

Progress Report



October 2002

Report No. 02-52

Department of Highway Safety and Motor Vehicles Addresses Most Driver License Recommendations

at a glance

The Department of Highway Safety and Motor Vehicles took action to implement most of the recommendations in our 2001 report. The department

- modified its methodology to consistently report the performance of county tax collectors;
- established pilot projects to assess the validity of using driver skill-based testing to determine driver competency;
- established a task force to review new research and technological developments for improving driving tests;
- modified its reporting system to provide data that can be used to evaluate the effect of driver distractions on crash rates;
- increased its contracting with county tax collectors to provide driver license-related services; and
- increased its efforts to identify uninsured motorists.

We suggest as in our 2001 report that the Legislature consider revising the statutes to restrict the number of passengers in vehicles driven by teenage drivers and for drivers 70 years of age and older eliminate the mail-in renewal options and shorten the renewal

periods. Also, we again suggest that the Legislature authorize the department to contract with private entities to serve as driver license agents.

Purpose

In accordance with state law, this progress report informs the Legislature of actions taken by the Department of Highway Safety and Motor Vehicles in response to a 2001 OPPAGA report.^{1, 2}

Background

The Licenses, Titles, and Regulations Program driver license-related activities are intended to increase consumer protection and public safety. The program promotes safety by licensing only those drivers who demonstrate the necessary knowledge, skills, and abilities to operate motor vehicles on Florida's roads; suspending and revoking licenses of drivers who abuse their driving privileges; and monitoring drivers to ensure that they carry required insurance.

¹ Section 11.51(6), *Florida Statutes*.

² *Justification Review of the Driver License-Related Activities Performed by the Licenses, Titles and Regulations Program within the Department of Highway Safety and Motor Vehicles*, [Report No. 01-02](#), January 2001.

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The department divides driver license-related activities into four service categories.

- *Driver Licensure* includes issuing driver licenses and identification cards, answering telephones to resolve customer inquiries, and maintaining driver history records.
- *Motorist Financial Responsibility Compliance* includes activities to ensure that Florida motorists have statutorily required personal injury protection and property damage liability insurance coverage.
- *Identification and Control of Problem Drivers* includes activities to sanction and revoke the driving privileges of problem drivers and approving the curriculum of driver improvement courses.
- *Executive Direction and Support Services* includes general business functions, such as planning and resource management and supports all driver license-related activities.

State employees and county tax collectors acting as agents provide driver-licensing services. The department has approved 24 of Florida's 67 county tax collectors as agents.

The Legislature appropriated the program a total of \$80,354,932 and 1,499 positions for Fiscal Year 2002-03. The funds and positions appropriated for each service category are shown in Exhibit 1.³

³ These appropriations include the funding and staffing for the Executive Direction and Support Services, which the department allocated between Motor Vehicles Services and Driver License Services. The total legislative appropriation for Executive Direction and Support was \$2,700,752 and 42 positions, of which \$1,498,053 and 24 positions were allocated to driver license-related activities.

Exhibit 1 Most Fiscal Year 2002-03 Appropriations Allocated to Driver Licensure

Service Category	Appropriation	FTE Positions
Driver Licensure	\$65,710,830	1,202
Motorist Financial Responsibility Compliance	2,653,274	56
Identification and Control of Problem Drivers	10,492,775	217
Executive Direction and Support Services	1,498,053	24
Total	\$80,354,932	1,499

Source: General Appropriations Act for Fiscal Year 2002-03, Ch. 2002-394, *Laws of Florida*, and Governor's vetoes.

Prior Findings

Program Performance

The program did not consistently account for all the work of county tax collectors when reporting outputs such as driver license road tests. Department staff included county tax collector output in reporting the number of driver licenses and identification cards issued and the number of written driver license examinations conducted, but excluded tax collector output when reporting on the number of road tests conducted. Since the county tax collectors are part of the state driver-licensing system, their work should be included with that of program staff in calculating program outputs.

We therefore recommended that the Department of Highway Safety and Motor Vehicles consistently include the driver licensing work performed by county tax collectors and any other contractors when reporting on program outputs.

Control of Problem Drivers

Teenage drivers. Our 2001 report concluded that teenage driver crash rates

decreased favorably after the 1996 Legislature created a graduated driver-licensing system.⁴ Under this system, a teenager's driving privileges are expanded over three stages, a supervised learner's period, an intermediate licensing phase with adult supervision required only during high crash-risk nighttime hours, and full licensure after completing the prior stages.

However, we also concluded that teenage drivers are still more likely than those in other age groups to be involved in traffic crashes. Research attributed high teenage crash rates to factors such as immaturity, risk-taking, lack of driving experience, and deficiencies in the ability to react appropriately to complex traffic situations. We also noted that vehicles driven by teenage drivers with no passengers or only one passenger have a lower risk of being involved in a crash. Because teenage drivers have less experience in coping with distractions and staying focused on the driving task, the presence of passengers may increase driver error.

We recommended that the Legislature consider amending s. 322.05, *Florida Statutes*, to restrict the number of passengers allowed in vehicles driven by teenagers affected by the graduated driver-licensing system. We also recommended that the Department of Highway Safety and Motor Vehicles annually review the impact of the state's graduated driver licensing-system on crash rates, including the impact of any legislative changes to the system, and make recommendations to the Legislature

as to whether further restrictions are needed in Florida.

Elder drivers. Our 2001 report concluded that, except for teenagers, elder drivers are significantly more likely to be involved in crashes than those in other age groups and experience more crash-related fatalities. This increased risk was related to the effects of aging on health and a variety of physical and cognitive functions.

We also concluded that Florida's driver-licensing system was not prepared to address the challenges posed by a large and growing elder population. For instance, drivers may renew their driver licenses for up to 18 years through mail-in renewals without any direct contact with a licensing agent who could potentially identify possible impairments.

We therefore recommended that the Legislature consider revising s. 322.18, *Florida Statutes*, to eliminate the mail-in renewal option for drivers 70 years of age and older, shorten the renewal time period for these drivers, and require them to renew their licenses in person. We also recommended that the Legislature require the Department of Highway Safety and Motor Vehicles to develop age-based driver skill and vision assessment requirements for driver license renewals.

Cellular telephone use while driving. Our prior report noted that research had shown that cellular phone use while driving may increase the risk of being involved in a traffic crash. However, at the time of our review, the department did not collect data needed to evaluate whether cellular phone use is a significant factor in Florida's traffic crashes.

We therefore recommended that the Department of Highway Safety and Motor

⁴ The Florida Legislature created the graduated driver-licensing program for teenage drivers in 1996, Ch. 96-414, *Laws of Florida*. The program is designed to phase in young beginners to full driving privileges as they mature and develop their driving skills.

Vehicles modify its crash reporting system and database to compile data indicating whether the use of cellular phones or other distractions such as route guidance systems were factors contributing to crashes. We also recommended that if the analyses indicate cellular phone use or other items are a significant factor, the department should make recommendations to the Legislature as to whether legislation is needed to regulate the use of these items while driving.

Driver license testing. Our prior review determined that the department periodically revised its driving tests in response to changes in Florida's driving laws and requests made by various stakeholders. However, it had not established a system for continuously assessing and improving the tests' validity as predictors of a person's knowledge, skills, and ability to drive safely.

We recommended that the department establish a system for continuously assessing the validity of its driver tests as tools for determining whether individuals have the requisite knowledge, skills, and abilities. We also recommended that the department analyze existing data to identify factors contributing to motor vehicle crashes and determine whether the driving tests adequately assess a licensed applicant's knowledge of these factors, and whether the applicant has the skills and abilities needed to avoid these situations.

Privatization and Outsourcing

Our prior report noted that the department had contracted out certain driver-licensing functions in recent years. However, we concluded that the department could increase its contracting for driver license-related services by

expanding the use of county tax collectors as driver license agents and the use of third-party contractors to administer road tests.

We recommended that the department expand its contracting with county tax collectors to provide driver-licensing services; increase its contracting with third party contractors to conduct road tests for regular and commercial driver licenses; and strengthen its monitoring and oversight practices to evaluate the performance of contractors.

We also recommended that the Legislature amend the statutes in several areas. Specifically, we recommended the Legislature authorize private entities contracted by the department to be driver license agents for the purpose of providing specified driver-licensing services; authorize the department to set a fee range contractors may charge for specified driver-licensing services; and direct the department to pursue contracting with private entities on a pilot basis to provide driver-licensing services to the citizens of Florida.

Uninsured Motorists

Our 2001 report determined that insurance companies were not providing accurate and timely information on insurance policy renewals and terminations. These deficiencies hampered department efforts to identify uninsured motorists. The department was unable to readily identify insurance companies that were in violation of statutory reporting requirements. The department had no data tracking system to generate reports identifying late reporting by insurance companies. Identifying and reporting these insurance companies to the Department of

Insurance is essential for bringing the companies into compliance with statutory reporting timeframes.

When insurance companies are found not to be in compliance with state laws, the Department of Insurance may assess fines and penalties ranging from \$100 to \$20,000, depending on the degree of the violation. However, unless the Department of Highway Safety and Motor Vehicles informs the Department of Insurance of reporting violations by insurance companies, it would not be aware of the problem until it audited the insurance company.

We therefore recommended that the department

- provide continuing training and workshops for department staff, county tax collector staff, and representatives of insurance companies that address accurate reporting and timely data;
- develop and maintain a computer program to identify insurance companies that untimely report insurance policy data;
- develop criteria for the degree of noncompliance that would warrant reporting insurance companies to the Department of Insurance as being out of compliance with reporting timeframes; and
- submit a report identifying insurance companies that are not in compliance with reporting laws to the Department of Insurance on a quarterly basis.

We also recommended that the Department of Insurance provide follow-up information on actions taken to bring insurance companies into compliance with reporting requirements.

Status of Recommendations —

Overall, the department has taken action to implement most of our 2001 recommendations.

Provide consistency in performance data

Consistent with our recommendation, the department is now including tax collector output in reporting the number of driver licenses and identification cards issued and the number of written driver license examinations conducted. The department started reporting the number of road tests conducted by tax collectors in July 2002.

Enhance control of problem drivers

Consistent with our recommendation, the department began in July 2002 to annually review the impact of the state's graduated driver-licensing system on teenage driver crash rates.

The Legislature considered but did not revise the statutes to require age-based driver skill and vision assessment for driver license renewal. However, the department has established pilot projects through cooperative agreements with the National Highway Traffic Safety Administration and the Florida Department of Transportation to assess the validity of using driver skill-based testing to identify drivers with cognitive impairment who may be at significant risk for vehicular crashes. The projects are being conducted in partnership with the Department of Elder Affairs' Memory Disorder Clinics, which will refer individuals to serve as participants in the projects. The department plans to complete

the pilot projects' first phase on January 30, 2003.⁵

During the 2000 and 2001 sessions, the Legislature considered but did not revise the statutes to restrict the number of passengers in vehicles driven by teenage drivers, and to eliminate the mail-in renewal options and shorten the renewal periods for drivers 70 years of age and over.⁶ We suggest as in our 2001 report that the Legislature again consider revising the statutes.

Include driver distractions in crash reports

The department addressed our recommendation that it assess the impact of distractions, such as cellular phones, on vehicular crashes. The department modified its crash reporting system effective January 2001 to include a category for driver distractions. Based on six months of preliminary data collected in 2001, driver distractions contributed to less than 1% of crashes.

The 2002 Legislature required the department to report 2002 crash data on driver distractions to the President of the Senate and the Speaker of the House by February 28, 2003.⁷

Improve the validity of driver tests

The department established a task force to review new research and technological developments for improving driving tests,

such as driving simulators and computer assisted tests, and to determine which technologies would be most suitable for Florida. The task force is expected to complete its review in March 2003.⁸

Increase outsourcing of driver license services

The department addressed our recommendation by approving more county tax collectors to serve as its agents in issuing driver licenses. During Fiscal Year 2001-02, the department approved tax collectors in three additional counties to serve as its agents.⁹ The department estimated that this action resulted in a cost avoidance of approximately \$586,000.

In addition, the department began a three-year pilot project with several private driving schools to develop best practices that would allow these companies to conduct regular driving tests in addition to commercial driving tests. The pilot project is to be completed in 2003. The department plans to conduct a formal evaluation at the end of the project.

The department also plans to modify its driver license issuance computer systems so that they can provide information on the number of tests given by a specific tester or entity within a specific period of time. The department expects to complete modifying its computer systems by December 2002.

⁵ The pilot projects' site locations are in Dade County—University of Miami; Hillsborough County—Pasco/Pinellas Area Agency on Aging; and Orange County—University of Central Florida.

⁶ During the 2000 legislative session, the Legislature considered House Bill 1163 that would have restricted the number of passengers allowed in vehicles driven by teen drivers, but the bill did not pass. Also, legislation (Senate Bill 2518 and House Bill 59) was proposed in the 1999 and 2001 sessions to eliminate the mail-in renewal options and to shorten renewal time periods for drivers 70 years of age and older; these bills also did not pass.

⁷ Chapter 2002-179, *Laws of Florida*.

⁸ The task force is composed of nine members, including representatives from the Florida Aging Driver Council, Area Agency on Aging, Florida Alzheimer's Disease Initiative, and the Department of Highway Safety and Motor Vehicles.

⁹ During the period covered by our prior review, 21 of Florida's 67 county tax collectors were approved by the department to provide driver-licensing services. As of September 2002, the department has approved 24 county tax collectors as driver license agents.

We suggest as in our 2001 report that the Legislature consider authorizing the department to contract with private entities to serve as driver license agents.

Increase efforts to identify uninsured motorists

Consistent with our 2001 recommendations, the department has taken several actions to enhance its efforts to identify uninsured motorists.

- In August and October 2001 and February 2002 the department provided training to county tax collector employees and insurance company representatives on the importance of reporting accurate and

timely driver insurance policy information.

- The department has developed and is testing a computer program to identify insurance companies that are untimely in reporting data on insurance policy renewals and terminations. The department plans to have the computer program in operation by the end of Fiscal Year 2002-03.

The Department of Insurance reported that it plans to work with the Department of Highway Safety and Motor Vehicles to assure appropriate administrative actions are taken against those insurance companies that fail to comply with reporting requirements.

The Florida Legislature

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