
a d v i s o r y

IIHS members only

a d v i s o r y

TRAFFIC VIOLATION DISMISSALS AGAIN ARE LINKED TO FUTURE CRASH RISK

Drivers whose traffic violations are dismissed by courts following completion of traffic violator school are more likely to be in another crash within a year than drivers whose convictions remain on their driving records, reports a California Department of Motor Vehicles study that updates a prior DMV study on the same topic.

In California and other states, judges have the option of allowing violators to attend traffic violator schools in exchange for having citations dismissed. No points are assessed and the violation is removed from the driver's public record. In the California program, points for a second violation also may be removed by attending traffic school but, this time, the dismissal appears on the driver's record.

California drivers who accumulate 4 points in 1 year are deemed "negligent operators" subject to license control actions. People who complete traffic school are able to avoid about 15,000 license suspension/probation actions and about 6,000 probation violator sanctions each year in California.

Dismissals shield high-risk drivers

These courses are growing more popular, the author says. During 2005, 1.2 million California drivers attended traffic school, up 31 percent from 939,719 in 1996. In turn, courts are granting more traffic school dismissals, a move the report calls "unsettling in light of the strong evidence from prior DMV studies that the citation dismissal policy has a negative traffic safety impact."

Traffic school dismissals mask high-risk drivers, allowing them to sidestep penalties that normally would be deterrents, including license suspensions and revocations and higher insurance premiums. "Avoiding increased insurance premiums is one of the primary reasons violators choose the TVS [traffic violator school] option," the report notes. As a result, other people are exposed to these high-risk

Traffic school dismissals mask high-risk drivers, allowing them to sidestep penalties that normally would be deterrents, including license suspensions and revocations and higher insurance premiums.

Advisory No. 34, June 2008

1005 North Glebe Road, Arlington, VA 22201 703/247-1500 www.iihs.org

The Insurance Institute for Highway Safety and the Highway Loss Data Institute are independent, nonprofit scientific and educational organizations dedicated to reducing the losses — deaths, injuries, and property damage — from crashes on the nation's highways. This work is wholly supported by automobile insurers. Of special interest to insurers, advisories are published for member companies.

INSURANCE INSTITUTE
FOR HIGHWAY SAFETY

HIGHWAY LOSS
DATA INSTITUTE

drivers and “may be subject to higher premiums to compensate for the TVS drivers’ lower insurance rates.”

The study compares 2 groups of drivers who received traffic citations during 2000-01. The traffic school group consisted of drivers who received dismissals, and the conviction group included drivers with 1-point moving violations. Prior to the violations, the traffic school drivers had characteristics associated with a lower crash risk than the convicted drivers — they were slightly older, more likely to be women and to drive commercially, and had better driving records during the previous 2 years.

Despite their lower initial crash risk, traffic school drivers had a subsequent crash rate that was about 5 percent higher than that of convicted drivers during the year following the citation. When the traffic school 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.

More crashes and millions in economic losses

About 12,300 crashes each year occur because of the 1.2 million drivers who receive traffic school citation dismissals, the report estimates. The author pegged annual economic losses associated with these crashes at \$398 million.

“Any educational benefit from TVS instruction is not enough to offset the negative traffic safety impact of avoiding [negligent operator treatment system] interventions made possible by the citation dismissal policy,” the report states.

Revamping rules to prevent abuse

The author recommends assigning negligent operator points to all traffic school dismissals and unmasking the original traffic school dismissal if a driver receives a second dismissal or traffic conviction within 18 months of the first incident. Traffic school attendance would hinge on a driver’s having a clean driving record 2 years prior to the conviction. The report also says courts should be barred from using traffic violator school to dismiss more than 1 citation within any 18-month period, as well as major violations.

The study corroborates 3 previous California DMV reports indicating that traffic schools don’t reduce the risk of future crashes (see Advisory No. 7, January 1990, and Advisory No. 10, August 1992; on the web at ihs.org). California DMV studies in 1993, 1999, and 2003 found that traffic school dismissals combined with other risk factors increase the likelihood of a crash among traffic school drivers beyond that of drivers deemed negligent operators.

For further information, see “A Traffic Safety Evaluation of California’s Traffic Violator School Citation Dismissal Policy” by Michael A. Gebers, California Department of Motor Vehicles, Research and Development Branch, April 2007.

“Any educational benefit from TVS instruction is not enough to offset the negative traffic safety impact of avoiding [negligent operator treatment system] interventions made possible by the citation dismissal policy.”