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TRAFFIC VIOLATION DISMISSALS INCREASE OFFENDERS' FUTURE CRASH RISK

Drivers who have their traffic violations dismissed after attending traffic violator school (TVS) go on to have more crashes than drivers whose convictions remain on the record. A study by the California Department of Motor Vehicles concludes that allowing drivers to avoid the consequences of their traffic violations increases their future crash risk.

In California and other states, judges have the option of allowing violators to attend traffic violator schools in exchange for having their citations dismissed. A person who takes such a course is assessed no points for the violation, which is removed from the driver's public record. Points for a second violation may also be removed by attending violator school but, this time, the dismissal appears on the driver's public record.

California drivers who accumulate four points in one year are termed "negligent operators" and are subject to license control actions. The California DMV study estimates that "over 13,000 license control actions are circumvented annually due to the TVS dismissal policy," contributing to the increased crash rate of the traffic violator school group.

Deterrent Potential is Lost

The loss in specific deterrence that occurs when traffic violator school drivers avoid license actions is compounded by the "perhaps more important...loss in general deterrence," according to the report. "Contingencies such as increased insurance rates and DMV actions are powerful motivators for drivers to drive safely, and the existence of TVS diversion provides a mechanism for avoiding these aversive contingencies."

The study compares two groups of drivers who received traffic citations during 1987-89. The traffic violator school group consisted of drivers who received TVS dismissals, and the conviction group was made up of drivers with one-point moving violations. Prior to the violations, the TVS drivers had characteristics associated with a lower crash risk than the convicted drivers — they were slightly older, more likely to be women, less likely

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to drive commercially, and had better driving records during the previous year, according to the authors.

Notwithstanding their lower initial crash risk, TVS drivers had a subsequent crash rate that was about 7 percent higher than that of convicted drivers during the year following the citation. When the TVS drivers' lower initial crash risk was considered, their crash rate was estimated to be about 10 percent higher than it would have been without the dismissal.

Offenders Can Receive “Good Driver Discounts”

The masking of traffic violations also allows some traffic violator school graduates to qualify as “good drivers” and receive insurance discounts as mandated by California law. The authors estimate that if TVS drivers were excluded, the “good drivers” crash rate would drop by 10 percent.

“The ultimate impact of misclassifying these individuals as good drivers is that they pay less than their fair share of insurance premiums, while others may pay more than their share in order to, in essence, subsidize this misclassification,” says the DMV report.

Dismissal Policy is Questioned

To maintain the “deterrent potential of traditional license control actions,” the report recommends assigning negligent operator points to all traffic violator school dismissals, and “unmasking the original TVS dismissal” if a driver receives a second TVS dismissal or traffic conviction within 18 months of the first incident.

This study corroborates a previous report by the California DMV indicating that traffic violator schools don't reduce the risk of future crashes. (See Advisory No. 7, January 1990.) A 1987 study found that TVS graduates with no previous convictions were more likely to crash during the six-month period following the incident than was the average driver with two convictions during the previous three years.

For further information, see “The Traffic Safety Impact of Traffic Violator School Citation Dismissals” by Raymond C. Peck and Michael A. Gerbers, California Department of Motor Vehicles, Division of Program and Administration, November 1991.

Relationship Between Driving Records And Subsequent Crash Likelihood

Traffic Incidents ¹ in Year Prior to Citation	Crashes per 100 Drivers ² in Year Subsequent to Citation		
	Drivers Convicted Of One Point Moving Violations	Drivers Who Completed TVS Course	Percent Increase
0	9.1	10.3	13%
1	10.9	12.4	14%
2+	14.5	18.9	30%
Total	9.8	10.8	10%

¹Traffic incidents include convictions, TVS dismissals, “failure to appear in court,” and crashes.

²Crash rates for each group are adjusted for differences (age, sex, etc.) known to affect crash likelihood.