such as traffic violations. Equation 1 shows the general form of the Poisson's regression equation, which can be defined as a log-linear model.

$$\log(Y) = \beta_0 + b_1(x_1) + \dots + b_n(x_n) \quad [1]$$

A log offset (exposure, i.e. driver population) was included in the statistical model, as shown in Equation 2.

$$\log(Y) = \beta_0 + b_1(x_1) + \dots + b_n(x_n) \quad [2]$$

The Poisson model can be algebraically manipulated to analyze count data in terms of ratios of counts, as shown in Equation 3. The other predictors of the statistical model were driver license status (i.e. 'non-driving' suspension, 'driving' suspension, no suspension).

$$\log\left(\frac{Violations}{Population}\right) = \beta_0 + Driver\ License\ Status \quad [3]$$

95% confidence intervals were used for this study, as shown in general terms in Equation 4, where  $\mu$  represents the expected rate.

$$\Pr(\mu_{LB} \leq \mu \leq \mu_{UB}) = 0.95 \quad [4]$$

## References

Cameron, Adrian Colin, and P. K. Trivedi. *Regression analysis of count data*. Cambridge, UK: Cambridge University Press, 1998.