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DRIVER RECORDS MAJOR SOURCES OF MISLEADING INFORMATION

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Publicly accessible driver records frequently are used as basis for decisions made by state agencies and industries, including property and casualty insurers. But are these records reliable?

An Insurance Institute for Highway Safety survey of motor vehicle departments in all 50 states and the District of Columbia, conducted in co-operation with the Insurance Research Council, finds that state and local practices adversely affect the completeness — and therefore the usefulness — of driver records, often resulting in an inaccurate picture of traffic violations and crash experience.

Keeping information about drivers' crashes and violations off public records makes it hard for insurers to evaluate the risks of current and prospective customers, compromises the ability of officials to enforce license control actions against negligent drivers, and limits the usefulness of such records to employers, researchers, and others.

Reporting Crashes on Driver Records

All U.S. jurisdictions provide some information about convictions in publicly available driver records. But only 24 states provide information in these records about all crashes — or at least crashes that drivers are required to report. Thirteen states (Alaska, Connecticut, Hawaii, Idaho, Illinois, Indiana, Kentucky, Minnesota, Mississippi, Nevada, New Mexico, North Dakota, and West Virginia) provide no information at all about prior crashes on these public records, and two states (Missouri and Wyoming) strictly limit information about driver involvement in crashes.

In 11 states (Arizona, Arkansas, Colorado, Delaware, Florida, Georgia, Maryland, Massachusetts, Michigan, Montana, and Utah) plus the District of Columbia, information about drivers' involvement is provided only if a citation is issued or if a driver is at fault or convicted of a violation.

The Insurance Institute for Highway Safety and the Highway Loss Data Institute are independent, nonprofit public service organizations that identify, develop, and evaluate ways to reduce the losses — deaths, injuries, and property damage — resulting from crashes on the nation's highways. Their work is wholly supported by the American Insurance Highway Safety Association, the American Insurers Highway Safety Alliance, the National Association of Independent Insurers Safety Association, and a number of individual insurance companies.

Reporting Violations on Driver Records

Thirty-seven U.S. jurisdictions report on convictions during the prior 3 to 4 years, and 14 show convictions going back 5 years or longer. In several states, how long a conviction appears on the record depends on the offense.

There are other disparities. Forty-three states and the District of Columbia report all types of moving vehicle convictions. Rhode Island does, too, but it doesn't report the kinds of violations that led to the convictions. Six other states (Arkansas, Minnesota, Montana, South Dakota, Tennessee, and Utah) place specific restrictions on publicly available information about speeding tickets.

Violation Record Dismissals

In California and other states, judges have the option of allowing violators to attend traffic violator school in order to have convictions dismissed, despite evidence that such schools don't reduce the risk of future crashes. (See Advisory No. 7, January 1990.) Almost 20 percent of all citations issued in California were dismissed in this manner during the one-year period from March 1989 through February 1990. Arizona, Illinois, Kentucky, and Texas have programs somewhat similar to California's in that convictions can be dismissed by attending violator school.

In addition to such formal, state-sanctioned programs, most state courts have the option to dismiss or reduce charges against people cited for motor vehicle violations. Courts may also defer sentencing, thereby enabling a conviction to be avoided. It's difficult to estimate how many violators keep their records clean this way, but it's clear that many people's driving records don't reflect their actual crash or violation histories.

Twenty-four states and the District of Columbia allow traffic law violators to reduce the "point" counts on their licenses and avoid license suspension by completing driver improvement courses. (Points are placed on drivers' records in these jurisdictions for crashes, violations, etc. When a specified number of points are accumulated, licensing action may be taken.)

Insurers At Extra Disadvantage

The records available to insurers sometimes cover shorter periods of time or include less information than the records that are supplied to employers. This is the case in Arkansas, Hawaii, Oregon, Pennsylvania, and Washington.

For further information, see "Completeness of Driver Records" by Adrian K. Lund, Denise Thum, and Carol W. Preusser. Copies may be obtained from the Insurance Institute for Highway Safety.

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