

**MOTOR VEHICLES  
AFFORDABILITY AND FAIRNESS TASK FORCE**

**FINAL REPORT**

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**Presented to**

Governor Jon S. Corzine

and

The New Jersey State Legislature

**Prepared by:**

Alan M. Voorhees Transportation Center  
Edward J. Bloustein School of Planning and Public Policy  
Rutgers, The State University of New Jersey  
33 Livingston Avenue – Suite 500  
New Brunswick, New Jersey 08901

and

New Jersey Motor Vehicle Commission  
P.O. Box 160  
Trenton, NJ 08666

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## **ACKNOWLEDGEMENTS**

### **Task Force Members**

The following individuals were appointed and/or designated to serve as members or alternates on the Motor Vehicles Affordability and Fairness Task Force:

**\*Jean M. Bickal**, Assistant Commissioner, NJ Department of Banking & Insurance  
(serving for Director of the Division of Insurance in the NJ Department of Banking and Insurance)

**Lanuel J. Ferguson**, Major, New Jersey State Police

**\*Judith Formalarie**, New Jersey State Employment & Training Commission (serving for Chairperson of the State Employment and Training Commission)

**Sharon A. Harrington**, Chair and Chief Administrator, NJ Motor Vehicle Commission

**Richard F. Liebler**, Hillside Auto Mall

**Pam Maiolo**, Public Affairs Manager, American Automobile Association

**William Margaretta**, President, NJ State Safety Council

**\*Violet Marrero**, NJ Division of Highway Traffic Safety

**Honorable Joan Quigley**, NJ State Assembly (D-32)

**Roberto Rodriguez**, Director, NJ Division of Highway Traffic Safety

**\*Ivette Santiago-Green**, Deputy Director, Civil Rights and Affirmative Action NJ Department of Transportation (serving for Commissioner of NJ Department of Transportation)

**Robert L. Simmons**, Counsel, Allstate New Jersey Insurance Company

**Robert W. Smith**, Assistant Director, Municipal Court Services, NJ Administrative Office of the Courts (serving in an advisory capacity only)

**Robert G. St. John**, Jevic Transportation, Inc.

**Teresa M. Thomas**, South Jersey Traffic Safety Alliance

**Honorable José Torres**, Mayor, City of Paterson

**Honorable Shirley Turner**, NJ State Senate (D-15)

**Kenneth Zimmerman**, Executive Director, NJ Institute for Social Justice

\* indicates alternate member or designee

The members of the Task Force would like to thank **Jon Carnegie**, Assistant Director of the Alan M. Voorhees Transportation Center at Rutgers, The State University of New Jersey, and Secretary to the Task Force and **Andrea Lubin**, Project Manager at the Voorhees Transportation Center who provided insightful research and skillful administrative support throughout the Task Force's tenure.

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David Weinstein

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John Podeszwa

**Others:**

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## EXECUTIVE SUMMARY

### Background and Introduction

The Motor Vehicles Affordability and Fairness Task Force was created by New Jersey statute, N.J.S.A. 39:2A-30 (L.2003,c.13,s.30). The charge of the Task Force as defined by that statute is as follows:

...to study the impact of the current point system and non-driving related suspension of driving privileges, in particular, the Merit Rating Plan Surcharges, on the driving public and make recommendations for the reform of the surcharge suspension program to increase motorist safety. In addition, the task force shall examine 'The Parking Offenses Adjudication Act,' P.L.1985, c.14 (C.39:4-139.2 et seq.) and municipal court processes related thereto, as well as court actions on surcharge assessments and license suspensions related to nonpayment of fines or tickets as well as motor vehicle moving violations.

The Task Force convened for the first time on February 25, 2005. At that first meeting, New Jersey Motor Vehicle Commission (MVC) Chief Administrator Sharon Harrington was named chair of the Task Force and Jon Carnegie, assistant director of the Alan M. Voorhees Transportation Center at Rutgers University was named Task Force secretary. In addition, three Task Force subcommittees were formed as follows:

- Subcommittee 1: Parking Offenses Adjudication Act (POAA) and other non-driving related offenses
- Subcommittee 2: Point system & other driving related offenses
- Subcommittee 3: Insurance Surcharge Program

Including its first meeting, the full Task Force met four times during 2005/2006. In addition, each of the Task Force subcommittees met four times to examine and discuss the specific topics under their purview.

The Task Force understands that driving and registering a vehicle in New Jersey is a privilege and that every citizen has a duty to abide by the laws of the State. Similarly, the Task Force recognizes the important public safety purpose served by suspending the driving privileges of those that fail to live up to their obligation to drive safely. However, after a year of investigation, the Task Force has concluded that the current system of license suspension in New Jersey, as it has grown and evolved over the years, has de-emphasized motorist safety as the primary reason for suspension. Instead, the system results in license suspensions, most frequently, for reasons unrelated to promoting highway safety. Further, the Task Force finds that license

suspensions often have serious, albeit unintended, consequences especially for low income drivers. These consequences include loss of employment and/or income; higher insurance premiums; as well as a variety of psychological and social impacts.

As detailed in this report, the Task Force finds that key elements of the current system need reform. Specifically:

- The courts and MVC need to be given more flexibility and greater discretion to address the unique circumstances of each case, especially for suspensions resulting from financial reasons.
- There is a need for greater public education regarding license suspension laws and the potential direct and indirect consequences of license suspension.
- License suspension notification procedures and documents need to be improved to ensure notifications are received and to communicate better the importance of addressing suspension issues; and
- Social service agencies and employment counselors need to be educated regarding the license restoration process and resources available to help their clients regain driving privileges.

In addition, there was substantial discussion at Task Force meetings that led to a recommendation that the State consider creating a restricted-use license program to help those drivers who, for financial reasons, are unable to pay court-ordered installment plans, child support orders, and MVC insurance surcharges in order to gain their full driving privileges back.

### **Driver's License Suspension in New Jersey**

New Jersey has approximately six million licensed drivers. The vast majority of these drivers remain violation and suspension free throughout their driving years. **Only a small percentage of drivers (five percent) have their driving privileges suspended or revoked at any given time.** Forty three percent of New Jersey drivers reside in urban areas, while 38 percent live in suburban areas and 19 percent live in rural parts of the State (see figure ES2). Most New Jersey drivers live in middle income areas. Only about 17 percent of all licensed drivers in the State live in lower income zip codes and 12 percent live in high income areas (see figure ES3).

**Contrary to the legislative declaration that accompanied the Task Force legislation, it does not appear that there has been an upward trend in the number of license suspensions being ordered or confirmed by the MVC.** An analysis of time series data indicates that over the past ten years the number of suspensions has fluctuated but has remained relatively constant at approximately 800,000 +/- per year. This figure represents the total of individual suspension actions taken, NOT the number



of drivers subject to those actions. For example, it is common for an individual driver to have several active suspension orders on his/her record at a given time. So, the number of suspended drivers at any given time is far less than the number of suspensions ordered or confirmed each year.

Driver's license suspension was originally conceived as a sanction used to punish "bad drivers." The logical nexus between driving behavior and sanction was clear. However, today in New Jersey, most license suspensions are not imposed to punish habitual bad driving. The reasons for driver's license suspension are diverse, complex and sometimes interrelated. Reasons include those that are clearly **driving related** (e.g., DUI, point accumulation, reckless driving, and driving while suspended); those that are clearly **not driving related** (e.g., compliance reasons such as failure to pay child support or failure to appear in court for a non-driving offense and suspensions imposed for drug-related offenses not involving the operation of a motor vehicle); and those that are for **compliance reasons indirectly related to driving behavior or motor vehicle use**. These include: failing to appear in court to pay/satisfy a parking ticket or moving violation; failing to maintain proper auto insurance; and failing to pay MVC insurance surcharges that stem from a driving related infraction.

***Most suspended drivers (64 percent) have more than one active suspension. Less than six percent of all suspended drivers are suspended for purely driving-related reasons. The vast majority of drivers are suspended not for habitual "bad driving," but for a variety of compliance reasons stemming from one or more motor vehicle infraction, parking tickets, or failing to maintain proper insurance. Only a small percentage of drivers, less than five percent, are suspended for purely non-driving, non-motor vehicle related reasons.*** It is noteworthy that most suspended drivers (59 percent) have zero motor vehicle violation points. However, it should also be noted that some serious driving offenses, such as DUI and driving while suspended do not result in the assessment of motor vehicle points. Instead, in most cases, these violations carry substantial fines and mandatory suspension periods.

A detailed analysis of suspension statistics and survey data specific to New Jersey indicates that suspended drivers tend to be younger male drivers. Furthermore, **a disproportionate number of suspended drivers reside in urban and low-income areas** when compared to the distribution of all New Jersey licensed drivers. Although only 43 percent of New Jersey licensed drivers reside in urban areas (see figure ES1), 63 percent of suspended drivers live there (see figure ES2). At the same time only 16.5 percent of New Jersey licensed drivers reside in lower income zip codes (see figure ES3), while 43 percent of all suspended drivers live there (see figure ES4).

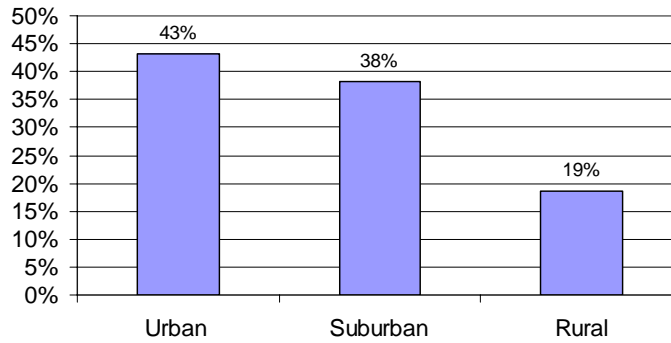


Figure ES1 – Distribution of New Jersey licensed drivers by population density

Source: Driver’s License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: Density calculation based on zip code data from 2000 US Census - Urban = >800 persons/sq. mi; Suburban = 200-800 persons/sq. mi; Rural = < 200 persons/sq. mi.

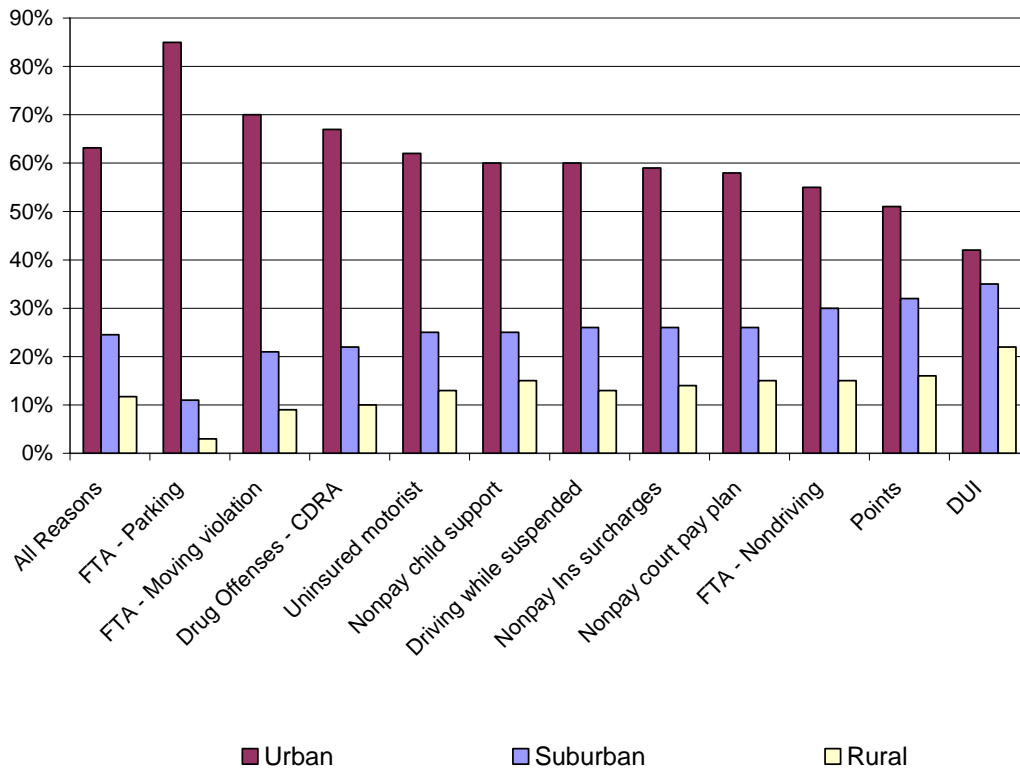


Figure ES2 – Distribution of suspended drivers by population density (May 2004)

Source: Driver’s License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: FTA - Failure to Appear in a court of law; Suspended drivers include currently suspended drivers who have had their driving privileges withdrawn at least one time for the stated reason; Density calculation based on zip code data from 2000 US Census - Urban = >800 persons/sq. mi; Suburban = 200-800 persons/sq. mi; Rural = < 200 persons/sq. mi.

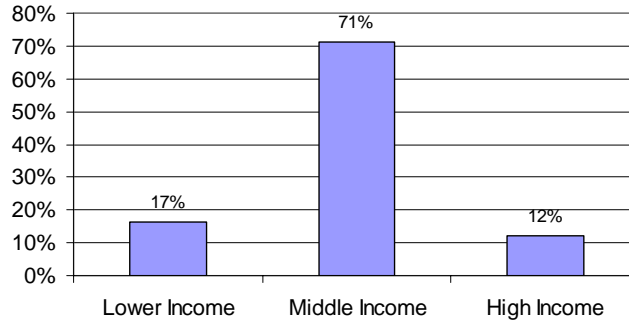


Figure ES3 – Distribution of New Jersey licensed drivers by income class

Source: Driver’s License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: Income classifications based on zip code data from 2000 US Census – Lower income areas defined as having an average annual household income less than \$40,000, middle income areas have an average household income between \$40,000 and \$85,000, high income areas have an average household income greater than \$85,000.

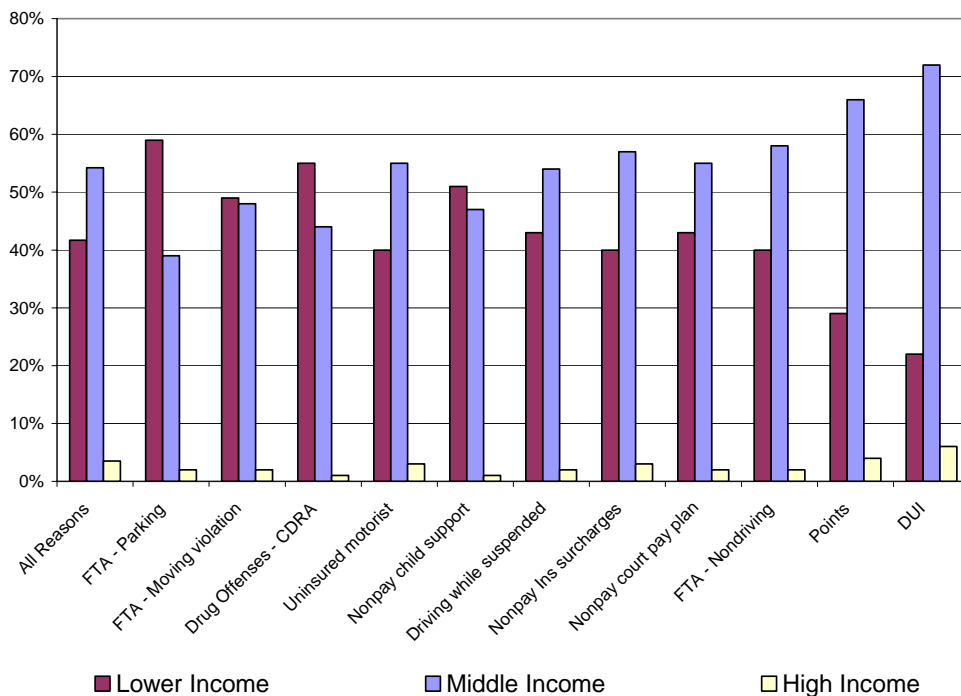


Figure ES4 – Distribution of suspended drivers by income class (May 2004)

Source: Driver’s License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: FTA - Failure to Appear in a court of law; Suspended drivers include currently suspended drivers who have had their driving privileges withdrawn at least one time for the stated reason; Income classifications based on zip code data from 2000 US Census – Lower income areas defined as having an average annual household income less than \$40,000, middle income areas have an average household income between \$40,000 and \$85,000, high income areas have an average household income greater than \$85,000.

This may be due to a variety of reasons. For example, most parking infractions occur in urban areas because urban areas have more parking restrictions than suburban and rural areas. As such, urban residents have a greater chance of violating parking laws. Similarly, the street and highway network in urban areas is more dense, with higher levels of traffic, more intersections, stop signs, traffic lights, and slow speed zones than suburban and rural areas. Generally, there is also a greater law enforcement presence in urban communities. Consequently, there are more opportunities to violate traffic laws and urban residents may be at greater risk of being observed violating traffic laws. Finally and perhaps most obviously, low income residents are more concentrated in the State's urban areas. This population may be less able to pay fines, fees and surcharges given their more limited financial resources.

### The Impacts of Driver's License Suspension

The obvious and most direct impact of license suspension is loss of personal mobility. However, ***suspension may also have collateral and/or unintended consequences such as job loss, difficulty in finding employment, and reduced income.*** Consequences can also include other financial impacts, such as ***increased insurance premiums*** and other costs associated with suspension; as well as ***psychological and social impacts such as loss of freedom, increased stress, and family strain.*** In addition, ***suspension can also have broader economic and societal impacts such as limiting the labor force for specific industries*** such as automobile sales and services, home health care aides and the construction trades. Jobs in each of these industries depend on semi-skilled workers with a valid driver's license.

According to a recent survey of suspended drivers conducted by researchers at Rutgers University, many respondents with a history of license suspension experienced employment impacts resulting from their suspension (Carnegie forthcoming):

- ***42 percent of survey respondents with a history of suspension lost their jobs when they had their driving privileges suspended.*** Job loss was experienced across all income and age groups; however it was most significant among low-income and younger drivers.
- ***45 percent of those that lost their job because of a suspension could not find another job.*** This was true across all income and age groups but most pronounced among low-income and older drivers.
- ***Of those that were able to find another job, 88 percent reported a decrease in income.*** This was true in all income and age groups but most significant among low-income drivers.

In addition, most survey respondents with a history of suspension also reported experiencing psychological and social impacts associated with license suspension:

- 85 percent of those with a history of suspension noted that they “often” or “sometimes” thought about the suspension when not intending to.
- 72 percent reported that any reminder of their suspension brought back negative feelings about it.
- 69 percent felt ashamed of their suspension; and 68 percent noted they were embarrassed to tell anyone about their suspension.
- 81 percent reported experiencing a loss of freedom.
- 83 percent experienced increased stress.
- 74 percent reported that suspension placed a strain on family, friends and colleagues.
- 46 percent reported lacking a form of identification.

A number of individuals providing testimony and/or comments noted that license suspension can have economic effects that go beyond impacts to the individual and family. They suggested that limitations on an individual’s mobility, such as that which occurs after license suspension, can limit the labor force available to fill jobs in some areas for certain types of jobs. For example:

- License suspension can limit the labor force available to fill jobs in key industries, such as home health care aides, motor vehicle sales and services, and the construction trades, which require a valid license as a condition of employment.
- In addition, many employers use possession of a valid driver’s license as a pre-qualifying “screening” question. This may unnecessarily limit the available labor force when driving a motor vehicle is not integral to job responsibilities.

The following other potential economic impacts were noted:

- Fewer drivers may result in fewer automobile sales and less automobile related purchases for gas, service and insurance, which in turn results in decreased tax revenue for the State.
- Drivers with suspended licenses that are unable to secure gainful employment or who are forced to take jobs that pay less may require public assistance payments, which is a cost to the State and its taxpayers. The costs to the State may also include lost income tax revenue from lower rates of employment and lower wages.

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## Restricted use driver's license programs

**Conditional or restricted-use driver's licenses are available in 39 states and the District of Columbia.** These licenses allow some or all suspended/revoked drivers to receive limited driving privileges during the time they are suspended. Program eligibility varies widely from state to state. Some states offer restricted-use licenses to drivers suspended for compliance reasons, but most states limit the use of restricted-use licenses to drivers with time delimited suspensions, such as those imposed for a first time DUI offense, for point accumulation and for other traffic violations after a specified minimum period of suspension is served. Most often, the waiting period ranges from 30 to 90 days, although a few states require all conditional license applicants to serve half of their suspension/revocation period prior to being considered eligible for the license.

In most states, conditional or restricted-use licenses are not available to drivers suspended/revoked for multiple DUI offenses, negligent vehicular homicide, or habitual offenders. Furthermore, in most states, drivers suspended for compliance reasons are not eligible.

Permitted travel and associated restrictions related to conditional use licenses also vary by state. Some limit travel for employment purposes, while others are more lenient and allow travel for many other reasons, including medical purposes, school, child/elder care, "homemaker" duties and travel to and from religious services. Penalties for violating program restrictions most typically involve the cancellation of the restricted-use license and reinstatement of the original suspension or revocation. Some states also extend the original suspension/revocation period, between several months to double the original period.

**A recent survey of New Jersey drivers found that more than three-quarters of survey respondents supported the creation of a restricted-use license program for at least some suspended drivers under certain circumstances.** Although support was greatest among drivers with a history of suspension, 69 percent of those drivers that have never been suspended expressed support for such a license (Carnegie, forthcoming).

## Task Force Recommendations

The following recommendations were developed by the Task Force taking into consideration the data and information provided to the Task Force and its subcommittees by subject matter experts and outside researchers, public testimony and comment received as part of its outreach activities and deliberative discussions that took place at each of its meetings. The recommendations are intended to address the affordability and fairness of license suspension in New Jersey while balancing the need to maintain the deterrent and coercive effects license suspension provides as well as being sensitive to the potential revenue impacts of certain proposals. The

recommendations presented here have been abridged for quick reference. More detailed recommendations appear in section five of the report.

1. Provide judges with more discretion when establishing time payment orders.
2. Make payment of court-administered fines and time payment orders easier for drivers.
3. Amend the Parking Offenses Adjudication Act to permit suspension of vehicle registration as an alternative to license suspension.
4. Provide courts with greater discretion to allow payment plans in excess of 12 months for those failing to pay child support arrears and support initiatives to increase compliance with child support payments using driver's license suspension as a remedy of last resort.
5. Amend N.J.S.A 39:3-40 to provide courts with greater discretion regarding the imposition of additional mandatory suspension time when drivers are convicted of driving while suspended for non-driving reasons. Consider whether the current fine amounts defined in the statute are appropriate given the nature of each offense.
6. Make payment of outstanding MVC insurance surcharges and restoration fees easier and more affordable for low income drivers.
7. Conduct a revenue impact study to determine if lowering current surcharge amounts would increase overall collection rates and maintain or increase overall revenue from the insurance surcharge program.
8. Rename the insurance surcharge program to reflect its current purpose as a driver responsibility assessment.
9. Increase public awareness and understanding of the insurance surcharge program and the potential consequences of not paying the surcharges.
10. Develop informational materials to increase public awareness and understanding of the potential consequences of motor vehicle violations, including: fine amounts (for frequent violations), point accumulation, insurance surcharges and potential license suspension.
11. Conduct a comprehensive review of New Jersey's current point system and driver improvement programs to determine the effectiveness of the programs relative to ensuring highway safety.
12. Address issues that contribute to license suspensions for failing to maintain insurance.

13. Regulate and/or limit insurance premium increases that are based on license suspensions for non-driving reasons.
14. Consider creating a restricted-use license program for drivers suspended for financial reasons.
15. Change license suspension notification documents to make them easier to understand and include supplemental education materials to communicate the seriousness of license suspension and its potential consequences.
16. Improve communication with the public and increase awareness among drivers facing license suspension that MVC has an administrative hearing process available to address the individual circumstances of their suspensions.
17. Undertake a sustained and systemized effort to provide social service agencies, employment counseling agencies, One-Stop Career Centers, Department of Corrections personnel, parole officers and support staff at transitional facilities with the information, training and tools they need to more effectively assist clients to address license suspension and restoration issues.
18. Elevate the importance of dealing with license restoration issues as part of the Department of Corrections discharge planning process.
19. Increase awareness among county social service agencies that public assistance funds (e.g., TANF and other federal programs permitting the use of funds for transportation purposes) can be used to pay surcharges, fees and fines associated with license suspension as a means to promote employment opportunities among eligible recipients and increase collections.
20. Amend existing laws, policies and procedures governing address change notification to increase the accuracy of MVC mailing address data.
21. Monitor the License Restoration Program of the Essex County Vicinage and evaluate its effectiveness as a potential model for other jurisdictions.

Implementing these recommendations will require the participation and sustained commitment of many organizations, agencies and individuals. Section six of this report provides a framework for implementation by identifying potential implementation partners and specifying which entities might take a leadership and/or supporting role in advancing specific recommendations.



## **SECTION ONE: REPORT OUTLINE AND BACKGROUND**

### **Report Outline**

Section one of this report provides background on the Task Force and briefly describes the public outreach activities undertaken by the Task Force over the past year. Section two provides an overview of driver's license suspension in New Jersey, including a description of the various reasons for suspension and detailed statistics that document patterns of suspension in terms of age, gender and residence location. Section three describes the collateral and unintended consequences that result from license suspension as documented through survey research, public testimony and comment received by the Task Force, and input received through roundtable discussions and interviews conducted on behalf of the Task Force. Section four provides an overview of restricted use license programs used in other states. Section five presents the Task Force's detailed recommendations for addressing the affordability and fairness of license suspension in New Jersey. Finally, section six describes a framework for implementing the Task Force recommendations by identifying the agencies and organizations that could play a leadership or supporting role in advancing specific proposals.

### **Background**

On April 25, 2002, former Governor James E. McGreevey signed Executive Order Number 19, which established the "Fix DMV" Commission. The twelve-member Commission was charged with conducting a comprehensive review of the Division of Motor Vehicles to determine what reform efforts would enable the Division to operate as a more secure, efficient and customer-focused Division. Once formed, the Commission was given 120 days to complete its analysis and prepare a report detailing its recommendations.

On November 7, 2002 the Commission issued its final report. The report focused on the urgent need to meet or exceed customer satisfaction and expectations and to improve the Division's security. The need for structural and organizational changes, as well as technological modernizations, including implementation of digital driver licenses and an overhaul of the DMV computer system, were also recommended.

On January 28, 2003, Governor McGreevey signed "The Motor Vehicle Security and Customer Service Act" into law. The law abolished the New Jersey Division of Motor Vehicles (DMV) and replaced it with the semi-autonomous New Jersey Motor Vehicle Commission (MVC), in but not of the New Jersey Department of Transportation. In addition, the law required a series of reforms designed to carry out the "Fix DMV" Commission's recommendations related to improved customer service, modernization of MVC technology, enhanced security, including the implementation of digital licensing, and improved efficiency.

The law also called for the creation of the Motor Vehicles Affordability and Fairness Task Force. As detailed below, the Task Force was charged with investigating "...the impact of the current point system and non-driving related suspension of driving privileges, in particular, the Merit Rating Plan Surcharges, on the driving public and make recommendations for the reform of the surcharge suspension program to increase motorist safety."

### **Task Force Mission and Charge**

The Motor Vehicles Affordability and Fairness Task Force was created by New Jersey statute, N.J.S.A. 39:2A-30 (L.2003,c.13,s.30) and was intended to be comprised of nineteen members, at least nine of whom are public members. In total, seventeen individuals served on the Task Force.

The charge of the Task Force as defined by that statute is as follows:

...to study the impact of the current point system and non-driving related suspension of driving privileges, in particular, the Merit Rating Plan Surcharges, on the driving public and make recommendations for the reform of the surcharge suspension program to increase motorist safety. In addition, the task force shall examine 'The Parking Offenses Adjudication Act,' P.L.1985, c.14 (C.39:4-139.2 et seq.) and municipal court processes related thereto, as well as court actions on surcharge assessments and license suspensions related to nonpayment of fines or tickets as well as motor vehicle moving violations.

The Task Force was also charged with developing recommendations regarding the following specific issues:

1. The rapid growth in the number of driver's license suspensions;
2. The identification and regulation of drivers to deter unlawful and unsafe acts;
3. The establishment of a mechanism to assist low-income residents that are hard pressed to secure the restoration of driving privileges;
4. The reform of the parking ticket suspension system and "The Parking Offenses Adjudication Act;" and
5. Increasing the collection of outstanding surcharges.

The law further specified that the study shall include, but not be limited to, investigating issues of motor vehicle safety, insurance, finance and socioeconomic conditions. The Task Force shall review and analyze studies examining the social impacts of driver's

license and registration suspensions. The Task Force shall also review and analyze studies and statistics regarding surcharges and suspensions to develop recommendations for reform.

The Task Force shall develop recommendations for public and private strategies and recommendations for legislative or regulatory action, if deemed appropriate, to address these issues. The recommendations shall include suggestions for the development of public information campaigns to educate and inform motorists about driver's license and registration suspensions, and methods of lessening financial and social burdens on motorists.

The Task Force's recommendations shall be aimed at developing and implementing an amnesty policy and a reform of the surcharge suspension. The Task Force shall review the impact of suspension of driving privileges upon businesses and individuals dependent upon having a valid driver's license for gainful employment and to conduct commerce in this State.

### **Task Force Organization**

As noted above, seventeen members were designated and/or appointed to serve on the Task Force. The Task Force convened for the first time on February 25, 2005. At that first meeting, MVC Chief Administrator Sharon Harrington was named chair of the Task Force and Jon Carnegie, assistant director of the Alan M. Voorhees Transportation Center at Rutgers University, was named Task Force secretary. In addition, three Task Force subcommittees were formed as follows:

- Subcommittee 1: Parking Offenses Adjudication Act (POAA) and other non-driving related offenses
- Subcommittee 2: Point system & other driving related offenses
- Subcommittee 3: Insurance Surcharge Program

Including its first meeting, the full Task Force met four times during 2005/2006. In addition, each of the Task Force subcommittees met four times to examine and discuss the specific topics under their purview.

### **Public Outreach**

The Task Force sponsored four public forums in June and July 2005 to receive testimony from the general public and interested parties on the impacts of license suspension and solicit ideas regarding potential remedies to address those impacts. The hearings were held at transit accessible locations in Newark, New Brunswick, Camden and Atlantic City. Thirty five participants provided testimony. In addition, 89

individuals sent comments to the Task Force via an email address advertised on the MVC website and by regular mail.

To supplement the input received from the public, the Task Force conducted two roundtable discussions and six telephone interviews with law enforcement officers, workforce development professionals, legal aid counselors, parole officers and representatives from relevant industry sectors and social service organizations. The roundtable discussions and interviews were conducted in September and October 2005. Highlights from the public comments received are included in section four. A complete summary of public testimony and comments and meeting reports from the roundtable discussions and interviews are included in Appendix E.

## **SECTION TWO: DRIVER'S LICENSE SUSPENSION IN NEW JERSEY**

New Jersey has approximately six million licensed drivers. The vast majority of these drivers remain violation and suspension free throughout their driving years. Only a small percentage of drivers (five percent) have their driving privileges suspended or revoked at any given time.

In New Jersey, driving and registering a motor vehicle are considered privileges, not rights, which may be removed ("suspended") for reasonable grounds. New Jersey utilizes the term suspension, instead of revocation, to denote a temporary, rather than permanent, withdrawal of the privilege(s). Driver's license suspensions are distinguished broadly in New Jersey by the following factors:

1. Whether the suspension(s) is imposed by court action or by the MVC (administrative);
2. Whether the suspension(s) is for a finite or indefinite period of time. The latter term indicates that the suspension period is dependent upon compliance with some requirement or payment;
3. Whether the suspension(s) is mandatory (e.g., DUI penalties) or discretionary (e.g., point system with option for a hearing at MVC); and
4. What privilege(s) are affected by the suspension(s): driving, registration, driving & registration, or specific endorsements on commercial licenses (e.g., carrying school-age children).

When a driver's license is suspended by court action, the MVC's role involves record-keeping and confirmation to the customer only. When the MVC suspends a driver's license, the Commission is responsible for giving notice of the proposed suspension and for providing procedural due process in the form of pre-hearing conferences at the MVC and hearings before the Office of Administrative Law.

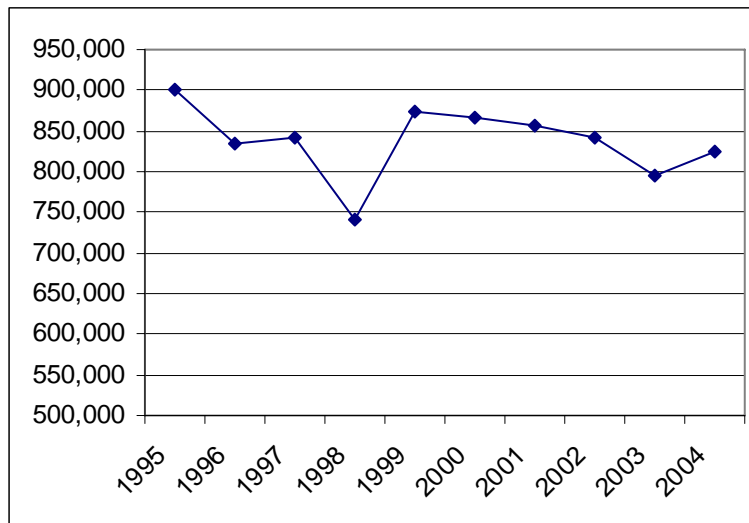
### **Overview of New Jersey Suspension Statistics**

Over the past ten years, a yearly average of approximately 838,000 suspensions have been ordered and/or confirmed by MVC (see table 1 and figure 1). The number of annual suspensions has ranged from a high of approximately 900,000 in 1995 to a low of approximately 740,000 in 1998. These figures represent totals of individual suspension actions taken, NOT the number of drivers subject to those actions. For example, it is common for an individual driver to have several active suspension orders on his/her record at a given time. It is valuable to note that overall, at any given time, approximately five percent of New Jersey's approximately six million licensed drivers are suspended.

Table 1 - Number of suspensions ordered or confirmed by MVC annually

Year	Suspension Orders
2004	825,320
2003	795,258
2002	841,097
2001	856,816
2000	867,065
1999	874,866
1998	740,710
1997	842,105
1996	833,905
1995	902,033

Source: NJ Motor Vehicle Commission



Source: NJ Motor Vehicle Commission

Figure 1. Ten year history of suspensions ordered or confirmed by MVC

### Characteristics of suspended drivers in New Jersey

The following suspended driver statistics were developed as part of the *Driver's License Suspension, Impacts, and Fairness Study* (Carnegie forthcoming), conducted by the Alan M. Voorhees Transportation Center at Rutgers University for the New Jersey Motor Vehicle Commission (MVC) and New Jersey Department of Transportation. Researchers derived the statistics using data sampled from the MVC driver history database in May 2004. For the purpose of the study, "active" suspended drivers were defined as New Jersey drivers possessing a current (not expired) driver's license and those with driver's licenses that expired after May 2001 who had one or more suspension orders recorded on their driver history record (Carnegie forthcoming).

### **Age and gender profile of suspended drivers**

In May 2004, there were 289,600 suspended New Jersey drivers (see table 2). This represents slightly less than five percent of the State's approximately six million licensed drivers. As shown in table 2, the vast majority of suspended drivers in New Jersey are male (70 percent); and most (59 percent) are between the ages of 25 and 44.

A review of driver's license suspension statistics in other states reveals that suspension rates in New Jersey are slightly less than the rates observed in other states (see table 3). Furthermore, a review of driver's license suspension studies conducted in other states indicates that suspended drivers in those states tend to also be male and between the ages of 25 and 44 (Carnegie forthcoming).

Table 2 - Number of suspended drivers by gender and age group (May 2004)

Age Group	Male Drivers		Female Drivers		All Drivers	
	Number	Percent	Number	Percent	Number	Percent
16-17	194	0.1%	52	0.1%	246	0.1%
18-24	35,046	17.2%	12,875	14.9%	47,921	16.5%
25-34	69,082	34.0%	28,062	32.5%	97,144	33.5%
35-44	51,958	25.6%	22,098	25.6%	74,056	25.6%
45-54	26,778	13.2%	11,942	13.8%	38,720	13.4%
55-64	10,269	5.1%	4,662	5.4%	14,931	5.2%
65-84	7,657	3.8%	4,867	5.6%	12,524	4.3%
85+	2,322	1.1%	1,736	2.0%	4,058	1.4%
Total	203,306	100.0%	86,294	100.0%	289,600	100.0%

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Table 3 – Suspension rates in other states

State	# of Licensed Drivers	# of Suspended Drivers	Rate
Alabama	480,000	27,213	6%
Arkansas	1,900,000	101,500	5%
Connecticut	2,300,000	134,000	6%
Delaware	570,000	78,660	14%
Idaho	1,000,000	70,000	7%
Illinois	8,400,000	258,511	3%
Iowa	2,000,000	57,000	3%
Kansas	1,900,000	103,000	5%
Minnesota	3,600,000	163,500	5%
Missouri	3,500,000	320,344	9%
Montana	450,000	31,931	7%
Nebraska	1,300,000	53,539	4%
New Jersey	6,100,000	290,000	5%
North Dakota	457,000	27,000	6%
Ohio	8,728,546	611,064	7%
Oklahoma	2,300,000	81,040	4%
Pennsylvania	8,300,000	600,000	7%
Tennessee	4,200,000	246,000	6%
Texas	15,000,000	430,000	3%
Washington	4,300,000	364,000	8%
Wisconsin	3,700,000	403,586	11%
Wyoming	455,000	15,000	3%
Average			6%

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

### **Incidence of multiple suspensions and suspended drivers with points**

In addition to age and gender, researchers at Rutgers examined the incidence of multiple suspensions among New Jersey suspended drivers and the number of suspended drivers with motor vehicle moving violation points. As shown in table four, it is quite common for suspended drivers in New Jersey to have more than one suspension. Almost two thirds (64 percent) of suspended drivers have two or more active suspensions and almost one quarter (21 percent) have 10 or more active suspensions.

As described more fully later in this section, the MVC monitors driving behavior by means of a point system under which drivers are assessed points for motor vehicle moving violations. The accumulation of points is used as an indicator of “bad” driving behavior. It is interesting to note that most suspended drivers in New Jersey (59 percent) have zero points (see table 5). The vast majority (85 percent) have six points



or fewer, the threshold used by MVC to trigger advisory notification of potential corrective actions to be taken to address bad driving behavior.

Table 4 - Incidence of multiple suspensions among suspended drivers (May 2004)

No. of Suspensions	No. of drivers	Percent
1	105,020	36%
2	37,603	13%
3	22,575	8%
4	16,772	6%
5	13,166	5%
6	10,865	4%
7	9,249	3%
8	7,819	3%
9	6,673	2%
10	5,863	2%
11	4,989	2%
12	4,583	2%
13	3,959	1%
14	3,658	1%
15 or more	36,806	13%
Total	289,600	100%

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Table 5 - Point accumulation by suspended drivers (May 2004)

No. of points	No. of drivers	Percent
0 points	170,407	59%
1-6 points	74,087	26%
7-12 points	25,970	9%
> 12 points	19,136	7%
Total	289,600	100%

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

### **Geographic profile of suspended drivers in New Jersey**

Rutgers researchers also utilized MVC data to examine geographic patterns of suspension using residence location data. Residence information for suspended drivers was mapped and aggregated by zip code to determine if suspension patterns varied in different parts of the State. Suspension rates for each zip code were calculated by dividing the number of suspended drivers by the number of licensed drivers in each zip code to control for the density of licensed drivers in urban versus suburban and rural areas. Suspension rates for each zip code were then associated with population density and household income data from Census 2000 to facilitate an analysis of suspension patterns (Carnegie forthcoming).

As shown in the table 6, approximately 43 percent of the State's licensed drivers reside in urban areas. Approximately 46 percent reside in middle income zip codes; and approximately 16.5 percent reside in lower income areas. However, as shown in table 7, a significantly higher percentage of suspended drivers live in urban (63 percent) and low income (42 percent) areas.

Table 6 - Distribution of NJ licensed drivers by area type and income class (May 2004)

	Licensed Drivers			% of total
	Male	Female	Total	
Statewide	3,042,560	3,130,632	6,173,192	100%
By Population Density <sup>1</sup>				
Urban (>800 p/sq mi)	1,322,677	1,335,069	2,657,746	43.1%
Suburban (200-800 p/sq mi)	1,155,525	1,207,671	2,363,196	38.3%
Rural (<200 p/sq mi)	564,358	587,892	1,152,250	18.7%
By HH Income Class <sup>2</sup>				
High (>\$85,000)	367,170	381,658	748,828	12.1%
Middle High (\$65,001 - \$85,000)	767,114	798,038	1,565,152	25.4%
Middle (\$40,001 - \$65,000)	1,402,046	1,439,537	2,841,583	46.0%
Low (\$20,000 - \$40,000)	492,436	496,546	988,982	16.0%
Low-Low(<\$20,000)	13,794	14,853	28,647	0.5%

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: 1- density calculation based on zip code data from 2000 US Census;

2 - income classifications based on zip code data from 2000 US Census

Special Note: 1,788 records could not be matched to zip code reference file

Table 7 - Distribution of suspended drivers by area type and income class (May 2004)

	Suspended Drivers			% of total
	Male	Female	Total	
Statewide	203,306	86,294	289,600	100.0%
By Population Density <sup>1</sup>				
Urban (>800 p/sq mi)	127,960	55,047	183,007	63.2%
Suburban (200-800 p/sq mi)	50,290	20,538	70,828	24.5%
Rural (<200 p/sq mi)	23,753	10,224	33,977	11.7%
Unknown *	1,303	485	1,788	0.6%
By HH Income Class <sup>2</sup>				
High (>\$85,000)	7,129	2,952	10,081	3.5%
Middle High (\$65,001 - \$85,000)	25,238	10,288	35,526	12.3%
Middle (\$40,001 - \$65,000)	85,184	36,255	121,439	41.9%
Low (\$20,000 - \$40,000)	79,646	34,172	113,818	39.3%
Low-Low(<\$20,000)	4,806	2,142	6,948	2.4%

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: 1- density calculation based on zip code data from 2000 US Census;

2 - income classifications based on zip code data from 2000 US Census

Special Note: 1,788 records could not be matched to zip code reference file

Table 8 - Suspension rates by area type and income class (May 2004)

	Suspension Rates <sup>1</sup>		
	Male	Female	Total
Statewide	7%	3%	5%
By Population Density <sup>2</sup>			
Urban (>800 p/sq mi)	10%	4%	7%
Suburban (200-800 p/sq mi)	4%	2%	3%
Rural (<200 p/sq mi)	4%	2%	3%
Unknown *			
By HH Income Class <sup>3</sup>			
High (>\$85,000)	2%	1%	1%
Middle High (\$65,001 - \$85,000)	3%	1%	2%
Middle (\$40,001 - \$65,000)	6%	3%	4%
Low (\$20,000 - \$40,000)	16%	7%	12%
Low-Low(<\$20,000)	35%	14%	24%

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: 1 – Suspension rates were calculated by dividing the number of suspended drivers by the number of licensed drivers in each zip code. The rates reported in this table represent the ratio of suspended drivers to licensed drivers;

2- density calculation based on zip code data from 2000 US Census;

3 - income classifications based on zip code data from 2000 US Census;

Special Note: 1,788 records could not be matched to zip code reference file

As shown in table 8, researchers found that suspension rates among certain classes of drivers are disproportionately high. For example, 35 percent of male drivers residing in low-low income zip codes have suspended licenses, compared to the Statewide average of seven percent for all male drivers. Although there are only 4,806 suspended male drivers residing in low-low income zip codes, the disparity between income classes is significant. Also noteworthy is the finding that drivers living in urban areas (population density greater than 800 persons/mi<sup>2</sup>) have suspension rates more than two times higher than their suburban and rural counterparts, seven percent versus three percent.

When reviewing the data presented in table 8, it is important to note that the MVC driver history database does not include specific demographic data on individual drivers. As such, the reader should be careful when interpreting the data with regard to income. No direct relationship can be drawn between individual suspended drivers and their income level. The data must be interpreted in the aggregate. Suspension rates reported in the table represent the ratio of suspended drivers to licensed drivers in any given zip code. (Carnegie forthcoming).

### Reasons for Suspension

The MVC utilizes event codes to denote suspensions on driver history records. There are far fewer “reasons” for suspensions in New Jersey than there are “event codes.” For example, there are at least seven event codes used to denote drivers suspended for accumulating motor vehicle violation points.

Specifically, there are over 600 suspension event codes, but approximately twelve underlying “reasons” for suspension that account for the vast majority (90 percent) of suspensions ordered or confirmed each year. Overall, the two categories of suspensions with the highest annual volume are failure to pay MVC insurance surcharges, followed by failure to appear in court to answer/pay parking tickets. Table 9 presents the average number of suspensions ordered or confirmed by MVC each year for the top twelve “reasons” for suspension.

Table 9 - Average number of suspensions ordered/confirmed by MVC annually – Top twelve “reasons”

Reason for suspension	Number of suspension orders	Percent of total
1. Failure to pay MVC insurance surcharge	228,000	28%
2. Failure to appear in court to satisfy a parking summons (Parking Offenses Adjudication Act)	140,000	17%
3. Failure to appear in court to satisfy a summons (moving violations, municipal ordinances)	121,000	15%
4. 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)	70,000	8%
5. Driving while suspended	47,000	6%
6. Failure to comply with a child support order	25,000	3%
7. Operating a vehicle under the influence of alcohol or drugs	25,000	3%
8. Uninsured motorist – Insurance cancelled or court ordered suspension for driving an uninsured motor vehicle	25,000	3%
9. Accumulation of points from moving violations/persistent violator	22,000	3%
10. Drug related offenses under the Comprehensive Drug Reform Act	20,500	2%
11. Failure to make good on dishonored checks submitted to courts and/or MVC for fees	9,000	1%
12. Serious moving violations (reckless driving, leaving the scene of accident, high speed)	6,000	1%

Source: NJ Motor Vehicle Commission

As recognized in table 9, in New Jersey, driver’s license suspensions are imposed for both driving and non-driving related reasons. Some of the non-driving related reasons for license suspension, such as drug offenses and failure to pay child support, were instituted by the State in response to Federal statutory requirements.

## New Jersey Point System

The MVC monitors driving behavior by means of a point system. The current point system has been in effect since March 1, 1977. As shown in table 10, points are given to drivers for various moving violations. Ninety percent of New Jersey's licensed drivers have zero points on their driving records. Approximately one half of one percent has six points, the threshold for MVC advisory action/notice. Less than one half of one percent has twelve or more points, which places them at the level for MVC action in terms of suspension or mandatory Driver Improvement Program (DIP) attendance.

As noted earlier, the MVC utilizes "event codes" to record violations, suspensions and other MVC and court actions on driver history records. There are a total of 1,795 individual event codes. Of these, 332 are used to denote violations events. Of the latter, there are 100 codes for point-carrying violations, and 232 codes for non-point violations. In July 2000, the New Jersey Legislature passed legislation (N.J.S.A. 39:4-97.2, effective July 24, 2000) creating a new traffic violation, unsafe operation of a motor vehicle, for which no points are assessed for first and second offenses. The law makes it unlawful to operate a motor vehicle in an "...unsafe manner likely to endanger a person or property." This law change, which created the non-point carrying "unsafe driving" offense, provided an increased opportunity for prosecutors and the courts to downgrade point-carrying violations into penalties that only carry a fine. In 2004, the law was amended to add a \$250 surcharge to the fines, fees and other charges already assessed when convicted of unsafe driving pursuant to N.J.S.A. 39:4-97.2

In terms of non-point violations, the most numerous violations entered on driver history records include the following, in descending order of volume:

- Unsafe driving, 39:4-97.2, (150-200,000/yr)
- Fictitious plates, 39:3-33, (65,000/yr)
- Unlicensed driving, 39:3-10, (52,000/yr)
- Operate while suspended, 39:3-40, (41,000/yr)
- Obstructing passage, 39:4-67, (25,000/yr)
- DUI, 39:4-50a, (24,000/yr)
- Uninsured vehicle, 39:6B-2, (10,000)

In 2003 and 2004 the annual percentages of point and non-point violations have held steady at around 45 percent point and 55 percent non-point violations as reported to MVC by the courts. However, since the year 2000, when the unsafe driving violation took effect, the percentage of non-point violations increased from 46 percent to 56

percent of total violations, and the percentage of point violations decreased from 54 percent to 44 percent of total.

Points are reduced for unbroken twelve month periods of violation-free driving and for attending mandatory State-run DIP, Probationary Driver Programs (PDP) and voluntary Defensive Driving Programs (DDP) approved by MVC. The DIP is designed as a three-hour classroom session managed by the MVC. The target audience for the program is experienced drivers who have accumulated twelve or more points under the MVC point system. There is a \$100 "school" fee for participating in the Program (payable to MVC) and there are fifteen "school" sites located throughout New Jersey offering the Program.

Drivers who have accumulated 12-14 points in a period greater than two years are offered the program on their scheduled suspension notice as an option to suspension. Other drivers may go to school in lieu of part or all of a proposed point suspension as a result of a pre-hearing settlement conference, an administrative law judge's decision that is affirmed by the MVC, or a final MVC decision. Drivers who fail to attend the program as scheduled are suspended for the period specified in their original scheduled suspension notice, settlement agreement or hearing decision.

The PDP is a four hour classroom program managed by the MVC for new drivers who have accumulated four or more points for two violations committed within a two year period after their first driver exam permit is issued. The fee for participating in the program is \$100, payable to MVC. PDPs are held at the same sites as the DIPs. If the offender fails to complete the program, he/she is suspended indefinitely until the course is completed and restoration fee paid.

Drivers who have completed the DIP or PDP receive a point reduction credit of three points against any points on their driving record. These credits may only be received once in any given two year period. Drivers are also warned they are subject to license suspension for any motor vehicle violation committed within one year after completing the course, with the precise suspension period dependent upon how soon the violation is committed following program completion.

Table 10 - New Jersey Point Schedule

N.J.S.A. Section	Offense	Points
	<i>NJ Turnpike, Garden State Parkway and Atlantic City Expressway</i>	
27:23-29	Moving against traffic	2
27:23-29	Improper passing	4
27:23-29	Unlawful use of median strip	2
	<i>All roads and highways</i>	
39:3-20	Operating constructor vehicle in excess of 45 mph	3
39:4-14.3	Operating motorized bicycle on a restricted highway	2
39:4-14.3d	More than one person on a motorized bicycle	2
39:4-35	Failure to yield to pedestrian in crosswalk	2
39:4-36	Failure to yield to pedestrian in crosswalk; passing a vehicle yielding to pedestrian in crosswalk	2
39:4-41	Driving through safety zone	2
39:4-52 and 39:5C-1	Racing on highway	5
39:4-55	Improper action or omission on grades and curves	2
39:4-57	Failure to observe direction of officer	2
39:4-66	Failure to stop vehicle before crossing sidewalk	2
39:4-66.1	Failure to yield to pedestrians or vehicles while entering or leaving highway	2
39:4-66.2	Driving on public or private property to avoid a traffic sign or signal	2
39:4-71	Operating a motor vehicle on a sidewalk	2
39:4-80	Failure to obey direction of officer	2
39:4-81	Failure to observe traffic signals	2
39:4-82	Failure to keep right	2
39:4-82.1	Improper operating of vehicle on divided highway or divider	2
39:4-83	Failure to keep right at intersection	2
39:4-84	Failure to pass to right of vehicle proceeding in opposite direction	5
39:4-85	Improper passing on right or off roadway	4
39:4-85.1	Wrong way on a one-way street	2
39:4-86	Improper passing in no passing zone	4
39:4-87	Failure to yield to overtaking vehicle	2
39:4-88	Failure to observe traffic lanes	2
39:4-89	Tailgating	5
39:4-90	Failure to yield at intersection	2
39:4-90.1	Failure to use proper entrances to limited access highways	2
39:4-91-92	Failure to yield to emergency vehicles	2
39:4-96	Reckless driving	5
39:4-97	Careless driving	2
39:4-97a	Destruction of agricultural or recreational property	2
39:4-97.1	Slow speed blocking traffic	2
39:4-97.2	Driving in an unsafe manner (pts assessed for the third or subsequent violation(s) w/in 5 year period.)	4
39:4-98 and 39:4-99	Exceeding maximum speed 1-14 mph over limit	2
	Exceeding maximum speed 15-29 mph over limit	4
	Exceeding maximum speed 30 mph or more over limit	5
39:4-105	Failure to stop for traffic light	2
39:4-115	Improper turn at traffic light	3
39:4-119	Failure to stop at flashing red signal	2
39:4-122	Failure to stop for police whistle	2
39:4-123	Improper right or left turn	3
39:4-124	Improper turn from approved turning course	3
39:4-125	Improper U-turn	3
39:4-126	Failure to give proper signal	2
39:4-127	Improper backing or turning in street	2
39:4-127.1	Improper crossing of railroad grade crossing	2
39:4-127.2	Improper crossing of bridge	2
39:4-128	Improper crossing of railroad grade crossing by certain vehicles	2
39:4-128.1	Improper passing of school bus	5
39:4-128.4	Improper passing of frozen dessert truck	4
39:4-129	Leaving the scene of an accident - No personal injury	2
39:4-129	Leaving the scene of an accident - Personal injury	8
39:4-144	Failure to observe stop or yield signs	2
39:5D-4	Moving violation out of State	2

Drivers who complete a voluntary DDP approved by MVC receive a point reduction credit of two points against any points on their driving record. DDP credit is given for one program every five years.

As previously noted, an average of 22,000 license suspensions are ordered annually for accumulation of points (see table 9). Another 6,000 are ordered for serious moving violations. In May 2004, approximately 17,000 suspended drivers had at least one active suspension for accumulating points or other driving-related reasons. This excludes those suspended for driving while under the influence of alcohol or drugs (DUI). Of those, less than 10 percent (1,452) had only one active suspension for point accumulation, reckless driving or failing to complete a Probationary Driver Program with no other suspensions for other reasons. It is noteworthy that drivers suspended for purely driving-related reasons account for less than six percent of all suspended drivers (Carnegie forthcoming).

Table 11 - Suspension rates by area type and income – Point accumulation and other driving-related reasons, excluding DUI (May 2004)

	Distribution of licensed drivers	Distribution of Suspended Drivers <sup>1</sup>				Suspension Rates <sup>2</sup>		
		Male	Female	Total	% of total	Male	Female	Total
Statewide		15,312	1,908	17,220		0.5%	0.1%	0.3%
By Population Density <sup>3</sup>								
Urban (>800 p/sq mi)	43%	8,033	814	8,847	51%	0.6%	0.1%	0.3%
Suburban (200-800 p/sq mi)	38%	4,810	681	5,491	32%	0.4%	0.1%	0.2%
Rural (<200 p/sq mi)	19%	2,348	394	2,742	16%	0.4%	0.1%	0.2%
Unknown <sup>4</sup>		121	19	140	1%			
TOTAL	100%	15,312	1,908	17,220	100%			
By HH Income Class <sup>5</sup>								
High (>\$85,000)	12%	636	107	743	4%	0.2%	0.0%	0.1%
Middle High (\$65,001 - \$85,000)	25%	2,536	354	2,890	17%	0.3%	0.0%	0.2%
Middle (\$40,001 - \$65,000)	46%	7,498	1,013	8,511	49%	0.5%	0.1%	0.3%
Low (\$20,000 - \$40,000)	16%	4,360	396	4,756	28%	0.9%	0.1%	0.5%
Low-Low(<\$20,000)	0.5%	161	19	180	1%	1.2%	0.1%	0.6%
Unknown <sup>4</sup>		121	19	140	1%			
TOTAL	100%	15,312	1,908	17,220				

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: 1 - Suspended drivers include currently suspended drivers who have had their driving privileges withdrawn at least one time for the stated reason. Includes point accumulation (PTPA+ PTPB+ PTPC+ PTPD), reckless driving (0496), failure to complete probationary driver program (FCPD) & persistent violator (PVPS); 2 - Ratio of suspended drivers to licensed drivers; 3 - Density calculation based on zip code data from 2000 US Census; 4 - Records could not be matched to zip code reference file; 5 - Income classifications based on zip code data from 2000 US Census

Special Note: 1,788 records could not be matched to zip code reference file



Table 11 presents the distribution of suspended drivers and suspension rates for those drivers suspended for point accumulation or selected other driving-related reasons (excluding DUI). As shown in the table, the distribution of drivers suspended for driving reasons is somewhat higher in urban areas than suburban and rural areas when compared to the distribution of all New Jersey licensed drivers. The same is true for lower income zip codes. However, suspension rates for driving reasons are generally similar in urban, suburban and rural areas when compared to the Statewide rate of 0.3 percent. Suspension rates for driving reasons are slightly higher in lower income zip codes are slightly less than twice that of rates in higher income areas (Carnegie forthcoming).

### **Operating a vehicle under the influence of drugs or alcohol**

Under New Jersey law, a person who operates a motor vehicle, with a blood alcohol concentration (BAC) of 0.08 percent or above is considered to be driving under the influence (N.J.S.A. 39:4-50). Drivers convicted of driving under the influence are subject to serious fines and penalties, including court fines and fees, MVC surcharges and fees, license suspension, imprisonment, community service and participation in intoxicated driver/alcohol education programs. Mandatory driver's license suspension for DUI offenses is required by federal law.

In New Jersey, license suspensions for DUI offenses are ordered by the courts and confirmed administratively by MVC. Suspension periods range from three months for a first time DUI offense where the driver's BAC is 0.08 percent or higher but less than 0.10 percent, to 20 years when a driver is convicted of a third offense of DUI in a school zone or crossing. A complete schedule of DUI-related fines, fees and penalties is included in Appendix F.

As reported in table 9, approximately 25,000 DUI suspensions are confirmed by MVC each year. This represents three percent of total annual suspensions. In May 2004, approximately 32,000 suspended drivers had at least one active suspension for operating a vehicle under the influence of alcohol or drugs. As shown in table 12, the distribution of drivers suspended for DUI was very similar to the distribution of licensed drivers in urban, suburban and rural areas, slightly lower in higher income areas and slightly higher in lower income zip codes. Similarly, there is little variation in suspension rates by area type and income classification when comparing different groups to each other or to Statewide suspension rates for DUI offenses (Carnegie forthcoming)

**Table 12 - Suspension rates by area type and income – Operating a motor vehicle under the influence of alcohol or drugs (DUI) (May 2004)**

	Distribution of licensed drivers	Distribution of Suspended Drivers <sup>1</sup>				Suspension Rates <sup>2</sup>		
		Male	Female	Total	% of total	Male	Female	Total
Statewide		26,764	5,182	31,946		0.9%	0.2%	0.5%
By Population Density <sup>3</sup>								
Urban (>800 p/sq mi)	43%	11,589	1,898	13,487	42%	0.9%	0.1%	0.5%
Suburban (200-800 p/sq mi)	38%	9,305	1,958	11,263	35%	0.8%	0.2%	0.5%
Rural (<200 p/sq mi)	19%	5,658	1,269	6,927	22%	1.0%	0.2%	0.6%
<i>Unknown</i> <sup>4</sup>		212	57	269	1%			
<b>TOTAL</b>	100%	26,764	5,182	31,946	100%			
By HH Income Class <sup>5</sup>								
High (>\$85,000)	12%	1,467	310	1,777	6%	0.4%	0.1%	0.2%
Middle High (\$65,001 - \$85,000)	25%	4,991	1,042	6,033	19%	0.7%	0.1%	0.4%
Middle (\$40,001 - \$65,000)	46%	14,118	2,971	17,089	53%	1.0%	0.2%	0.6%
Low (\$20,000 - \$40,000)	16%	5,820	791	6,611	21%	1.2%	0.2%	0.7%
Low-Low(<\$20,000)	0.5%	156	11	167	1%	1.1%	0.1%	0.6%
<i>Unknown</i> <sup>4</sup>		212	57	269	1%			
<b>TOTAL</b>	100%	26,764	5,182	31,946	100%			

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: 1 - Suspended drivers include currently suspended drivers who have their driving privilege withdrawn for a DUI offense (0450); 2 - Ratio of suspended drivers to licensed drivers; 3 - Density calculation based on zip code data from 2000 US Census; 4 - Records could not be matched to zip code reference file; 5 - Income classifications based on zip code data from 2000 US Census

Special Note: 1,788 records could not be matched to zip code reference file

### **Driving while suspended or revoked**

New Jersey law establishes strict penalties for driving while suspended or revoked (N.J.S.A. 39:3-40). Depending on the offense and the reason for the original suspension, drivers convicted of driving while suspended or revoked are subject to fines ranging from \$500 to \$3,000, up to 180 days imprisonment, and mandatory license suspension for periods ranging from up to six months to 30 months in addition to the period of the original suspension. Table 14 provides a schedule of mandatory minimum and maximum fines and penalties for driving while suspended/revoked.

Approximately 47,000 suspensions for driving while suspended/revoked are confirmed by MVC each year. This accounts for about six percent of all annual suspensions. In May 2004, 58,726 suspended drivers had at least one active suspension for this reason. Table 13 presents the distribution of suspended drivers and suspension rates for those suspended for driving while suspended/revoked. As shown in the table, the distribution of drivers suspended for this reason is significantly higher in urban and lower income areas than in suburban and rural areas when compared to the distribution of all licensed

drivers. Although less than half of the State's licensed drivers reside in urban areas, 60 percent of drivers suspended for driving while suspended live in urban zip codes.

The same is true for lower income zip codes. Although drivers living in lower income zip codes make up only 16.5 percent of all licensed drivers in the State, 43 percent of drivers suspended for driving while suspended reside in low income areas. This pattern can also be seen when reviewing suspension rates by area type and income class. Suspension rates for driving while suspended or revoked for urban residents are two times higher than suspension rates for this reason among suburban and rural residents. In low income areas, suspension rates are 1.5 to five times higher than the Statewide average for both male and female drivers (Carnegie, forthcoming).

Table 13 - Suspension rates by area type and income – Driving while suspended or revoked (May 2004)

	Distribution of licensed drivers	Distribution of Suspended Drivers <sup>1</sup>				Suspension Rates <sup>2</sup>		
		Male	Female	Total	% of total	Male	Female	Total
Statewide		48,136	10,590	58,726		1.6%	0.3%	1.0%
By Population Density <sup>3</sup>								
Urban (>800 p/sq mi)	43%	29,193	6,146	35,339	60%	2.2%	0.5%	1.3%
Suburban (200-800 p/sq mi)	38%	12,328	2,811	15,139	26%	1.1%	0.2%	0.6%
Rural (<200 p/sq mi)	19%	6,320	1,578	7,898	13%	1.1%	0.3%	0.7%
Unknown <sup>4</sup>		295	55	350	1%			
TOTAL		48,136	10,590	58,726	100%			
By HH Income Class <sup>5</sup>								
High (>\$85,000)	12%	990	235	1,225	2%	0.3%	0.1%	0.2%
Middle High (\$65,001 - \$85,000)	25%	4,820	1,110	5,930	10%	0.6%	0.1%	0.4%
Middle (\$40,001 - \$65,000)	46%	20,770	4,923	25,693	44%	1.5%	0.3%	0.9%
Low (\$20,000 - \$40,000)	16%	20,096	4,019	24,115	41%	4.1%	0.8%	2.4%
Low -low(<\$20,000)	0.5%	1,165	248	1,413	2%	8.4%	1.7%	4.9%
Unknown <sup>4</sup>		295	55	350	1%			
TOTAL		48,136	10,590	58,726	100%			

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: 1 - Suspended drivers include currently suspended drivers who have their driving privilege withdrawn for a driving while suspended (0340); 2 - Ratio of suspended drivers to licensed drivers; 3 - Density calculation based on zip code data from 2000 US Census; 4 - Records could not be matched to zip code reference file; 5 - Income classifications based on zip code data from 2000 US Census

Special Note: 1,788 records could not be matched to zip code reference file

**Table 14 - Schedule of fines and penalties for driving while suspended/revoked**

Original reason for suspension	Suspension of license and/or registration	Court Fine	Prison
General provisions [N.J.S.A. 39:3-40]			
1 <sup>st</sup> Offense	Up to 6 months	\$500	n/a
2 <sup>nd</sup> Offense	Up to 6 months	\$750	Up to 5 days
3 <sup>rd</sup> Offense or subsequent	Up to 6 months	\$1,000	10 days
Driving without insurance [N.J.S.A. 39:3-40 (f)(1)]			
1 <sup>st</sup> Offense	12-30 months	\$1,000	Up to 90 days
2 <sup>nd</sup> Offense	12-30 months	\$1,250	Up to 90 days
3 <sup>rd</sup> Offense or subsequent	12-30 months	\$1,500	10 - 90 days
DUI; Refusal to submit to a breath/chemical test; Habitual offender [N.J.S.A. 39:3-40 (f) (2)]			
1 <sup>st</sup> Offense	12-30 months	\$1,000	Up to 90 days
2 <sup>nd</sup> Offense	12-30 months	\$1,250	10-90 days
3 <sup>rd</sup> Offense or subsequent	12-30 months	\$1,500	10-90 days
DUI or refusal to submit to a breath/chemical test while in a school zone or crossing; [N.J.S.A. 39:3-40 (f) (3)]			
1 <sup>st</sup> Offense	12-30 months	\$1,000	60-90 days
2 <sup>nd</sup> Offense	12-30 months	\$1,250	120-150 days
3 <sup>rd</sup> Offense or subsequent	12-30 months	\$1,500	180 days
Non-payment of MVC insurance surcharge [39:3-40 (g)]			
1 <sup>st</sup> Offense	Up to 6 months	\$500	n/a
2 <sup>nd</sup> Offense	Up to 6 months	\$750	Up to 5 days
3 <sup>rd</sup> Offense or subsequent	Up to 6 months	\$1,000	10 days
<u>Note:</u> An additional fine of \$3,000 is collected by MVC if the total surcharge imposed is not paid prior to court appearance.			
Failure to appear in court or pay a parking judgment [N.J.S.A. 39:3-40 (i)]	n/a	Up to \$100	

Source: N.J.S.A. 39:3-40

### **Insurance Surcharge Program**

In 1983, the New Jersey Legislature enacted the New Jersey Merit Rating Plan (N.J.S.A. 17:29 A-35), which required MVC to assess “insurance” surcharges based on certain motor vehicle offenses. According to the statute, motorists accumulating six or more points in a three year period are subject to a surcharge of \$150 for the first six points and \$25 for each additional point thereafter. Currently, New Jersey is one of only four States in the Nation with such a surcharge program. The other states include New York, Texas, and Michigan.

Surcharges are levied each year for three years and are in addition to any court-imposed fines and/or penalties. Point totals are based on the date the violation was posted, not when the violation occurred. Point system reductions received for participation in a DIP, PDP or through annual point reductions for violation-free driving do not apply to the surcharge program.

In addition to point-related surcharges, the statute also requires MVC to impose surcharges for certain other offenses. Table 15 lists the offenses which are subject to surcharge, annual surcharge amounts and the total surcharges to be paid at the end of the three year surcharge period.

Table 15 - Offenses subject to insurance surcharge

Offense	Annual Surcharge	Total Surcharge
Driving Under the Influence (DUI) and/or refusal to submit to chemical test (1 <sup>st</sup> & 2 <sup>nd</sup> offense)	\$1,000	\$3,000
DUI – 3 <sup>rd</sup> offense in three year period	\$1500	\$4,500
Unlicensed driver	\$100	\$300
No insurance (Moped)	\$100	\$300
Driving while suspended	\$250	\$750
No liability insurance	\$250	\$750

Source: NJ Motor Vehicle Commission

Note: Surcharges apply each year for three years.

All new surcharges must be paid within 12 months of assessment either in full or as part of a payment plan. If a driver fails to make surcharge payments or fails to pay the full surcharge amount within 12 months, MVC will suspend all driving privileges indefinitely and file judgment action in the State Superior Court. Actions may include a lien against real property, garnishment of wages, or other similar actions.

MVC provides drivers with surcharge balances of \$2,299 or less the option to enroll in a six-twelve month installment payment plan. Drivers with surcharge balances of \$2,300 or more are offered installment payment plans up to 24 months. MVC has no discretion to extend payment plans beyond 24 months until after judgment action has been filed in Superior Court. After judgment has been filed, MVC can offer payment plans as requested by the offender for time periods ranging from 36-48 months or longer, depending on the circumstance. Current payment plans range from one month to more than 90 months. As shown in table 16, 45 percent of drivers with surcharge balances owe less than \$1,000. At the same time, almost 25,000 drivers or six percent, owe more than \$10,000.

For a driver to satisfy a surcharge suspension, he/she must pay 10 percent of the suspended amount. Interest continues to accrue on judgments only, even while participating in a payment plan. The interest rate this year is one percent. The driver must also pay MVC a \$100 license restoration fee. It is critical to note that if the surcharge is not in judgment, failure to adhere to a payment plan can result in new fees, interest and possible re-suspension. If the surcharge is in judgment, failure to adhere to a payment plan can result in additional interest and possible re-suspension.

Table 16 - Number of drivers with outstanding surcharge balances (September 2005)

Surcharge balance	Number of drivers	Percent of total
Less than \$1,000	199,482	45%
\$1,000 - \$3,000	111,319	25%
\$3,001 - \$5,000	59,523	13%
\$5,001 - \$7,500	30,214	7%
\$7,501 - \$10,000	15,691	4%
Greater than \$10,000	24,943	6%
Total	441,172	100%

Source: NJ Motor Vehicle Commission

When enacted in 1983, the original purpose of the NJ Merit Rating Plan insurance surcharges was to provide revenue for the New Jersey Automobile Full Insurance Underwriting Association (a.k.a. - Joint Underwriters Association or JUA). In 1994, the Legislature directed that the surcharge revenues be used to pay debt service on a \$705 million bond issue sold to eliminate the debt of the Market Transition Facility (MTF) to be paid off in 2011. In July 2003, surcharge revenues were also directed to pay \$160 million in "Fix DMV" bonds (2011-2015). In July 2004, it was determined that as of 2007, revenue would be directed to the 2004 series A Bonds (\$807m).

In calendar year 2004, the MVC billed more than \$136 million in surcharges (see table 17). Of that amount, \$123,863,221 was collected. Average collection rates over the first year of billing are approximately 36 percent. As shown in table 18, collection rates are highest for point-related surcharges (71 percent) and lowest for surcharges assessed for other non-point reasons. Currently, 441,484 New Jersey drivers owe approximately \$1.2 billion dollars in outstanding surcharge principal and interest.

Table 17 - Surcharge amounts billed in 2004

Reason	Amount
Points	\$19,978,100
DUI	\$61,526,500
Other non-point reasons	\$54,780,300
TOTAL	\$136,284,900

Source: NJ Motor Vehicle Commission

Table 18 - Average surcharge collection rates

Reason	Collection Rate
Points	71%
DUI	35%
Other non-point reasons	25%
AVERAGE	36%

Source: NJ Motor Vehicle Commission

In September 2003, MVC offered a 60 day amnesty program. All drivers with surcharges, except those with surcharges resulting from DUI convictions, were eligible to participate. During this period, MVC waived all costs and interest if the participant paid the principal surcharge amount in full. The program yielded 74,139 payments totaling \$17,469,008.35 on amnesty-eligible accounts. Total surcharge collections during this period were \$38,440,636.69.

As highlighted earlier in the report, the top “reason” for driver’s license suspension in New Jersey is failure to pay MVC insurance surcharges. On average, 228,000 license suspensions are ordered for this reason annually. This represents 28 percent of all suspensions ordered or confirmed by MVC each year. In May 2004, more than 132,000 drivers with active suspensions had at least one suspension for failing to pay MVC insurance surcharges. Of those, slightly more than 10 percent (14,132 drivers) had only one suspension for this reason and no other suspensions for other reasons.

As shown in table 19, the distribution of drivers suspended for failing to pay MVC insurance surcharges is significantly higher in urban areas than in suburban and rural areas. While 43 percent of all New Jersey licensed drivers reside in urban zip codes, 59 percent of drivers suspended for failing to pay surcharges live there. Even more significant is the fact that although only 16.5 percent of licensed drivers reside in lower income zip codes, a full 40 percent of those suspended for failing to pay MVC insurance surcharges live there.

These patterns are similarly apparent when reviewing suspension rates among different groups of drivers. Suspension rates for non-payment of insurance surcharges are two times higher in urban areas than suburban and rural parts of the State. In lower income areas, suspension rates are two to four times higher than the Statewide average for both male and female drivers (Carnegie, forthcoming).

**Table 19 - Suspension rates by area type and income – Non-payment of MVC insurance surcharges (May 2004)**

	Distribution of licensed drivers	Suspended Drivers <sup>1</sup>			% of total	Suspension Rates <sup>2</sup>		
		Male	Female	Total		Male	Female	Total
Statewide		103,097	29,558	132,655		3.4%	0.9%	2.1%
By Population Density <sup>3</sup>								
Urban (>800 p/sq mi)	43%	61,929	16,809	78,738	59%	4.7%	1.3%	3.0%
Suburban (200-800 p/sq mi)	38%	26,847	8,035	34,882	26%	2.3%	0.7%	1.5%
Rural (<200 p/sq mi)	19%	13,580	4,507	18,087	14%	2.4%	0.8%	1.6%
<i>Unknown</i> <sup>4</sup>		741	207	948	1%			
<i>TOTAL</i>		103,097	29,558	132,655	100%			
By HH Income Class <sup>5</sup>								
High (>\$85,000)	12%	2,894	807	3,701	3%	0.8%	0.2%	0.5%
Middle High (\$65,001 - \$85,000)	25%	12,299	3,554	15,853	12%	1.6%	0.4%	1.0%
Middle (\$40,001 - \$65,000)	46%	45,538	13,914	59,452	45%	3.2%	1.0%	2.1%
Low (\$20,000 - \$40,000)	16%	39,574	10,544	50,118	38%	8.0%	2.1%	5.1%
Low-Low(<\$20,000)	0.5%	2,051	532	2,583	2%	14.9%	3.6%	9.0%
<i>Unknown</i> <sup>4</sup>		1,303	485	1,788	1%			
<i>TOTAL</i>		103,659	29,836	133,495	101%			

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: 1 - Suspended drivers include currently suspended drivers who have their driving privilege withdrawn for a non-payment of insurance surcharge (ISNP); 2 - Ratio of suspended drivers to licensed drivers; 3 - Density calculation based on zip code data from 2000 US Census; 4 - Records could not be matched to zip code reference file; 5 - Income classifications based on zip code data from 2000 US Census

Special Note: 1,788 records could not be matched to zip code reference file

### **The Parking Offenses Adjudication Act (POAA)**

According to the New Jersey Administrative Office of the Courts (AOC), in fiscal year 2005 (July 1, 2004 to June 30, 2005), municipal jurisdictions in New Jersey issued more than 2.9 million parking tickets. Fines, which are established by municipal ordinance, range from \$17 to \$130 with most under \$50.

The vast majority of parking tickets are paid without court action. The Parking Offenses Adjudication Act, N.J.S.A. 39:4-139.2 et seq., was enacted in January 1985 and became effective in July of the same year. The law authorized municipal court judges to suspend driving privileges when an individual cited for a parking offense fails to pay the fine and then fails to appear in court to pay or satisfy the ticket. Therefore, under the law, parking offense suspensions originate in the municipal court system.

As shown in figure 2, the POAA has been very effective in reducing the number of outstanding parking tickets pending over 60 days. In 1990, there were almost 4.4



million parking tickets that remained unpaid longer than two months. That number dropped precipitously through the 1990's as more municipal court systems became automated. In 2004, the number of parking tickets pending over 60 days was less than 400,000.

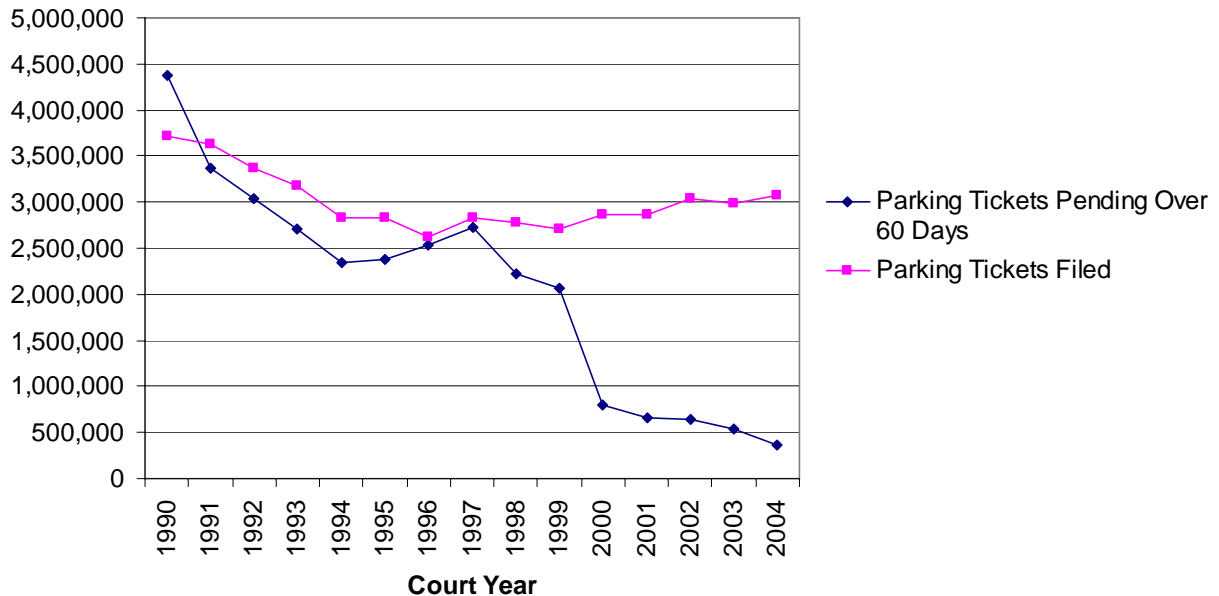


Figure 2 – Parking tickets pending over 60 days

Source: NJ Administrative Office of the Courts

Following issuance of the parking ticket itself, the court system is responsible for issuing notices to alert defendants to their outstanding ticket(s) and the potential suspension of the driver license privileges if the ticket(s) are not answered or paid. The preliminary court-issued notice is a Failure-to-Appear or "FTA" notice, which is issued if a defendant fails to pay the ticket or appear in court to dispute the ticket by the return date specified on the ticket. A proposed suspension notice, or "PSUS" notice, is then issued if the defendant fails to respond to the "FTA" notice. Finally, a judge signs a bench order suspending the defendant's driving privileges, which is mailed by the court to the defendant as well. Appendix D includes a flow chart of the notification process and copies of court notices.

The court then transmits suspension details to the MVC electronically via the Automated Traffic System, which links MVC with the 536 municipal courts. When the court-ordered suspension is posted to the defendant's driver history record, a notice confirming the suspension is prepared and mailed to the defendant by MVC. The confirming notice provides details concerning the court(s) and ticket(s), and explains how to regain driving

privileges by satisfying the outstanding tickets and paying MVC a \$100 license restoration fee.

Traffic and parking tickets can be paid in-person in the municipality where the ticket was issued or by using the njmcdirect.com ticket information website maintained and operated by AOC. According to AOC, approximately eighteen percent of all eligible tickets are paid on-line via the njmcdirect.com website. In addition, it is critical to note that the law requires that offenders who are indigent or receiving public benefits be allowed to pay fines on an installment basis for a period not to exceed 12 months. According to court officials, payment plans for those that cannot pay the full amount are common, but cannot be arranged unless a defendant appears in court.

In May 2004, 68,614 suspended drivers had at least one active suspension for failing to appear in court to answer/satisfy a parking ticket. One third, or 22,738, were suspended for only parking offenses. Of those, 14,290 had only one POAA suspension and no other suspensions for other reasons; and 8,448 had more than one POAA suspension but no other suspensions for other reasons. This represents about eight percent of all active suspended drivers.

Table 20 shows suspension rates and the distribution of drivers suspended under POAA. Patterns of POAA suspension are even more pronounced than those observed for suspensions due to non-payment of insurance surcharge. The distribution of drivers suspended for parking offenses in urban areas is significantly higher than in suburban and rural areas. Although 43 percent of licensed drivers reside in urban zip codes, 85 percent of drivers suspended for parking offenses live there. Even more significant, 59 percent of those suspended for parking offenses live in lower income areas, while only 16.5 percent of licensed drivers reside there. It is worth noting that parking restrictions are far more common in urban areas. Consequently, urban residents have a greater chance of receiving a summons for parking violations than suburban and rural residents.

These patterns are similarly apparent when reviewing suspension rates among different groups of drivers. For urban drivers of both genders, suspension rates due to parking offenses are more than twice that of the Statewide average rates and are seven to ten times greater than residents living in suburban and rural areas. For lower income residents, suspension rates are more than ten times higher than Statewide rates for both male and female drivers (Carnegie, forthcoming).

Table 20 - Suspension rates by area type and income – Parking Offenses Adjudication Act (POAA) (May 2004)

	Distribution of licensed drivers	Suspended Drivers <sup>1</sup>				Suspension Rates <sup>2</sup>		
		Male	Female	Total	% of total	Male	Female	Total
Statewide		39,271	29,343	68,614		1.3%	0.9%	1.1%
By Population Density <sup>3</sup>								
Urban (>800 p/sq mi)	43%	33,555	25,079	58,634	85%	2.5%	1.9%	2.2%
Suburban (200-800 p/sq mi)	38%	4,468	3,270	7,738	11%	0.4%	0.3%	0.3%
Rural (<200 p/sq mi)	19%	1,085	899	1,984	3%	0.2%	0.2%	0.2%
Unknown <sup>4</sup>		163	95	258	0%			
TOTAL		39,271	29,343	68,614	100%			
By HH Income Class <sup>5</sup>								
High (>\$85,000)	12%	888	530	1,418	2%	0%	0%	0%
Middle High (\$65,001 - \$85,000)	25%	2,951	2,126	5,077	7%	0%	0%	0%
Middle (\$40,001 - \$65,000)	46%	12,307	9,403	21,710	32%	1%	1%	1%
Low (\$20,000 - \$40,000)	16%	21,560	16,023	37,583	55%	4%	3%	4%
Low-Low(<\$20,000)	0.5%	1,402	1,166	2,568	4%	10%	8%	9%
Unknown <sup>4</sup>		163	95	258	0%			
TOTAL		39,271	29,343	68,614	100%			

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: 1 - Suspended drivers include currently suspended drivers who have their driving privilege withdrawn in accordance with the Parking Offenses Adjudication Act (POAA); 2 - Ratio of suspended drivers to licensed drivers; 3 - Density calculation based on zip code data from 2000 US Census; 4 - Records could not be matched to zip code reference file; 5 - Income classifications based on zip code data from 2000 US Census

Special Note: 1,788 records could not be matched to zip code reference file

### Failure to Comply with a Child Support Order

The law mandating license suspension for failing to comply with a child support order was enacted originally in March 1996 and amended in March 1998 (N.J.S.A. 2A:17-56.41a). The genesis of the law can be traced to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, which required states to have statutes suspending the driver's license of those who owed outstanding child support.

The law allows for suspension under the following conditions: failure to pay child support for a period of 6 months or more; failure to provide health coverage for the child for 6 months; or if the obligor fails to respond to a subpoena related to a paternity test or child support action. An obligor has 30 days from the postmark date of the notice to take the required action or make a request for a court hearing. It is critical to note that if the suspension will result in a significant hardship, a 12-month payment plan can be arranged with the court once 25 percent of the arrearages are paid.

In New Jersey, a suspension for failing to comply with a child support order becomes effective by operation of law upon the issuance of a child support-related warrant. The suspension may be terminated when the person who owes child support pays the amount due or otherwise satisfies the court's child support order, and pays the MVC license restoration fee. Recent statistics indicate that there were 24,613 suspensions for failing to comply with a child support order in 2004 and 25,506 in 2003.

Table 21 - Suspension rates by area type and income – Failure to comply with a child support order (May 2004)

	Distribution of licensed drivers	Suspended Drivers <sup>1</sup>				Suspension Rates <sup>2</sup>		
		Male	Female	Total	% of total	Male	Female	Total
Statewide		21,763	2,131	23,894		0.7%	0.1%	0.4%
By Population Density <sup>3</sup>								
Urban (>800 p/sq mi)	43%	13,358	1,058	14,416	60%	1.0%	0.1%	0.5%
Suburban (200-800 p/sq mi)	38%	5,265	632	5,897	25%	0.5%	0.1%	0.2%
Rural (<200 p/sq mi)	19%	3,044	430	3,474	15%	0.5%	0.1%	0.3%
Unknown <sup>4</sup>		96	11	107	0%			
TOTAL		21,763	2,131	23,894	100%			
By HH Income Class <sup>5</sup>								
High (>\$85,000)	12%	274	30	304	1%	0.1%	0.0%	0.0%
Middle High (\$65,001 - \$85,000)	25%	1,702	182	1,884	8%	0.2%	0.0%	0.1%
Middle (\$40,001 - \$65,000)	46%	8,405	912	9,317	39%	0.6%	0.1%	0.3%
Low (\$20,000 - \$40,000)	16%	10,546	934	11,480	48%	2.1%	0.2%	1.2%
Low-Low(<\$20,000)	0.5%	740	62	802	3%	5.4%	0.4%	2.8%
Unknown <sup>4</sup>		96	11	107	0%			
TOTAL		21,763	2,131	23,894	100%			

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: 1 - Suspended drivers include currently suspended drivers who have their driving privilege withdrawn for failing to comply with a child support order (FPCS); 2 - Ratio of suspended drivers to licensed drivers; 3 - Density calculation based on zip code data from 2000 US Census; 4 - Records could not be matched to zip code reference file; 5 - Income classifications based on zip code data from 2000 US Census

Special Note: 1,788 records could not be matched to zip code reference file

In May 2004, almost 24,000 suspended drivers had at least one suspension for failing to comply with a child support order. Of those, about 13 percent or 3,053 drivers had only one active suspension for this reason with no other suspensions for any other reason. As was the case with POAA suspensions and suspension for failing to pay insurance surcharge, a disproportionate number of drivers suspended for failing to comply with a child support order reside in urban and lower income areas (see table 21).

Once again, while 43 percent of licensed drivers reside in urban zip codes, 60 percent of drivers suspended for failing to pay child support live there. Fifty one percent of those suspended for child support reasons live in lower income areas, while only 16.5

percent of all licensed drivers reside there. Failure to pay child support suspension rates for drivers residing in lower income areas are ten times higher than the Statewide average for all drivers suspended for failing to pay child support (Carnegie, forthcoming).

### **Failure to Maintain Insurance**

New Jersey became a compulsory insurance state in January 1973. A motor vehicle may not be registered or, if already registered, may not be operated, unless it is covered by specified limits of liability insurance coverage (N.J.S.A. 39:6B-1). If convicted of violations of the compulsory insurance statute, uninsured drivers/owners are suspended by the courts pursuant to the provisions of N.J.S.A. 39:6B-2. The current penalty for a first offense includes a mandatory one-year license suspension, a fine, and a period of community service. An MVC insurance surcharge is also imposed upon such offenders.

In addition, MVC enforces the law by means of the Uninsured Motorist Identification and Notification System (UMIS), administered by the New Jersey Office of Information Technology. Every month, insurance companies report auto insurance policies canceled or not renewed because of non-payment of policy premiums. The companies also report new business, replacement coverage, and reinstatement of policies without breaks in coverage.

One time each month, this clearinghouse identifies to MVC the vehicles affected by canceled policies not replaced by new coverage. MVC edits this data to determine if the target vehicles have been taken off the road, re-registered out-of-state, reported stolen or sold, or have lapsed registrations, and plates surrendered. Any target vehicle with current registration and plates is linked to its owner who receives a notice of scheduled suspension allowing 30 days to produce proof of current insurance or surrender of registration and plates. If the owner complies, the action is canceled. If there is no response, the owner's registration privilege is suspended indefinitely and MVC schedules the suspension of driving privileges effective in 30 days. Once both driving and registration privileges are suspended, they will not be restored until the owner complies with the above-mentioned requirements and pays MVC a \$100 restoration fee for each privilege affected.

UMIS has been in operation since 1992, and since that time, over one million initial scheduled suspensions have been issued. Recent statistics indicate that court ordered suspensions for operating an uninsured vehicle numbered 9,047 in 2004 and 9,718 in 2003. MVC initiated 46,559 and 58,509 suspensions for failing to maintain proper insurance in calendar years 2004 and 2003 respectively.

In May 2004, 53,252 suspended drivers had active suspensions for failing to maintain proper insurance. Of those, 14,698 or 28 percent had only one active suspension for

this reason and no other suspensions for any other reason. Table 22 shows suspension rates and the distribution of drivers suspended for failing to maintain proper insurance. Drivers suspended for this reason are more heavily concentrated in urban and low-income areas than licensed drivers as a whole. Again, more than 60 percent of drivers suspended for insurance reasons reside in urban areas. Forty percent reside in lower income zip codes.

Table 22 - Suspension rates by area type and income – Failure to maintain proper insurance (May 2004)

	Distribution of licensed drivers	Suspended Drivers <sup>1</sup>			% of total	Suspension Rates <sup>2</sup>		
		Male	Female	Total		Male	Female	Total
Statewide		34,641	18,611	53,252		1.1%	0.6%	0.9%
By Population Density <sup>3</sup>								
Urban (>800 p/sq mi)	43%	21,860	11,082	32,942	62%	1.7%	0.8%	1.2%
Suburban (200-800 p/sq mi)	38%	8,391	4,796	13,187	25%	0.7%	0.4%	0.6%
Rural (<200 p/sq mi)	19%	4,204	2,638	6,842	13%	0.7%	0.4%	0.6%
Unknown <sup>4</sup>		186	95	281	1%			
<i>TOTAL</i>		34,641	18,611	53,252	100%			
By HH Income Class <sup>5</sup>								
High (>\$85,000)	12%	1,131	606	1,737	3%	0.3%	0.2%	0.2%
Middle High (\$65,001 - \$85,000)	25%	4,311	2,324	6,635	12%	0.6%	0.3%	0.4%
Middle (\$40,001 - \$65,000)	46%	14,712	8,413	23,125	43%	1.0%	0.6%	0.8%
Low (\$20,000 - \$40,000)	16%	13,524	6,799	20,323	38%	2.7%	1.4%	2.1%
Low-Low(<\$20,000)	0.5%	777	374	1,151	2%	5.6%	2.5%	4.0%
Unknown <sup>4</sup>		186	95	281	1%			
<i>TOTAL</i>		34,641	18,611	53,252	100%			

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: 1 - Suspended drivers include currently suspended drivers who have their driving privilege withdrawn for failing to maintain proper insurance (06B2+ICRG+ICLC); 2 - Ratio of suspended drivers to licensed drivers; 3 - Density calculation based on zip code data from 2000 US Census; 4 - Records could not be matched to zip code reference file; 5 - Income classifications based on zip code data from 2000 US Census

Special Note: 1,788 records could not be matched to zip code reference file

Similar to the patterns observed for other primarily money-related reasons for suspension, there appears to be a relationship between suspension rates for failing to maintain proper insurance and income. Failure to maintain insurance suspension rates for drivers residing in lower income zip codes are almost seven times higher than the Statewide average rates for that offense (Carnegie forthcoming).

## Comprehensive Drug Reform Act (CDRA)

The New Jersey Code of Criminal Justice (N.J.S.A. 2C:35-16) previously required mandatory driver's license suspension for those convicted of an offense involving a controlled dangerous substance (CDS) or drug paraphernalia. This law was enacted in 1987 in response to a federal law requiring states to enact license suspension for drug offenses as a condition of continuing to receive certain federal funds (e.g., Temporary Aid to Needy Families and others).

Federal requirements in this regard allow states several options for compliance. These include: 1) require driver's license suspension in all CDS cases; 2) require driver's license suspension in CDS cases unless there are "compelling circumstances warranting an exception"; and 3) certification by the Governor and the State Legislature that they are opposed to enacting such a law. Until January 5, 2006, New Jersey law required drivers' license suspension in all CDS cases. On January 5, 2006, the New Jersey Legislature passed an amendment to N.J.S.A. 2C:35-16 authorizing courts to refrain from imposing driver's license suspension on defendants convicted of CDS offenses if "compelling circumstances" exist.

Table 23 - Suspension rates by area type and income – Drug offenses under the Comprehensive Drug Reform Act (May 2004)

	Distribution of licensed drivers	Suspended Drivers <sup>1</sup>			% of total	Suspension Rates <sup>2</sup>		
		Male	Female	Total		Male	Female	Total
Statewide		28,174	4,878	33,052		0.9%	0.2%	0.5%
By Population Density <sup>3</sup>								
Urban (>800 p/sq mi)	43%	19,097	3,181	22,278	67%	1.4%	0.2%	0.8%
Suburban (200-800 p/sq mi)	38%	6,157	1,152	7,309	22%	0.5%	0.1%	0.3%
Rural (<200 p/sq mi)	19%	2,788	525	3,313	10%	0.5%	0.1%	0.3%
<i>Unknown</i> <sup>4</sup>		132	20	152	0%			
<i>TOTAL</i>		28,174	4,878	33,052	100%			
By HH Income Class <sup>5</sup>								
High (>\$85,000)	12%	416	66	482	1%	0.1%	0.0%	0.1%
Middle High (\$65,001 - \$85,000)	25%	2,081	413	2,494	8%	0.3%	0.1%	0.2%
Middle (\$40,001 - \$65,000)	46%	9,824	1,945	11,769	36%	0.7%	0.1%	0.4%
Low (\$20,000 - \$40,000)	16%	14,447	2,190	16,637	50%	2.9%	0.4%	1.7%
Low-Low(<\$20,000)	0.5%	1,274	244	1,518	5%	9.2%	1.6%	5.3%
<i>Unknown</i> <sup>4</sup>		132	20	152	0%			
<i>TOTAL</i>		28,174	4,878	33,052	100%			

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: 1 - Suspended drivers include currently suspended drivers who have their driving privilege withdrawn for convictions under the Comprehensive Drug Reform Act (CDRA); 2 - Ratio of suspended drivers to licensed drivers; 3 - Density calculation based on zip code data from 2000 US Census; 4 - Records could not be matched to zip code reference file; 5 - Income classifications based on zip code data from 2000 US Census

Special Note: 1,788 records could not be matched to zip code reference file

The MVC serves a purely administrative function regarding CDRA suspensions. MVC actions are limited to confirming suspension ordered by the courts. In 2003 and 2004, MVC confirmed 23,131 and 20,567 CDRA suspensions respectively. In May 2004, 33,052 suspended drivers had at least one active CDRA suspension. Of those, 4,199 or 12 percent had only one CDRA suspension and no other suspensions for any other reason.

Table 23 shows suspension rates and the distribution of drivers with CDRA suspensions. Once again, drivers suspended for this reason are more heavily concentrated in urban and low-income areas. Sixty seven percent of drivers suspended for drug offenses reside in urban areas. Fifty five percent reside in lower income zip codes. CDRA suspension rates for drivers residing in lower income zip codes are seven to ten times higher than the Statewide average rates (Carnegie forthcoming).

### **Failure to appear in court**

As noted earlier in this report, driver's license suspension as a result of failing to appear in court (FTA) for reasons other than parking offenses is the third most frequent suspension ordered or confirmed by MVC each year. FTA suspensions can occur for both motor vehicle moving violations and for other violations of municipal ordinances.

The process for suspensions related to failure to appear in court for moving violations is generally as follows: The offender is ordered to appear in court. If s/he fails to appear, the judge can issue an arrest warrant. This course of action is rarely pursued. More typically, a Failure to Appear Notice (FTA) is generated and sent to the offender. If s/he fails to address the FTA within 30 days, the courts send the FTA to MVC who initiate the administrative suspension process. MVC provides FTA moving violation offenders 60 days to resolve the issue.

In terms of suspension for failure to appear for a non-traffic matter such as a local ordinance violation, a warrant is most typically issued; however, if the court has the license number of the offender, suspension can also be ordered. The MVC serves a purely administrative function regarding FTA suspensions for non-driving reasons. Its actions are limited to confirming suspension ordered by the courts. In 2004, MVC confirmed 15,316 suspensions ordered by the courts because defendants failed to appear to answer a summons for non-driving reasons other than parking offenses.

In 2004, MVC imposed 105,971 suspensions ordered against drivers who failed to appear in court to answer a summons for a moving violation. In May 2004, 119,733 suspended drivers had at least one suspension for failing to appear in a court of law to answer/satisfy a summons issued for a motor vehicle moving violation. This represents 41 percent of all drivers with active suspensions. While drivers suspended for FTA on a moving violation are not technically being suspended as a direct result of their driving



behavior, it is important to note that the underlying reason for them being called to court is because they violated a traffic law.

Table 24 - Suspension rates by area type and income – Failure to appear in court to answer a summons for a motor vehicle moving violation (May 2004)

	Distribution of licensed drivers	Suspended Drivers <sup>1</sup>			% of total	Suspension Rates <sup>2</sup>		
		Male	Female	Total		Male	Female	Total
Statewide		90,011	29,722	119,733		3.0%	0.9%	1.9%
By Population Density <sup>3</sup>								
Urban (>800 p/sq mi)	43%	63,180	20,439	83,619	70%	4.8%	1.5%	3.1%
Suburban (200-800 p/sq mi)	38%	18,541	6,263	24,804	21%	1.6%	0.5%	1.0%
Rural (<200 p/sq mi)	19%	7,851	2,888	10,739	9%	1.4%	0.5%	0.9%
<i>Unknown</i> <sup>4</sup>		439	132	571	0%			
<i>TOTAL</i>		90,011	29,722	119,733	100%			
By HH Income Class <sup>5</sup>								
High (>\$85,000)	12%	1,978	650	2,628	2%	0.5%	0.2%	0.4%
Middle High (\$65,001 - \$85,000)	25%	8,556	2,860	11,416	10%	1.1%	0.4%	0.7%
Middle (\$40,001 - \$65,000)	46%	34,255	11,676	45,931	38%	2.4%	0.8%	1.6%
Low (\$20,000 - \$40,000)	16%	41,751	13,378	55,129	46%	8.5%	2.7%	5.6%
Low-Low(<\$20,000)	0.5%	3,032	1,026	4,058	3%	22.0%	6.9%	14.2%
<i>Unknown</i> <sup>4</sup>		439	132	571	0%			
<i>TOTAL</i>		90,011	29,722	119,733	100%			

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: 1 - Suspended drivers include currently suspended drivers who have their driving privilege withdrawn for failing to appear in a court of law to answer/satisfy a summons issued for a motor vehicle moving violation (FSFA);

2 - Ratio of suspended drivers to licensed drivers; 3 - Density calculation based on zip code data from 2000 US Census; 4 - Records could not be matched to zip code reference file; 5 - Income classifications based on zip code data from 2000 US Census

Special Note: 1,788 records could not be matched to zip code reference file

Table 24 shows suspension rates and the distribution of drivers suspended for FTA for moving violations. As shown in the table, the distribution of drivers suspended for this reason is disproportionately high in urban and lower income areas. While 46 percent of licensed drivers live in urban areas, 70 percent of those suspended for FTA on moving violations reside there. Similarly, only 16.5 percent of the State's licensed drivers reside in lower income zip codes, while 49 percent of drivers suspended for FTA on moving violations live there.

These patterns are also evident when reviewing suspension rates for this offense. Suspension rates for drivers residing in urban areas are three times higher than for drivers living in suburban and rural areas. Suspension rates for drivers residing in lower income zip codes are seven times higher than residents living in higher income areas (Carnegie, forthcoming).

Table 25 - Suspension rates by area type and income – Failure to appear in court to answer a summons issued for other non-driving reasons, excluding POAA (May 2004)

	Distribution of licensed drivers	Suspended Drivers <sup>1</sup>				Suspension Rates <sup>2</sup>		
		Male	Female	Total	% of total	Male	Female	Total
Statewide		19,104	6,181	25,285		0.6%	0.2%	0.4%
By Population Density <sup>3</sup>								
Urban (>800 p/sq mi)	43%	10,516	3,326	13,842	55%	0.8%	0.2%	0.5%
Suburban (200-800 p/sq mi)	38%	5,654	1,809	7,463	30%	0.5%	0.1%	0.3%
Rural (<200 p/sq mi)	19%	2,833	1,014	3,847	15%	0.5%	0.2%	0.3%
Unknown <sup>4</sup>		101	32	133	1%			
<i>TOTAL</i>		19,104	6,181	25,285	100%			
By HH Income Class <sup>5</sup>								
High (>\$85,000)	12%	390	125	515	2%	0.1%	0.0%	0.1%
Middle High (\$65,001 - \$85,000)	25%	2,166	669	2,835	11%	0.3%	0.1%	0.2%
Middle (\$40,001 - \$65,000)	46%	8,964	2,851	11,815	47%	0.6%	0.2%	0.4%
Low (\$20,000 - \$40,000)	16%	7,157	2,377	9,534	38%	1.5%	0.5%	1.0%
Low-Low(<\$20,000)	0.5%	326	127	453	2%	2.4%	0.9%	1.6%
Unknown <sup>4</sup>		101	32	133	1%			
<i>TOTAL</i>		19,104	6,181	25,285	100%			

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: 1 - Suspended drivers include currently suspended drivers who have their driving privilege withdrawn for failing to appear in a court of law to answer/satisfy a summons issued for non-driving reason other than POAA (COFA); 2 - Ratio of suspended drivers to licensed drivers; 3 - Density calculation based on zip code data from 2000 US Census; 4 - Records could not be matched to zip code reference file; 5 - Income classifications based on zip code data from 2000 US Census

Special Note: 1,788 records could not be matched to zip code reference file

In May 2004, 25,285 suspended drivers had at least one suspension for failing to appear in a court to answer/satisfy a summons issued for violations of municipal ordinance other than moving violations and parking (i.e., FTA for non-driving reasons). This figure represents approximately nine percent of all drivers with active suspensions.

Table 25 shows suspension rates and the distribution of drivers suspended for FTA for non-driving reasons. As shown in the table, the distribution of drivers suspended for FTA associated with non-driving offenses is once again higher in urban and lower income areas. While 46 percent of licensed drivers live in urban areas, 55 percent of those suspended for FTA on non-moving violations reside there. Similarly, only 16.5 percent of the State's licensed drivers reside in lower income zip codes, while 40 percent of drivers suspended for FTA on non-moving violations live there. Suspension rates for drivers residing in urban areas are 1.6 times higher than for drivers living in suburban and rural areas. Suspension rates for drivers residing in lower income zip

codes are almost four times higher than for residents living in higher income areas (Carnegie forthcoming).

### **Failure to comply with a court-ordered installment plan**

In accordance with N.J.S.A. 39:4-203.1, any defendant convicted of a traffic or parking offense shall, upon a satisfactory showing of indigency or participation in a government-based income maintenance program, be permitted by the court to pay the fine in installments. According to the statute, the courts have authority to set the amount and frequency of each installment, as long as the final installment is due no later than 12 months from the date of conviction.

In accordance with N.J.S.A. 39:4-203.2, if the defendant fails to comply with any of the terms of the installment order, the court may, in addition to any other penalties it may impose, order the suspension of the defendant's driver's license. Each year, the MVC confirms an average of 70,000 suspensions ordered by the courts for defendants that fail to make payments on court ordered installment plans. In terms of overall annual volume, this is the fourth most frequent reason for suspension. In May 2004, more than 75,000 suspended drivers had at least one active suspension for this reason.

As shown in table 26, the distribution of drivers suspended for failing to comply with a court ordered installment plan is higher in urban and lower income areas than the distribution of licensed drivers in these areas. While 58 percent of drivers suspended for failing to make payments on an installment plan reside in urban areas, only 43 percent of the State's licensed drivers live there. Similarly, 43 percent of drivers suspended for this reason live in lower income zip codes. Only 16.5 percent of licensed drivers live in lower income areas.

Suspension rates for drivers suspended for failing to comply with a court ordered installment plan living in urban areas are two times higher than for those living in suburban and rural areas; and rates for those living in lower income zip codes are more than 4 times higher than for those living in higher income areas.

Table 26 - Suspension rates by area type and income – Failure to comply with a court ordered installment payment plan (May 2004)

	Distribution of licensed drivers	Suspended Drivers <sup>1</sup>				Suspension Rates <sup>2</sup>		
		Male	Female	Total	% of total	Male	Female	Total
Statewide		58,135	17,042	75,177		1.9%	0.5%	1.2%
By Population Density <sup>3</sup>								
Urban (>800 p/sq mi)	43%	34,303	9,611	43,914	58%	2.6%	0.7%	1.7%
Suburban (200-800 p/sq mi)	38%	15,279	4,632	19,911	26%	1.3%	0.4%	0.8%
Rural (<200 p/sq mi)	19%	8,217	2,708	10,925	15%	1.5%	0.5%	0.9%
<i>Unknown</i> <sup>4</sup>		336	91	427	1%			
<i>TOTAL</i>		58,135	17,042	75,177	100%			
By HH Income Class <sup>5</sup>								
High (>\$85,000)	12%	1,075	306	1,381	2%	0.3%	0.1%	0.2%
Middle High (\$65,001 - \$85,000)	25%	5,794	1,658	7,452	10%	0.8%	0.2%	0.5%
Middle (\$40,001 - \$65,000)	46%	25,663	7,943	33,606	45%	1.8%	0.6%	1.2%
Low (\$20,000 - \$40,000)	16%	24,043	6,737	30,780	41%	4.9%	1.4%	3.1%
Low-Low(<\$20,000)	0.5%	1,224	307	1,531	2%	8.9%	2.1%	5.3%
<i>Unknown</i> <sup>4</sup>		336	91	427	1%			
<i>TOTAL</i>		58,135	17,042	75,177	100%			

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

Notes: 1 - Suspended drivers include currently suspended drivers who have their driving privilege withdrawn for failing to with a court ordered installment payment plan (FCIO); 2 - Ratio of suspended drivers to licensed drivers; 3 - Density calculation based on zip code data from 2000 US Census; 4 - Records could not be matched to zip code reference file; 5 - Income classifications based on zip code data from 2000 US Census

Special Note: 1,788 records could not be matched to zip code reference file

## **SECTION THREE: THE IMPACTS OF DRIVER'S LICENSE SUSPENSION**

As described in detail in section two, driver's license suspension is used as both a sanction to punish undesirable behavior(s), such as driving under the influence of drugs or alcohol and as a tool to encourage compliance with socially desirable behavior, such as paying fines and surcharges and making child support payments. While it is obvious that the threat of license suspension is intended to have deterrent as well as coercive effects, the actual suspension of someone's driving privileges may have collateral and unintended consequences. This section describes some of the collateral and unintended consequences that result from license suspension as documented through survey research, public comment received by the Task Force, and input received through roundtable discussions and interviews conducted on behalf of the Task Force.

### **Suspended driver survey**

In December 2004, researchers at Rutgers University conducted a survey of suspended drivers. The purpose of the survey was to develop a more detailed demographic profile of suspended drivers, to document the collateral and unintended impacts of license suspension, and to gauge public opinion regarding restricted-use license programs. Areas of questioning included: suspension history; impacts of suspension on employment, income, job performance, travel behavior; costs of suspension and ability to pay; psychological impacts; opinions regarding various aspects of restricted-use license programs; and personal characteristics related to race, gender, income, education, and familial status.

Surveys were mailed to 5,000 New Jersey drivers who were currently or had previously been suspended, as well as to 2,500 drivers who had never been suspended. Three hundred eighty drivers with a history of suspension and more than 700 drivers who were never suspended returned the survey (Carnegie forthcoming).

The following is a summary of key findings from the survey:

- More than half (51 percent) of the survey respondents with a history of suspension were or had been suspended for non-driving related reasons.
- Survey respondents with a history of suspension were more likely to be low income (household income less than \$30,000); younger (under 55 years of age); single; less educated; and non-white. In addition, drivers with a history of suspension were more likely to live in urban areas and to have children under the age of 18 living at home. While no causal relationships between these variables and suspension were confirmed by the survey analysis, when controlled for the effect of other independent variables, each of these variables remained highly correlated with license suspension.

These findings are consistent with the patterns of suspension observed as part of the analysis of detailed suspension statistics presented in section 2.

- The following employment effects on suspended drivers were documented by the survey (see tables 27 and 28):
  - 42 percent of survey respondents with a history of suspension lost their jobs when they had their driving privileges suspended. Job loss was experienced across all income and age groups; however it was most significant among low-income and younger drivers.
  - 45 percent of those that lost their job because of the suspension could not find another job. This was true across all income and age groups but most pronounced among low-income and older drivers.
  - Of those that were able to find another job, 88 percent reported a decrease in income. This was true in all income groups and age groups but most significant among low-income drivers.
  - More than half (58 percent) of those with a history of suspension reported that the suspension negatively impacted their job performance. This was true across all income and age groups.

Table 27 – Economic impacts of license suspension across income groups

Economic Impact	Low Income (Under \$30,000) (N=102)	Middle Income (\$30,000 to \$100,000-) (N=174)	High Income (Over \$100,000) (N=52)
Job status: Not able to keep job after suspension	64%	33%	17%
Job search: Unable to find new job after suspension (if not able to keep job after suspension)	51%	37%	13%
Income: negatively affected income (if not able to keep job after suspension)	96%	87%	86%
Job performance: Suspension negatively affected job performance	66%	50%	60%
Insurance costs: Not able to pay increased insurance costs	65%	48%	21%
Other costs:			
Experienced other costs related to suspension	64%	61%	51%
Not able to pay other costs?	90%	68%	33%

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

- Other economic impacts included the following (see tables 27 and 28):
  - More than half of those with a history of suspension reported that they could not afford the increased cost of auto insurance resulting from their suspension. This was true across all income groups but was much more of a problem for low-income and younger drivers, and much less of a problem for higher income and older drivers.
  - Two-thirds of respondents with a history of suspension reported experiencing other costs (in addition to increased costs for insurance) resulting from their suspension. Approximately three-quarters of these respondents indicated they could not afford the additional costs. Again, this was true across all income and age groups but the impacts were greatest among low-income drivers. Examples of other costs cited by survey respondents include: MVC insurance surcharges, license reinstatement fees, court fees, legal fees, costs associated with obtaining alternative transportation during the time of suspension, and costs associated with participating in alcohol education programs.

Table 28 – Economic impacts of license suspension across age groups

Economic Impact	18-24 years	25-54 years	55 and up
Job status: Not able to keep job after suspension	62%	39 %	39%
Job search: Unable to find new job after suspension (if not able to keep job after suspension)	29%	39%	90%
Income: negatively affected income (if not able to keep job after suspension)	89%	90%	75%
Job performance: Suspension negatively affected job performance	59%	58%	55%
Insurance costs: Not able to pay increased insurance costs	79%	49%	35%
Other costs:			
Experienced other costs related to suspension	63%	59%	64%
Not able to pay other costs?	82%	75%	60%

Source: Driver's License Suspension, Impacts and Fairness Study, Carnegie forthcoming

- Most survey respondents with a history of suspension also reported experiencing psychological and social impacts associated with license suspension:
  - 85 percent of those with a history of suspension noted that they “often” or “sometimes” thought about the suspension when not intending to.
  - 72 percent reported that any reminder of their suspension brought back negative feelings about it.

- 69 percent felt ashamed of their suspension; and 68 percent noted they were embarrassed to tell anyone about their suspension.
  - 81 percent reported experiencing a loss of freedom.
  - 83 percent experienced increased stress.
  - 74 percent reported that suspension placed a strain on family, friends and colleagues.
  - 46 percent reported lacking a form of identification.
- Controlling for the effects of income and age, male drivers with a history of suspension were 2.6 times more likely to lose their jobs because of the suspension than female drivers.
  - Male drivers were also more likely to experience negative psychological and social impacts from suspension compared to female drivers. However, there were no significant differences observed between the two groups in terms of finding a new job, income performance after suspension, or experiencing other economic effects such as increased costs of insurance and other suspension-related costs.
  - Although race was highly correlated with having a history of suspension, there were no significant differences between whites and non-whites relative to employment, economic, psychological or social impacts of suspension.
  - Residential location was also highly correlated with having a suspension history; however, with one exception, there were no significant differences observed between drivers living in urban, suburban or rural areas relative to the impacts of suspension. The one exception involved suspended drivers living in rural areas. This group was more likely to report that their suspension put a strain on family, friends and colleagues.

### **Public testimony and comments**

Many of the survey findings reported above were confirmed by individuals that provided public testimony or comments to the Task Force. The following is a summary of findings from the testimony/comments received:

- License suspension has many personal and family impacts. For example, suspended drivers, regardless of the reason for their suspension, reported experiencing numerous difficulties meeting personal and family responsibilities



during the time they were suspended. Many emphasized the necessity of being able to drive in order to meet the needs of daily life.

- The suspension of a spouse or close relative living at home can have a significant impact on the entire family, including children and other dependents who typically rely upon the suspended driver to meet their daily transportation needs for purposes related to school, medical appointments and other essential trips. As one individual remarked, it was she who felt the burden and impacts most of her spouse's license suspension, since she had to take on numerous additional duties for her spouse and children during the suspension period.
- The economic impacts associated with license suspension, particularly for low-income individuals were frequently reported. These impacts were noted even by individuals who requested and received payment plans. Those who testified explained that meeting payment plan requirements can be overwhelming when having to make difficult choices between paying rent and utilities, buying food, and making required payments. For example, even a relatively low monthly payment requirement can be too burdensome for individuals on public assistance.
- Auto insurance costs increase as a result of license suspension. This was true whether drivers were suspended for driving or non-driving reasons. Many of those that testified or provided comments explained that following license restoration they were still unable to drive legally because they could not afford the increased cost of auto insurance.
- A number of those that testified or provided comments described a "vicious cycle" created by license suspension. For example, after being suspended, a driver is unable to secure or maintain employment. Consequently, they cannot pay their fines, fees and surcharges. This in turn leads to more fines and further difficulty in having driving privileges restored. This cycle was referenced by both suspended drivers as well as those representing broader interests, such as the Newark/Essex Construction Careers Program; First Occupational Center; Volunteers of America; Atlantic City Department of Health and Human Services; and the Alliance to End Homelessness in Mercer County.
- A number of individuals providing testimony and/or comments noted that license suspension can have economic effects that go beyond impacts to the individual and family. They suggested that limitations on an individual's mobility, such as that which occurs after license suspension, can limit the labor force available to fill jobs in some areas for certain types of jobs. For example:
  - License suspension can limit the labor force available to fill jobs in key industries, such as home health care, motor vehicle sales and services, and

the construction trades, which require a valid license as a condition of employment.

- In addition, many employers use possession of a valid driver's license as a pre-qualifying "screening" question. This may unnecessarily limit the available labor force when driving a motor vehicle is not integral to job responsibilities.
- The following other potential economic impacts were noted:
    - Fewer drivers may result in less automobile related purchases for gas, service and insurance, which in turn results in decreased tax revenue for the State.
    - Drivers with suspended licenses that are unable to secure gainful employment or who are forced to take jobs that pay less may require public assistance payments, which is a cost to the State and its taxpayers.
  - Various drivers suspended for DUI reasons, as well as members of their families, testified regarding the unique hardships resulting from the long duration of DUI suspensions. Several individuals testified that the prolonged period of suspension has impeded their ability to become functioning members of society. Others suggested that it was unfair that suspension laws do not provide for "time off for good behavior," which could provide an incentive to continue controlling their addiction problems as well as help them secure better employment.
  - In addition, a number of individuals testified regarding the hardships associated with suspensions for failing to pay child support. Specifically, they noted that license suspension limits employment options, which in turn limits a person's ability to meet outstanding support obligations. This creates barriers to family reunification.
  - Finally, a number of individuals provided testimony and comments regarding the unique challenges facing parolees and inmates exiting the prison system. This population faces many obstacles related to driver's license suspension, including an immediate need for photo identification for employment and other general purposes. In addition, many individuals have accumulated significant fines/debt related to their license suspensions during their incarceration. They cannot afford to repay the debt or even make small payments when released because they are often faced with conflicting financial needs.

## **SECTION FOUR: RESTRICTED-USE DRIVER'S LICENSE PROGRAMS**

In 2004, researchers at Rutgers University completed an inventory of state practices related to license suspension and the use of restricted-use license programs in other states. Researchers found that conditional or restricted-use driver's licenses are available in 39 states and the District of Columbia. These licenses allow some or all suspended/revoked drivers to receive limited driving privileges during the time they are suspended. Table 29 provides a detailed summary of the restricted use license programs used in other states.

In all cases, the programs were created by statute. In addition, administrative code/regulations also help to guide implementation of the programs in approximately half of the states. The programs in some states are relatively new, such as Hawaii and Arkansas, which established hardship/restricted license programs in 2002 and 1996 respectively. However, in most states the programs have been in place for several decades.

Program eligibility varies widely from state to state. Most states offer restricted-use licenses to drivers for time delimited suspensions, such as those imposed for a first-time DUI offense, for point accumulation and for other traffic violations after a specified minimum period of suspension is served. Most often, the waiting period ranges from 30 to 90 days, although a few states require all conditional license applicants to serve half of their suspension/revocation period prior to being considered eligible for the license.

In most states, conditional or restricted-use licenses are not available to drivers suspended/revoked for multiple DUI offenses, negligent vehicular homicide, habitual offenders and for failure to render aid. Furthermore, in most states, drivers suspended for compliance reasons are not eligible. Drivers suspended for failing to maintain insurance are eligible in California, New York, Pennsylvania, Alaska and the District of Columbia. In addition, certain states, such as New York, Minnesota, Nebraska, Wisconsin and Wyoming permit those suspended for failing to pay child support to receive a conditional license. Finally, there are a few states, including Washington, South Dakota and Arizona that permit the issuance of a conditional use license when a driver is suspended for failure to pay fines and/or failure to appear in court.

Permitted travel and associated restrictions related to conditional use licenses also vary by state. Some limit travel for employment purposes while others are more lenient and allow travel for many other reasons including for medical purposes, school, child/elder care, "homemaker" duties and travel to and from religious services.

All states with conditional or restricted-use license programs reported that enforcement of license restrictions is primarily limited to law enforcement personnel during the conduct of day to day traffic law enforcement. Some states also require participants to

periodically return to court to demonstrate continued compliance; require employers to notify the motor vehicle agency if the conditions of a participant's employment change; or conduct follow-up audits to verify a participant's employment status.

Penalties for violating program restrictions most typically involve the cancellation of the license and reinstatement of the original suspension or revocation. Some states also extend the original suspension/revocation period, between several months to double the original period. Tennessee noted that if a participant is convicted of violating program restrictions, a fine is levied but the license is not rescinded. Oregon reported that those who violate program restrictions may lose the hardship/probationary license and are not eligible for another such license for a period of one year. Colorado reported that those who are convicted of violating program restrictions lose the license and are not eligible for a conditional license for any subsequent suspensions. Finally, program violators in New York lose their conditional or restricted license and the period during which they held the license is not credited when computing their compliance with the originally specified suspension/revocation period.

Most states considered their conditional license programs to be "effective." Officials in Iowa specifically noted that their program has reduced the number of habitual offenders. The State of Washington noted that while they do not have a procedure in place to track the effectiveness of the program, only a small number of occupational/limited licenses are ever cancelled.

Wisconsin is the only state to report having completed a comprehensive evaluation of their occupational licensing program. In 2003, they issued a report that concluded the program was successful because program participants were generally satisfied with various aspects of the program and experts familiar with the use of Wisconsin's occupational licenses agreed that the occupational licenses reduced unemployment and helped families avoid serious hardships. In addition, an analysis of motor vehicle violation and crash data revealed that occupational license holders tended to receive fewer citations and be involved in fewer accidents in the year after using occupational licenses than in the year before using such licenses (Wisconsin Department of Transportation 2003).

A recent survey of New Jersey drivers found that more than three-quarters of survey respondents supported the creation of a restricted-use license program for at least some suspended drivers under certain circumstances. Although support was greatest among drivers with a history of suspension, 69 percent of those drivers that have never been suspended expressed support for such a license. More than half of the respondents thought that persons suspended for "money-related reasons" such as failing to pay insurance surcharges should be eligible to receive a restricted use license. Fewer respondents supported allowing those suspended for failing to pay child support (39 percent) and failing to appear in court (28 percent) to receive such a license.

The overwhelming majority (96 percent) of those respondents that supported the creation of a restricted-use license favored using the license for employment purposes. Three-quarters (75 percent) supported use of the license for medical purposes. About two-thirds supported using the license for school purposes (68 percent) and for child/elder care (65 percent). Slightly more than half (57 percent) supported using the license for rehabilitation and counseling purposes and slightly less than half (46 percent) supported use of the license for personal/family needs (Carnegie, forthcoming).

Table 29: Summary of Restricted-use License Programs

	Alaska	Arizona	Arkansas	California	Colorado	Connecticut	Delaware	District of Columbia	Georgia	Hawaii	Idaho	Illinois	Iowa	Kansas	Louisiana	Michigan	Minnesota
<b>Background and Eligibility</b>																	
<i>Differentiate b/w suspension &amp; revocation</i>	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<i>Title of mitigation program</i>	Limited Driver License	Restricted Driving Privilege	Restricted Driver License	Restricted Driving Permit	Conditional/Job-related Probationary License	Employment Permit	Conditional/ Occupational Driver License	Limited Occupational License	Limited License	Hardship/Restricted License	Restricted Driver License	Restricted Driving Permit	Temporary Restricted License	Restricted License	Restricted License	Restricted License	Work/School Limited License
<i>Statute &amp; administrative code reference for program</i>	AS 28.15.201 and AAC Title 13, Chapt 4-8	ARS 28-3159 and AAC R17-4-402	AS Title 5, Chapter 65 Section 120	CVC Section 13352.5	CRS 42-2-126	CSL Title 14-37a-1 and Regs 14-37a	DC 21-2-27 Section 302.2733(a)(4) and Regs. 45	DCMR Title 18, Section 310	GC 40-5-64	HRC 286-109	IC 18-002(A), 49-325, 49-326 and AC 39.02.70	Chapt. 625 ILCS 5/6-205 (c), 206 (c)3, 206.1	IC Chapt. 321.215 and Regs. 761-615	KS Chapt. 8 Sec. 292	LRC 32.415.1	MCL 257.323c, 257.319(17)	MS Chapt. 171.30
<i>*Types of offenses eligible for program</i>	1st DUI 1st & 2nd Failure to maintain insurance	1st DUI Point violations ▼Some compliance issues	DUI offenders 1st Refusal to submit Point violations	DUI offenders Repeated traffic convictions Failure to maintain insurance	1st DUI Point violations	1st DUI 1st refusal to submit Point violations	1st & 2nd DUI Repeated traffic convictions Reckless driving	Point violations ▼Some compliance issues	1st & 2nd DUI Point violations	1st DUI Point violations	1st DUI Reckless driving Point violations Leaving the scene	1st & 2nd DUI Repeated traffic convictions	1st & 2nd DUI Habitual traffic offenders 1st Drag racing	DUI convictions Habitual traffic violators Reckless driving	DUI convictions Refusal to submit Reckless driving ▼Some compliance issues	1st DUI offenders 1st Refusal to submit Habitual traffic offenders	DUI & Refusal to submit Habitual traffic offenders Child support
<i>*Types of offenses not eligible for program</i>	Refusal to submit ▼Compliance issues	2nd or more DUI Refusal to submit Habitual offenders ▼Some compliance issues	2nd or more Refusal ▼Compliance issues	Refusal to submit ▼Compliance issues	2nd or more DUI Revoked licenses ▼Compliance issues	DWLS Reckless driving Leaving the scene ▼Compliance issues	Habitual traffic offenders ▼Compliance issues	DUI Reckless driving Leaving the scene	3rd DUI ▼Compliance issues	2nd or more DUI ▼Compliance issues	Refusal to submit Vehicular manslaughter ▼Compliance issues	▼Compliance issues	3rd or more DUI ▼Compliance issues	▼Compliance issues	▼Some compliance issues	2nd or more DUI 2nd or more Refusal ▼Compliance issues	Fleeing law enforcement ▼Compliance issues
<i>Mandatory minimum waiting period for program eligibility</i>	1st DUI - 30 days	1st DUI - 3 months	2nd & 3rd DUI - 1 year	1st DUI - 30 days	1st DUI - 30 days	Refusal - 3 months	1st DUI - 3 months 2nd DUI - 1 year	None	2nd DUI - 1 year	1st DUI - 30 days	1st DUI - 30 days	1st DUI - 30 days Under 21 DUI - 1 year 2nd or more DUI - 1 year	1st DUI - 30 days 2nd DUI - 1 year	1st DUI - 30 days 2nd or more DUI - 1 year	2nd & 3rd DUI - 1 year	1st DUI - 30 days	1st DUI - 15 days 2nd or more DUI - 90 days Refusal - 180 days
<b>Enrollment Process &amp; Requirements</b>																	
<i>Application</i>	Yes	No	No	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes - Child Support
<i>Application and/or license fee</i>	\$100 - DUI only	N/A	No fee	\$15	\$5	No fee	\$10	N/A	\$25	N/A	\$35	\$8 each	\$20	No fee	\$50	N/A	N/A
<i>In-person/phone interview</i>	No	No	Yes	No	Yes	No	No	No	No	Courts	No	Yes	No	No	Courts	No	Yes
<i>Entity determining program(s) acceptance</i>	Agency & Courts	Agency only	Agency & Courts	Agency only	Agency only	Agency only	Agency only	Agency only	Agency only	Courts only	Agency & Courts	Agency only	Agency & Courts	Agency & Courts	Courts only	Agency & Courts	Agency only
<i>Appeals process</i>	Yes	Yes	Yes	No	Yes	No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No
<i>Ignition Interlock Device (IID)</i>	No vendors	No	Yes - 2nd or more DUI	Court Discretion	Court Discretion	No	Yes - 2nd DUI	No	Yes - 2nd DUI	No	Court Discretion	No	Yes - 2nd or more DUI	Yes - 2nd or more DUI	Court Discretion	No	No
<b>Permitted Travel</b>																	
<i>Employment</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<i>Education (self and/or dependent)</i>		X	X	X			X	N/A	X	X	X	X	X	X	X	X	X
<i>Substance abuse treatment</i>			X					N/A	X	X		X	X	X	X	X	X
<i>Medical (self and/or dependent)</i>	X		X		X		X	N/A	X		X	X	X	X	X	X	
<i>Essential needs</i>				X	X		X	N/A			X		X				X
<b>New Document Issued</b>																	
<i>Surrender license</i>	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	
<i>License or permit w/ restrictions</i>	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X
<i>Authorization letter</i>								X					X	X	X		
<i>Photo ID</i>	X												X				
<b>Driving Restrictions</b>																	
<i>Purpose</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<i>Geography</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<i>Hours of operation</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<b>Notification Of Eligibility</b>																	
<i>No notification</i>		X				X			X	X							
<i>Mail from agency</i>	X		X	X	X	X	X				X	X	X	X	X		X
<i>Courts</i>																X	
<i>Information on website</i>	X					X		X									X
<b>Program Administration</b>																	
<i>Licensed drivers</i>	480,000	3.8 million	1.9 million	22 million	N/A	2.3 million	570,000	N/A	6.1 million	787,820	1 million	8.4 million	2 million	1.9 million	3 million	7.1 million	3.6 million
<i>Suspended/revoked drivers</i>	27,213	N/A	101,500	N/A	N/A	134,000	78,660	N/A	N/A	N/A	70,000	258,511	5,700	103,000	N/A	not tracked	163,500
<i>Program participants</i>	485	N/A	N/A	N/A	N/A	6,000	253	N/A	16,000	N/A	1,200	9,213	4,200	N/A	N/A	not tracked	16,560
<b>Peer Advice/Comment</b>	Conditional permits should go to first time offenders only and the program should be based on statute.	N/A	Statutes determining participant eligibility must be clear and explicit.	Design and administer the program with clear rules/restrictions.	N/A	Expressed mixed feelings, but noted the value and importance of the program, especially due to the lack of statewide transportation options.	Long-term suspensions/revocations are not effective. Impose severe burdens on offenders & offenders are less likely to pay fines/fees.	N/A	N/A	N/A	Programs should be based upon statute and administrative rules allowing for administrative ease by providing objectivity.	Automation of the restricted permit process is necessary. Should also be designed in a dynamic and flexible manner so it can adjust to potential legislative changes.	Their program is effective in reducing number of habitual offenders and the program's eligibility is expanding over time.	N/A	N/A	Issuance of a restricted license should be based on state statute and on the type and prior frequency of the conviction in question.	Eligibility criteria must be clear and law enforcement/courts should be involved with program. Advertising program is beneficial.

Notes:

\* - List not extensive, refer to full report

N/A - Information not available

▼ - Compliance issues include failure to pay fines and forfeitures, failure to appear, failure to maintain insurance, and child support

◊ - States also offering a payment reinstatement plan

Table 29: Summary of Restricted-use License Programs

	Missouri	Montana	Nebraska	Nevada	New York	North Carolina	North Dakota	Ohio	Oklahoma	Oregon	Pennsylvania	South Dakota	Tennessee	Texas	Virginia	Washington	Wisconsin	Wyoming	
<b>Background and Eligibility</b>																			
<i>Differentiate b/w Suspension &amp; Revocation</i>	Yes	Yes	Yes	Yes	Yes	No	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
<i>Type of mitigation program</i>	Limited Driving Privilege	Restricted/Probationary License	Medical Hardship License & Employment Drive Permit	Restricted Driver License	Conditional Use License & Restricted Use License	Limited Privilege License	Work/School Permit Program	Limited Driving Privileges	Modified License	Hardship/Probationary License	Occupational Limited License	Work/School Permit Program	Restricted License	Essential Needs License	Restricted License	Occupational and Limited Driver License	Occupational License	Probationary/Job Related License	
<i>Statute &amp; administrative code reference for program</i>	MRS Title 19, Chapt. 302 Sec. 010 & 309	MCS 61-2-206 and ARM 23.2.122	NS 60-4.130.1; 60-4.130.2; 60-4.129; 60-4.130	NRS 483.490, 483.270, 483.390 and NAS Chapt. 483.200	NYCL RUL-Article 21A Sect. 530 and Regs. Part 134-CUL & Part 135-RUL	NCGS 20-179.3	NDCC 39-06.1-10.1 and Regs. 37.03	ORC 4510.021	OS Chapt 47-6-113 and OAC Title 595, Subchapt. 7, Sect. 10-7-15	ORS 813.500, 807.240 & 270 & OAC 735-064-0020	PCS Title 75, Chapt. 15-53 and PAC Chapt. 86.1-3	SDS 32-12-49.4 and SDC 61.19	TS Title 55, Chapt. 50, Sec. 502	TS 521.241; 521.242 and TAC Chapt. 15	CV Title 18.2-271.1	RCW 46.20.391; 46.20.394	WS 343.10(2)(a)1 and WAC Chapt.117	WS Title 31, Chapt. 7, Sec. 105 and WDOT 4182, Sec. 20	
<i>*Types of offenses eligible for program</i>	DUI offenders Point violations Reckless driving	1st DUI Reckless driving Repeated traffic violations	1st DUI Point violations Child support	1st DUI Repeated traffic violations	DUI offenders Repeated traffic convictions ▼Some compliance issues	1st DUI 1st Refusal to submit Point violations	DUI offenders Point violations	DUI offenders Refusal to submit Point violations	DUI violators Reckless driving Point violations	1st & 2nd DUI 1st & 2nd Refusal Repeat traffic violations Habitual offenders	1st DUI 1st & 2nd Refusal Repeated traffic convictions ▼Some compliance issues	1st & 2nd DUI 1st & 2nd Refusal Point violations ▼Compliance issues	1st & 2nd DUI Point violations ▼Some compliance issues	DUI offenders Point violations	DUI offenders Reckless driving Repeat traffic convictions	1st DUI ▼Compliance issues	DUI offenders Habitual traffic convictions Child support 1st Drag racing	1st DUI Point violations Child support	
<i>*Types of offenses not eligible for program</i>	Habitual traffic offenders 2nd or more refusal ▼Compliance issues	2nd or more DUI Refusal to submit ▼Compliance issues	2nd or more DUI Refusal to submit ▼Compliance issues	Habitual traffic offenders 2nd or more DUI ▼Compliance issues	Leaving the scene Refusal to submit ▼Some compliance issues	2 or more DUI Leaving the scene ▼Compliance issues	Refusal to submit Revoked licenses ▼Compliance Issues	4th DUI 4th Refusal ▼Compliance Issues	Vehicular homicide ▼Compliance issues	Vehicular homicide Underage DUI ▼Compliance issues	2nd or more DUI Revoked licenses ▼Some compliance issues	Child support 3rd or more DUI 3rd Refusal Fleeing law	▼Some compliance issues	▼Compliance issues	Refusal to submit Vehicular homicide ▼Compliance issues	Refusal to submit 2nd or more DUI Habitual traffic offenders	Underage DUI ▼Compliance issues	2nd or more DUI Refusal to submit ▼Compliance issues	
<i>Mandatory minimum waiting period for program eligibility</i>	1st DUI - 30 days 2nd DUI - 1 year	None	1st DUI - 30 days	1st DUI - 45 days	None	1st DUI - 30 days 1st refusal - 6 months	DUI - 30 days Point violations-7 days	1st DUI - 15 days 2nd DUI - 30 days 3rd DUI - 6 months	2nd or more DUI - 1 year	1st DUI - 30 days 2nd DUI - 90 days 1st Refusal- 90 days	1st DUI - 60 days 1st Refusal - 1 year Certain DWLS - 3 months	None	2nd DUI - 1 year	2nd or more DUI - 90 days to 1 year	2nd DUI - 1 year 3rd DUI - 3 year	1st DUI - 30 days	2nd DUI - 60 days 3rd or more DUI- 90 days	None	
<b>Enrollment Process &amp; Requirements</b>																			
<i>Application</i>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	
<i>Application and/or license fee</i>	No fee	N/A	\$45	N/A	\$75	N/A	N/A	No	\$150	\$50	\$50	N/A	\$67	\$10	N/A	\$25	\$40	\$15	
<i>In-person/phone interview</i>	No	No	No	No	No	No	No	No	Yes - DUI or Points	No	No	No	No	Yes - DUI	No	No	No	No	
<i>Entity determining program(s) acceptance</i>	Agency & Courts	Agency & Courts	Agency & Courts	Agency only	Agency only	Courts only	Agency only	Courts only	Agency & Courts	Agency & Courts	Agency only	Agency & Courts	Agency & Courts	Agency & Courts	Agency & Courts	Agency only	Agency only	Agency only	
<i>Appeals process</i>	Yes	No	Yes	Yes	No	No	No	No	Yes	Yes	Yes	Yes	Yes - Cts No - DMV	Yes	Yes	Yes	Yes	Yes	
<i>Ignition Interlock Device (IID)</i>	Yes - 2nd or more DUI	Court Discretion	No	Court Discretion	Court Discretion	No	No vendors	Court Discretion	Yes - 2nd or more DUI	Yes	Yes - Refusal to submit	No	Yes - 2nd DUI	Court Discretion	Court Discretion 1st DUI & required - 2nd or more DUI	No	Yes - 2nd or more DUI	No vendors	
<b>Permitted Travel</b>																			
<i>Employment</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
<i>Education</i>	X	X		X	X	X	X	X	X		X	X	X	X	X	X	X	X	
<i>Substance abuse treatment</i>	X	X			X	X	X	X	X	X	X	X	X		X	X		X	
<i>Medical</i>	X		X	X	X	X	X	X	X	X	X				X			X	
<i>Essential needs</i>		X		X			X		X	X				X	X		X	X	
<b>New Document Issued</b>																			
<i>Surrender license</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
<i>License or permit w/ restrictions</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
<i>Authorization letter</i>					X			X		X	X		X	X	X				
<i>Photo ID</i>																			
<b>Driving Restrictions</b>																			
<i>Purpose</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
<i>Geography</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
<i>Hours of operation</i>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
<b>Notification Of Eligibility</b>																			
<i>No notification</i>	X						X				X	X	X	X	X	X			
<i>Mail from Agency</i>		X	X	X	X				X								X	X	
<i>Courts</i>	X			X		X		X		X			X		X				
<i>Website</i>	X		X	X			X	X		X		X	X		X	X	X		
<b>Program Administration</b>																			
<i>Number of Licensed Drivers</i>	3.5 million	450,000	1.3 million	1.5 million	11 million	5.5 million	457,000	8,728,546	2.3 million	2.6 million	8.3 million	550,000	4.2 million	15 million	5 million	4.3 million	3.7 million	455,000	
<i>Number of suspended/revoked drivers</i>	320,344	31,931	53,539	N/A	N/A	N/A	27,000	611,064	N/A	81,040	N/A	600,000	N/A	246,000	430,000	13,200 for Points	364,000	403,586	15,000
<i>Number of program participants</i>	3,508	1,716 for DUI	738	1,499	60,297	6,000	747	N/A	3,269	5,897	N/A	240 by DMV	5,000	12,197	15,600-18,000 for DUI	36,400	29,445	3,000	
<b>Peer Advice/Comment</b>	Automated system is very successful. Program helps reduce the number of people driving while suspended by providing them with viable options.	Program helps achieve compliance while harsher sanctions make offenders more likely to violate their suspension/revocation.	N/A	Program is effective. A program's statutory language should be simple and eligibility made clear.	N/A	N/A	Regulations of program should be based upon statute and clear administrative rules.	Implementation of Limited Driving Privileges has been successful.	N/A	N/A	The program is difficult to enforce but is necessary due to lack of viable transit options.	If program is implemented by both agency and court, then a driver record sharing system must be in place between both entities.	Their suspended/ revoked driving population is often frustrated why most offenses other than DUI are not eligible for the restricted license.	To prevent fraud, occupational licenses should be issued as a photo license.	Program eligibility should be clear in statutes, but if it is too rigid, DMV flexibility is sacrificed.	N/A	Program successful and keeps people working. License revocations are overused and the Tax Intercept program should be used to collect unpaid fines.	Eligibility for any conditional license program should be very specific.	

Notes:

\* - List not extensive, refer to full report

N/A - Information not available

▼ - Compliance issues include failure to pay fines and forfeitures, failure to appear, failure to maintain insurance, and child support

◊ - States also offering a payment reinstatement plan

## **SECTION FIVE: DETAILED RECOMMENDATIONS**

The following recommendations were developed by the Task Force taking into consideration the data and information provided to the Task Force and its subcommittees by subject matter experts and outside researchers, public comment received as part of its outreach activities, and deliberative discussions that took place at each of its meetings. It is important to note that any changes to the State's suspension laws must consider what impact the change may have relative to the deterrent and coercive effects of suspension and the potential effects the proposed changes may have on State and municipal revenue.

Many of the State's suspension laws are tied to compliance provisions, unrelated to motorist safety, that generate significant revenue for State and municipal governments. The two most notable examples are license suspension for non-payment of the MVC insurance surcharge program and failure to appear in court to pay/satisfy a parking ticket under the Parking Offenses Adjudication Act. In the case of the MVC insurance surcharge program, revenue derived from the program has been used to secure bonded debt until the year 2034.

The Task Force recommendations are intended to address the affordability and fairness of license suspension in New Jersey while balancing the need to maintain the deterrent and coercive effects license suspension provides as well as being sensitive to the potential revenue impacts of certain proposals. The recommendations are numbered for reference purposes only and are listed in no particular order:

### **1. Provide judges with more discretion in establishing time payment orders.**

- a. Amend N.J.S.A. 39:4-203.1 to provide the court with discretion to enter into court-administered installment payment plans in excess of 12 months. In addition, provide the court with the authority to a) suspend or vacate any unpaid portion of court fines and fees assessed as a result of a conviction for motor vehicle moving violation or parking offense if the individual is indigent or participates in a government-based income maintenance program; and/or b) order the person to perform community service or participate in any other program authorized by law in lieu of the unpaid portion of the assessment.

### **2. Make payment of court-administered fines and time payments easier for drivers.**

- a. Enhance the AOC NJMCdirect website to allow offenders to pay court ordered time payments and to resolve tickets with outstanding warrants or suspensions on-line. Provide NJMCdirect computer kiosks at MVC service centers to facilitate one-stop resolution of suspension requirements. Include information on the njmcdirect website informing customers how they may resolve outstanding suspension issues with MVC. Over time, improve



integration between MVC and AOC communication systems to allow drivers to restore driving privileges that have been suspended for failure to appear in court on-line. It should be noted that this recommendation has joint policy implications for both MVC and AOC.

**3. Amend the Parking Offenses Adjudication Act to permit suspension of vehicle registration as an alternative to license suspension.**

Currently, the courts have only two remedies to address a driver's failure to appear in court in response to a parking summons – driver's license suspension and issuance of an arrest warrant. License suspension is the less severe and generally favored option. Given the potential impacts of license suspension on a driver's employment status and/or prospects, the courts should also have the option to suspend a vehicle registration. Accomodation should be made to exempt fleet vehicles.

**4. Provide courts with greater discretion when adjudicating cases involving failure to comply with a child support order.**

- a. Allow payment plans in excess of 12 months for those failing to pay child support arrears.
- b. To the extent permissible under Federal law, make license suspension for failing to comply with a child support order discretionary when "compelling circumstances" warrant an exception.
- c. Support initiatives to increase compliance with child support payments using driver's license suspension as a remedy of last resort.

**5. Amend N.J.S.A. 39:3-40 to provide courts with greater discretion regarding the imposition of additional mandatory suspension time when drivers are convicted of driving while suspended for non-driving reasons. Consider whether the current fine amounts defined in the statute are appropriate given the nature of each offense.**

**6. Make payment of outstanding MVC insurance surcharges and restoration fees easier and more affordable for low income drivers.**

- a. Provide MVC with discretion to waive the 10 percent principal payment threshold for license reinstatement based on the individual circumstances of each case.
- b. Provide MVC with greater discretion with regard to payment plan options for new surcharges. Currently, new surcharge balances must be paid within one year and only those with balances greater than \$2,300 can enter into payment plans that extend beyond 12 months. Payment plan options should be permitted for up to 48 months or longer depending on the individual

circumstances of each case. Payment plans of this length are now limited to those drivers that have judgments filed against them in Superior Court.

- c. Provide MVC with the authority to create periodic amnesty programs for drivers with surcharges. The program should be specific regarding who may participate based on the offense which resulted in the surcharge balance. Consideration should also be given to providing program options for those unable to pay the principal surcharge amount in full, as required as part of the MVC's 2003 amnesty program.
- d. Allow deferment of payments and assessment of penalties for a certain period of time if a driver is unemployed, incarcerated or has been suspended for an extended period of time. Any payment deferment policies should include protections to prevent abuse by habitual offenders.
- e. Provide MVC with the discretion to reduce and/or waive the \$100 license restoration fee for "compelling reasons" and/or allow drivers to pay the \$100 license restoration fee as part of a payment plan.
- f. Allow license restoration to be satisfied at more MVC service center locations. Currently, license restoration can only be accomplished at one of MVC's four regional service centers.

It should be noted that some of the above recommendations may have implications in terms of future MVC revenue.

- 7. Conduct a revenue impact study to determine if lowering current surcharge amounts would increase overall collection rates and maintain or increase overall revenue from the insurance surcharge program.**
- 8. Rename the Insurance Surcharge Program to reflect its current purpose as a driver assessment penalty.**

The Insurance Surcharge Program is no longer related to insurance. As such its current name is misleading and confuses the public. While private insurance companies appropriately charge greater premiums for drivers who have engaged in dangerous driving behavior, this program assesses a supplemental fee or penalty on drivers in addition to the fine associated with the original offense and in addition to any increased insurance premium they may be charged. The new name should more accurately reflect the program's current function.

- 9. Increase public awareness and understanding of the insurance surcharge program and the potential consequences and added costs of not paying the surcharges.**
  - a. Create and disseminate multi-lingual informational brochures, posters and other materials about the program written to a 4<sup>th</sup> grade literacy level. Include information on which offenses result in surcharges, surcharge amounts,

payment plan options, and the consequence of not paying. Information should be available via the Internet and at MVC service centers and should be clearly communicated as part of driver education programs. In addition, the information should be made available at schools, colleges, One-Stop Career Centers, court houses, municipal buildings and other public facilities.

- b. Develop a new point advisory notice to be sent to all drivers convicted of a point carrying offense. The notice should indicate that the accumulation of six or more points will result in the assessment of insurance surcharges.

**10. Increase public awareness and understanding of the potential consequences of motor vehicle violations, including: fine amounts (for frequent violations), point accumulation, insurance surcharges and potential license suspension.**

- a. Create and disseminate multi-lingual informational brochures, posters and other materials about the potential consequences of motor vehicle violations. The materials should be written to a 4<sup>th</sup> grade literacy level. Information should be available via the Internet and at MVC service centers and should be clearly communicated as part of driver education programs. In addition, the information should be made available at schools, colleges, One-Stop Career Centers, court houses, municipal buildings and other public facilities.
- b. Mail an informational notice including information on the consequences of motor vehicle violations to drivers accumulating four or more points.

**11. Conduct a comprehensive review of New Jersey's current point system, program of administrative sanctions and driver improvement programs to determine the effectiveness of the programs relative to ensuring highway safety.**

- a. Evaluate the effect of plea bargaining motor vehicle offenses on highway safety. Special emphasis should be given to assessing the impact of N.J.S.A. 39:4-97.2, which created a new traffic violation, unsafe operation of a motor vehicle, for which no points are assessed for first and second offenses. This statute is frequently used by municipal courts to downgrade point carrying moving violations as part of plea agreements.
- b. Examine the effect of various administrative actions taken by MVC (e.g., point advisory notices, mandatory driver improvement programs, notices of scheduled suspension, and license suspension) on recidivism rates and highway safety.
- c. Review MVC sponsored Driver Improvement Programs and Defensive Driver programs approved by MVC but offered by other organizations to rationalize program content, requirements and point reduction benefits.

- d. Investigate programs used in other states to monitor driver behavior to determine if they are more or less effective than New Jersey's current program.

**12. Address issues that contribute to license suspensions for failing to maintain insurance.**

- a. Amend N.J.S.A. 39:6B-2 to provide the courts with greater discretion when considering cases involving operation of an uninsured vehicle. MVC currently has discretion regarding license suspension when notification of insurance lapse occurs administratively. The courts should be provided with similar discretion in cases where proof of insurance can be provided at the time of trial.
- b. Increase awareness and understanding related to New Jersey's alternative motor vehicle insurance programs (i.e., "Dollar-a-day" and "Basic" insurance coverage) among the general public and workforce development professionals.

**13. Regulate and/or limit insurance premium increases that are based on license suspensions for non-driving reasons.**

A recent survey of suspended drivers and numerous comments from members of the public support the finding that suspended drivers are subject to increased insurance premiums. Premium increases occur when drivers are suspended for driving as well as non-driving reasons. The fairness of premium increases resulting from suspension for non-driving reasons is questionable. The Department of Banking and Insurance (DOBI) should investigate current industry practices in this regard to determine if premium increases are justified.

**14. Consider creating a restricted-use license program for drivers suspended for financial reasons.**

The Task Force recognizes that the best way to address the unintended consequences of license suspension is to avoid the suspension of driving privileges in the first place. As such, many of the Task Force recommendations are designed to reduce the number of suspensions by (a) increasing public awareness regarding how and why a driver's license may be suspended, (b) improving suspension notification procedures and documents to increase compliance with suspension-related requirements before the suspension occurs, and (c) providing the courts and MVC with more flexibility and greater discretion to address the economic and other unique circumstances of each driver's situation.

Although these recommendations may address affordability and fairness issues for many suspended drivers, members of the Task Force recognize that for some drivers, restoration of full driving privileges may still be limited by financial means. As a result, the task force recommends the State consider creating a restricted use license for drivers suspended for financial reasons. Under such a program, drivers

unable to pay court-ordered installment plans, child support orders, and MVC insurance surcharges should be given the opportunity to obtain a limited purpose, restricted-use license for employment, job-training/education and self/dependent medical purposes. Such a proposal is not intended for drivers whose licenses were suspended for dangerous driving. The restricted use license proposed here would improve the employment prospects for these drivers and thereby increase the likelihood that they will be able to meet their financial obligations in the future and improve the state's ability to collect outstanding fines and fees.

The task force recognizes that there are a number of issues to be taken into account in developing the specifics of a restricted use license proposal, including (a) the effectiveness of other recommendations in eliminating economic hardship as a reason for license suspension and (b) the administrative resources involved in creating such a program.

**15. Change license suspension notification documents to make them easier to understand and include supplemental education materials to communicate the seriousness of license suspension and its potential consequences.**

- a. Modify envelopes used to send suspension-related notifications to include elements that communicate the importance of the material enclosed.
- b. Include information with notices that conveys MVC's openness and willingness to assist its customers to address suspension issues.
- c. Communicate essential information at an appropriate literacy level, including the importance of contacting MVC to receive assistance in addressing suspension issues.
- d. Display clearly on all notices that multilingual assistance is available via the telephone.

**16. Improve communication with the public and increase awareness among drivers facing license suspension that MVC has an administrative hearing process available to address the individual circumstances of their suspensions.**

- a. Develop public information materials explaining the nature of the administrative hearing process, how to request a hearing and potential outcomes. For example, explain that legal representation is not needed at hearings and that the first step of the hearing process involves a pre-hearing conference with a MVC representative.
- b. Prepare all notices and public information materials at an appropriate literacy level. Information should be reviewed annually to confirm its continued accuracy and relevancy.

- c. Make clear that multilingual assistance is available upon request.

**17. Undertake a sustained and systemized effort to provide social service agencies, employment counseling agencies, One-Stop Career Centers, Department of Corrections personnel, parole officers and support staff at transitional facilities with the information, training and tools they need to more effectively assist clients to address license suspension and restoration issues.**

- a. Develop training curricula and materials and provide regular staff training opportunities for employment counselors and others engaged in providing services to low income individuals and inmates transitioning from prison.
- b. Simplify the process through which employment counselors and others engaged in providing services to low income individuals and inmates transitioning from prison may obtain driver history abstracts. According to MVC rule, government agencies are exempt from paying the \$10 abstract fee.

**18. Elevate the importance of dealing with license restoration issues as part of the Department of Corrections discharge planning process.**

- a. Provide guidance on license restoration issues and procedures to those working with the population exiting the prison system, so that those individuals can provide counseling on the topic both before and following inmate release.

**19. Increase awareness among county administrators and social service agencies that public assistance funds (e.g., TANF and other federal programs permitting the use of funds for transportation purposes) can be used to pay surcharges, fees and fines associated with license suspension as a means to promote employment opportunities among eligible recipients. These funds are currently administered at the discretion of county human service agencies; however, very few counties use funds for these purposes.**

- a. Inform employment counselors and other social service providers that surcharges can be assessed and paid as one-time assessments rather than every three years, which permits greater use of public assistance funds for license restoration purposes. The current exception to this practice is DUI surcharge assessments.

**20. Amend existing laws, policies and procedures governing address change notification to increase the accuracy of MVC mailing address data.**

- a. Implement a public education campaign designed to emphasize the law requiring drivers to notify MVC of address changes and communicating the potential consequences of not notifying MVC of address changes. If possible, develop incentives to encourage compliance with the law.
- b. MVC should work with the United States Postal Service to develop a protocol for transmitting notification of address change requests submitted to the postal service. Once a protocol is in place, MVC should develop a procedure for confirming address changes with the driver. As needed, MVC should work with legislators to amend applicable laws to facilitate implementation of the new procedure.

**21. Monitor the License Restoration Program of the Essex County Vicinage and evaluate its effectiveness as a potential model for other jurisdictions.**

## **SECTION SIX: A FRAMEWORK FOR IMPLEMENTATION**

Section five of this report presents a series of twenty detailed recommendations addressing issues related to: court fines, fees, payment plans and discretion regarding license suspension; the Parking Offenses Adjudication Act; the MVC insurance surcharge program; the New Jersey Point system; public awareness and education; insurance issues; as well as training for social service providers and others engaged in assisting low income drivers and individuals transitioning from prison regarding license suspension and restoration issues.

Implementing the recommendations made in this report will require the participation and sustained commitment of many organizations, agencies and individuals. Potential implementation partners include members of the New Jersey Legislature; a variety of State agencies, including: the New Jersey Motor Vehicle Commission (MVC), New Jersey Administrative Office of the Courts(AOC), New Jersey Department of Human Services (NJ DHS); New Jersey Department of Labor and Workforce Development (DOL), New Jersey Department of Banking and Insurance(DOBI), New Jersey Department of Corrections (DOC); county government, municipalities; a variety of nonprofit and faith-based service and advocacy organizations, including but not limited to the New Jersey Institute for Social Justice, the New Jersey Automobile Dealers Association, the American Automobile Association (AAA), labor unions, and construction trade organizations; and members of the judiciary and legal services profession.

Table 30, presented on the following pages, provides a framework for implementation by identifying potential implementation partners and specifying which entities might take a leadership (identified with a ★) and/or supporting role (identified with a +) in advancing specific proposals.



Table 30 – Potential implementation partners

Recommendation	Potential Implementation Partners			
	MVC	AOC	NJ Legislature	Other
1. Provide judges with more discretion when establishing time payment orders		+	★	
2. Make payment of court-administered fines and time payments easier for drivers.		★		
3. Amend the Parking Offenses Adjudication Act to permit suspension of vehicle registration as an alternative to license suspension.		+	★	Municipal government
4. Provide courts with greater discretion to allow payment plans in excess of 12 months for those failing to pay child support arrears and support initiatives to increase compliance with child support payments using license suspension as a remedy of last resort.		+	★	Department of Human Services
5. Amend N.J.S.A. 39:3-40 to provide courts with greater discretion regarding the imposition of additional mandatory suspension time when drivers are convicted of driving while suspended for non-driving reasons. Consider whether the current fine amounts defined in the statute are appropriate given the nature of each offense.		+	★	
6. Make payment of outstanding MVC insurance surcharges and restoration fees easier and more affordable for low income drivers.	★		★	
7. Conduct a revenue impact study to determine if lowering current surcharge amounts would increase overall collection rates and maintain or increase overall revenue from the insurance surcharge program.	★			State Universities Department of Treasury

Table 30 (cont) – Potential implementation partner

Recommendation	Potential Implementation Partners			
	MVC	AOC	NJ Legislature	Other
8. Rename the insurance surcharge program to reflect its current purpose as a driver responsibility assessment.	+		★	
9. Increase public awareness and understanding of the insurance surcharge program and the potential consequences and added costs of not paying the surcharges.	★			
10. Develop informational materials to increase public awareness and understanding of the potential consequences of motor vehicle violations, including: fine amounts, point accumulation, insurance surcharges and potential license suspension.	★			
11. Conduct a comprehensive review of New Jersey's current point system and driver improvement programs to determine the effectiveness of the programs relative to ensuring highway safety.	★			State Universities
12. Address issues that contribute to license suspensions for failing to maintain insurance.		+	★	Department of Banking and Insurance
13. Regulate and/or limit insurance premium increases that are based on license suspensions for non-driving reasons.			★	Department of Banking and Insurance
14. Consider creating a restricted-use license program for drivers suspended for financial reasons.	+		★	Non-profit social service, employment & trade organizations
15. Change license suspension notification documents to make them easier to understand and include supplemental education materials to communicate the seriousness of license suspension and its potential consequences.	★			

Table 30 (cont) – Potential implementation partners

Recommendation	Potential Implementation Partners			
	MVC	AOC	NJ Legislature	Other
16. Improve communication with the public and increase awareness among drivers facing license suspension that MVC has an administrative hearing process available to address the individual circumstances of their suspensions.	★			
17. Undertake a sustained and systemized effort to provide social service agencies, employment counseling agencies, One-Stop Career Centers, Department of Corrections personnel, parole officers and support staff at transitional facilities with the information, training and tools they need to more effectively assist clients to address license suspension/restoration issues.	★			Department of Labor and Workforce Development Department of Human Services Department of Corrections State Parole Board Non-profit social service & advocacy organizations
18. Elevate the importance of dealing with license restoration issues as part of the Department of Corrections discharge planning process.	+			Department of Corrections State Parole Board Non-profit social service & advocacy organizations
19. Increase awareness among county social service agencies that public assistance funds can be used to pay surcharges, fees and fines associated with license suspension as a means to promote employment opportunities among eligible recipients.	+			County government Non-profit social service & advocacy organizations Dept. of Human Services Department of Labor and Workforce Development
20. Amend existing laws, policies and procedures governing address change notification to increase the accuracy of MVC mailing address data	★		★	U.S. Postal Service
21. Monitor the License Restoration Program of the Essex County Vicinage and evaluate its effectiveness as a model.	★	+		Essex County Non-profit social service & advocacy organizations

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