

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672
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STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version: CS SB 95 SA
Publish Date: 3-26-87

Revision Date: _____

Agency Affected: Public Safety

Title: An Act relating to renewal of a driver's license.

BRU: Motor Vehicles

Sponsor: Kerttula

Components: Field Services

Requestor: Senate State Affairs

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		25.0	10.3	10.6	10.9	11.2
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		25.0	10.3	10.6	10.9	11.2
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		25.0	10.3	10.6	10.9	11.2
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

See page 2.

A 3% inflation factor was used for FY89 and subsequent years.

Prepared by: Charles R. Hosack Phone: 269-5551

Division: Motor Vehicles Date: 2-6-87

Approved by Commissioner: [Signature] Date: 2/6/87

Agency: Public Safety

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

JNR
2/6/87

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 95

ASSUMPTIONS:

1. Each year 80,000 licenses are due for renewal. (400,000 active licenses divided by 5 year license term)
2. Of these, 70%, or 56,000, will be eligible for mail renewal, and will be sent notices. The other 30% will have a license action or conviction making them ineligible for this program.
3. Of the eligible drivers, 25% have left the State during the 5 year period leaving 42,000 drivers who could take advantage of the program. (Percentage is based on renewal statistics for 1986.)
4. Of these drivers, only 30%, or 12,600, will take advantage of the mail renewal program. The 30% estimate is based on the actual figures from the mail-in vehicle registration program. Other factors affecting this figure will be drivers who have changed addresses and have not notified DMV, and drivers who wish to have a new photo, personal information, or new address recorded on the actual license.

EXPENDITURES:

Contractual

Postage

56,000 notices @ \$.18	10.1
12,600 renewals @ \$.22	2.8

Forms

Renewal notices and stickers	1.5
Savings on photo licenses (12,600 @ \$.75)	(9.4)

Data Processing Costs

Initial programming (one time cost)	15.0
Monthly runs of renewal notices	<u>5.0</u>
	25.0

ANALYSIS:

Personnel costs were not included because there will be no change in this area. Due to this program it is estimated there will be 12,600 less customers annually statewide in the field offices, which will result in some savings. At the same time, there will be extra work to do the monthly mailing, update the records, and process the returns for mailing. The savings and the extra work are roughly equal, resulting in no change in personnel costs.

BILL NO: CSSB 95 (SA)

DATE: March 27, 1987

TITLE: An Act relating to renewal
of a driver's license

CONTACT: Bill Brown
465-4335

MAR 27 1987

DEPARTMENT OF
PUBLIC SAFETY
MAIL ROOM

This bill would allow drivers under the age of 69 years to renew their driver's license by mail if they meet certain criteria. To be eligible for the program a driver must not have had a suspension, revocation or denial of license because of a DWI conviction, accumulation of points, or resulting from a chemical sobriety test or refusal to submit to the breath test following an arrest for DWI, within the past five years. The driver also must not have had a conviction for a moving violation within the past five years, nor have had their last license renewal by mail.

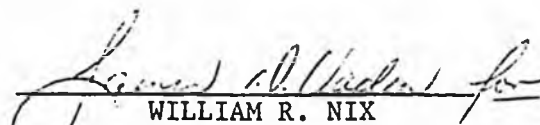
The bill requires a person who renews a driver's license by mail to pay an additional \$1.00 fee. This will allow the program to operate at no additional cost to the State after the first year.

The advantage of the bill is that it will make it easier for a person to renew a driver's license without the need to go to a DMV office. This serves as a reward for those with clean driving records. Another advantage is that it will reduce congestion somewhat in the motor vehicle offices throughout the State.

Under the program outlined in this bill a person may be allowed to drive for up to 10 years without vision screening. Since it is restricted to licensees under the age of 69 years, it is felt this will have little, if any, impact on highway safety.

This bill will reduce workload somewhat at the field offices, but it will also generate work to prepare and process the mailings. The savings and the new work will offset each other so there will be no change in personnel. Of the 42,000 drivers eligible for the program annually, the division estimates that 12,600 will take advantage of it. This estimate is based on the percentage of drivers who use the mail-in vehicle registration program annually.

The department supports this bill.


WILLIAM R. NIX
Acting Commissioner

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version : CSSB 95 (SA)

Publish Date : _____

Revision Date: _____

Title: An Act relating to renewal of a
driver's license

Agency Affected: Public Safety

BRU: Motor Vehicles

Sponsor: Kerttula

Requestor: Senate Judiciary

Components: Field Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		20.8	10.3	10.6	10.9	11.2
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	20.8	10.3	10.6	10.9	11.2

CAPITAL						
---------	--	--	--	--	--	--

REVENUE		6.3	12.6	12.6	12.6	12.6
---------	--	-----	------	------	------	------

FUNDING: (Thousands of Dollars)

GENERAL FUND		20.8	10.3	10.6	10.9	11.2
FEDERAL FUNDS						
OTHER						
TOTAL		20.8	10.3	10.6	10.9	11.2

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

See Page 2.

Prepared by: Charles R. Hosack
Division: Motor Vehicles

Phone: 269-5551
Date: 3-27-87

Approved by Commissioner: [Signature]
Agency: Public Safety

Date: 3/27/87

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)
 - Senate Secretary

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 95 (SA)

ASSUMPTIONS:

1. Each year 80,000 licenses are due for renewal. (400,000 active licenses divided by 5 year license term)
2. Of these, 70%, or 56,000, will be eligible for mail renewal, and will be sent notices. The other 30% will not be eligible due to a license action, conviction, or age.
3. Of the eligible drivers, 25% have left the State during the 5 year period, leaving 42,000 drivers who could take advantage of the program. (Percentage is based on renewal statistics for 1986).
4. Of these drivers, only 30%, or 12,600, will take advantage of the mail renewal program. The 30% estimate is based on the actual figures from the mail-in vehicle registration program. Other factors affecting this figure will be drivers who have changed addresses, and have not notified DMV, and drivers who wish to have a new photo, personal information, or new address recorded on the actual license.

EXPENDITURES:

Contractual

Postage

28,000 notices @ \$.18	5.1
6,300 renewals @ \$.22	1.4

Forms

Renewal notices and stickers	1.5
Savings on photo licenses (6,300 @ \$.75)	(4.7)

Data Processing Costs

Initial programming (One time cost)	15.0
Monthly runs of renewal notices	2.5

TOTAL 20.8*

*Based on effective date of 1-1-88. A 3% inflation factor was used for FY89 and subsequent years.

ANALYSIS:

Personnel costs were not included because there will be no change in this area. Due to this program it is estimated there will be 12,600 less customers annually statewide in the field offices, which will result in some savings. At the same time, there will be extra work to do the monthly mailing, update the records, and process the returns for mailing. The savings and the extra work are roughly equal, resulting in no change in personnel costs.

REVENUE:

Section 3 increases renewal fee by \$1.00 if the driver's license is renewed by mail. Since bill is only effective for half of FY88, the amount generated is estimated to be \$6,300 page 2 of 2

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

Senate State Affairs 2-9-87

Alaska State Legislature

Senate Advisory Council



P.O. Box V
State Capitol
Juneau, Alaska 99811
Phone: (907) 465-3114

MEMORANDUM

TO: Senator Kerttula
Alaska State Legislature

ATTN: Beth Kerttula

FROM: Lee Ann Lucas *ld*
Senate Advisory Council

DATE: February 26, 1987

RE: Renewal by Mail of Driver Licenses
Research Request 87-003173

I contacted Mr. Jerry Holman, Division of Motor Vehicles, who is Program Director for Arizona's renewal by mail program which went into effect January 1, 1987.

Mr. Holman related that the program has presently generated 57,000 applications and he expects it to generate 200,000 applications by the end of the year. Mr. Holman stated that Arizona had looked at California's demonstration program prior to implementing a program; however, Arizona did not model their legislation after California.

Mr. Holman pointed out that Subsection A, paragraph 5 of ARS 28.426.01 (copy attached) has been extended to include vision testing at any state motor vehicle office due to complaints by individuals who do not want to or cannot afford to spend the money to have a vision test by a licensed ophthalmologist, optometrist or physician.

I have asked Mr. Holman to send relevant information on the program as well as any background materials on the enacting legislation. I will make copies available to you as soon as they are received.

LAL:lal
Attachment

TRANSPORTATION

TRANSPORTATION

§ 28-426.01

... of a violation of the
... shall be entitled to
... provisions of this chapter.
... or vehicle in any manner
... used to him.

... ines, see § 13-801 et seq.
... risonment, see § 13-701 et

... ion by mail

... operator's or chauffeur's
... the applicant's birthday.
... six months prior to the
... irs four years from the
... require an examination of

... chauffeur's license expires
... to renew his operator's or
... te of his discharge from

... operator's or motorcycle
... of this state at the time the
... eriod to last at least thirty
... not extend the expiration
... by the applicant of the fee
... of extension which is valid
... In addition, applicants for

... applicants, except that the

... § 28-205, the department
... license of a spouse or child
... armed forces of the United
... photograph of the licensee.
... applicant would be denied
... in this state. In addition,

... § 3: Laws 1984, Ch. 31, § 2

... standing the provisions of
... Revised Statutes, the director
... of transportation, in order to
... of the four year license provided

for in § 3 of this act and to avoid uneven work-
loads in calendar years 1986, 1987 and 1988 may
issue or renew licenses for three years in accord-
ance with the following schedule:

Calendar Year	Not to Exceed
1984	75%
1985	50%
1986	25%

"B. The director of the department of trans-
portation may enact rules which will establish a
random basis for selection of applicants to be
issued a three year license so as to distribute the

renewal workload as uniformly as practicably
throughout the twelve months of the calendar
year.

"D. The provisions of this section expire
from and after December 31, 1986."

1977 Reviser's Note:

In the section heading "; renewal" was insert-
ed pursuant to authority of § 41-1304.02.

Library References

Automobiles §136.

C.J.S. Motor Vehicles §§ 21, 146 et seq.

§ 28-426.01. Driver's license; renewal by mail; application; eyesight standards;
rules; violation; classification

A. On payment of the fee prescribed in § 28-205, the department may renew by mail
the operator's or motorcycle operator's license of a person who meets all of the following
requirements:

1. Has not been convicted of a moving traffic violation pursuant to chapter 6 of this
title¹ for the four years immediately preceding the determination of eligibility for renewal
under this section.
2. Has not had his license suspended, revoked, cancelled or denied according to the
records of the department for the four years immediately preceding the determination of
eligibility for renewal under this section.
3. Is renewing the license for the same class of license currently held.
4. Is not seventy years of age or older.
5. If sixty years of age or older, has presented or mailed to the depar.ment on a form
prescribed by the department a report based upon an examination not more than three
months prior to the date of its submission of the applicant's eyesight by an ophthalmolo-
gist, optometrist or physician licensed to practice medicine.
6. Has been issued a driver's license for at least seven years, the last three years of
which have been issued by this state.
7. The license issued by this state has not been renewed by mail in the last four years
immediately preceding the expiration of the current license.

B. The department shall notify persons meeting the requirements of subsection A of
this section that they may renew their license by mail and shall enclose an application in
the form prescribed by the director. If renewing by mail, the applicant shall complete
and return the application to the department.

C. The department shall issue a certificate of renewal to those applicants qualifying
which shall include the applicant's name, date of birth, address, driver's license expiration
date, number of the license renewed and other information as the department requires.
The certificate is not valid until it is signed by the applicant and attached to the last
license issued by this state which contains the photograph of the applicant.

D. The department shall decide whether in each case the eyesight reported pursuant
to subsection A, paragraph 5 of this section is sufficient to meet current eyesight
standards.

E. An ophthalmologist or optometrist licensed to practice in this state who examines a
person licensed under this article and determines that such a person does not meet the
standards set by the medical advisory board pursuant to § 28-433 shall notify the director
of such failure to meet the standards. Upon receipt of such a notification, the director
shall promptly notify the individual that his eyes must be examined within ten days of
notification as prescribed by the director. If the individual fails the eye examination or
fails to report for the eye examination, his license shall be revoked until such time that he
passes the examination.

F. The department may promulgate rules for the issuance of the renewals of licenses under this section as it deems necessary for the safety and welfare of the traveling public.

G. Notwithstanding § 13-2704, a person who makes a false certification on an application permitted under this section is guilty of a class 1 misdemeanor.

Added by Laws 1986, Ch. 308, § 3, eff. Jan. 1, 1987.

¹ Section 28-601 et seq.

Effective January 1, 1987

For delayed effective date of provision of Laws 1986, Ch. 308, see Historical Note following § 16-112.

1986 Reviser's Note:

Pursuant to authority of § 41-1304.02, in the heading of this section "eyesight standards;" was added following "application;"

§ 28-427. Notice of change of address or name

Cross References

Service of notice of suspension, revocation, or cancellation of operator's or chauffeur's license, see § 28-453.

Law Review Commentaries

Name change, minors. 18 Ariz.L.Rev. 725 (1976).

§ 28-428. Records to be kept by department

A. The department shall file every application for a license received by it and shall maintain suitable indexes containing, in alphabetical order:

1. All applications denied and on each application a note of the reasons for the denial.
2. All applications granted.
3. The name of every licensee whose license has been suspended or revoked by the department and after each name a note of the reasons for the action.

B. The department shall also file all abstracts of court records of convictions received by it under the laws of this state and in connection therewith maintain convenient records or make suitable notations in order that an individual record of each licensee showing the convictions of the licensee and the traffic accidents in which he has been involved is readily ascertainable and available for the consideration of the department upon an application for renewal of license and at other suitable times.

C. The department shall maintain all such records for a period of five years after the application, suspension, revocation or abstract of a court record of conviction has become inactive.

Amended by Laws 1983, Ch. 66, § 2.

Notes of Decisions

1. Construction and application

In personal injury action wherein motorist and his wife alleged that State breached duty owed to them when motor vehicle department issued driver's license in violation of statute to driver with known history of psychomotor seizure who, while unconscious due to seizure, struck motorist and thereby injured him, substantial fact issue existed as to whether any duty state may have breached was owed to public generally and not to plaintiffs, precluding summary judgment. *Oleszczuk v. State* (1979) 124 Ariz. 373, 604 P.2d 637.

Statutory duties requiring motor vehicle department to keep records of driver's license applications, suspensions of licenses and reasons therefor and convictions and traffic accidents for all licensees and to establish medical advisory board to advise department of medical standards for driver licensing are specific and designed to protect that portion of public using highways. *Id.*

Portion of driver's license application which required applicant to indicate whether he was subject to epilepsy, seizures, or fainting spells was designed to protect persons who might be injured in automobile accident as result of driver suffering such spell. *Id.*

BILL NO: SB 95

DATE: February 6, 1987

TITLE: An Act relating to
renewal of a driver's
license

CONTACT: Charles R. Hosack
269-5551

DEPARTMENT OF
PUBLIC SAFETY

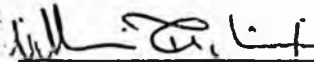
This bill would allow drivers to renew their driver's license by mail if they meet certain criteria. To be eligible for the program a driver must not have had a suspension, revocation, or denial of license because of a DWI conviction, accumulation of points, or resulting from a chemical sobriety test, or refusal to submit to the breath test following an arrest for DWI within the past five years. The driver also must not have had a conviction for a moving violation within the past five years. A driver may renew by mail for two consecutive five year periods provided the criteria is met.

The advantage of the bill is that it will make it easier for a person to renew a driver's license without the need to go to a DMV office. This serves as a reward for those with clean driving records. Another advantage is that it will reduce congestion somewhat in the motor vehicle offices throughout the state.

The disadvantage of the program is that a person may be allowed to drive for up to 15 years without vision screening at license renewal. This vision screening is often the first real indication that their vision has deteriorated to the point of becoming a hazard. The other disadvantage is that a driver may go for 15 years without a current photo on the license which could be detrimental to financial institutions and law enforcement.

This bill will reduce workload somewhat at the field offices, but it will also generate work to prepare and process the mailings. The savings and the new work will offset each other so there will be no change in personnel. Of the 42,000 drivers eligible for the program annually, the division estimates that 12,600 will take advantage of it. This estimate is based on the percentage of drivers that use the mail-in vehicle registration program annually.

The department is neutral on this bill.



WILLIAM R. NIX
Acting Commissioner

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version : SB 95
Publish Date : _____

Revision Date: _____

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BRU: Motor Vehicles

Sponsor: Kerrtula

Components: Field Services

Requestor: Senate State Affairs

EXPENDITURES/REVENUES: (Thousands of Dollars)

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TRAVEL						
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SUPPLIES						
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MISCELLANEOUS						
TOTAL OPERATING		25.0	10.3	10.6	10.9	11.2

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		25.0	10.3	10.6	10.9	11.2
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

See page 2.

A 3% inflation factor was used for FY89 and subsequent years.

Prepared by: Charles R. Hosack Phone: 269-5551

Division: Motor Vehicles Date: 2-6-87

Approved by Commissioner: [Signature] Date: 2/6/87

Agency: Public Safety

Distribution (by preparer):

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JNR
2/6/87

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 95

ASSUMPTIONS:

1. Each year 80,000 licenses are due for renewal. (400,000 active licenses divided by 5 year license term)
2. Of these, 70%, or 56,000, will be eligible for mail renewal, and will be sent notices. The other 30% will have a license action or conviction making them ineligible for this program.
3. Of the eligible drivers, 25% have left the State during the 5 year period leaving 42,000 drivers who could take advantage of the program. (Percentage is based on renewal statistics for 1986.)
4. Of these drivers, only 30%, or 12,600, will take advantage of the mail renewal program. The 30% estimate is based on the actual figures from the mail-in vehicle registration program. Other factors affecting this figure will be drivers who have changed addresses and have not notified DMV, and drivers who wish to have a new photo, personal information, or new address recorded on the actual license.

EXPENDITURES:

Contractual

Postage

56,000 notices @ \$.18	10.1
12,600 renewals @ \$.22	2.8

Forms

Renewal notices and stickers	1.5
Savings on photo licenses (12,600 @ \$.75)	(9.4)

Data Processing Costs

Initial programming (one time cost)	15.0
Monthly runs of renewal notices	<u>5.0</u>
	25.0

ANALYSIS:

Personnel costs were not included because there will be no change in this area. Due to this program it is estimated there will be 12,600 less customers annually statewide in the field offices, which will result in some savings. At the same time, there will be extra work to do the monthly mailing, update the records, and process the returns for mailing. The savings and the extra work are roughly equal, resulting in no change in personnel costs.

INTERIM REPORT TO THE LEGISLATURE OF THE STATE OF CALIFORNIA

THE EFFECT OF RENEWAL BY MAIL FOR DRIVERS WITH LESS THAN FOUR-YEAR-CLEAN RECORDS

In Accord with Senate Bill No. 483
Chapter 776, 1982 Legislative Session

November 1985



GEORGE E. MEESE
Director

Prepared by Research and
Development Office
CAL—DMV—RSS—85—101

ACKNOWLEDGEMENTS

This study constitutes an interim evaluation of a demonstration program offering license extensions to California drivers with clean 2-year, but not clean 4-year, records. It was mandated by SB 483 (Speraw, 1982). The opinions, findings, and conclusions expressed in the report are those of the author (Mary K. Janke, Research Program Specialist) and not necessarily those of the State of California.

The research was conducted under the general administrative direction and review of Raymond C. Peck, Chief, Research and Development Office of the California Department of Motor Vehicles. Costs of the mail renewal and regular renewal program were furnished by the Department's Division of Driver Safety and Licensing, and were reviewed by the Management and Operations Analysis Office.

Appreciation is expressed to staff who shared in the production of this report, including Melanie Becker, Judy Gunter, Debra Difuntorum, Louie Wong, Mary Lou King, and Fe Arconado.

ABSTRACT

A pilot program was established by SB 483 (Speraw, 1982), authorizing the Director of the California Department of Motor Vehicles (DMV) to renew by mail the licenses of drivers lacking clean 4-year records, but showing clean 2-year records immediately prior to selection. Such drivers constitute about 14% of the renewal population, or almost 500,000 renewees per year. Eligible drivers whose licenses expired during 1983 were subjects in the study, half of them being randomly assigned to a group whose members were sent offers of renewal by mail and the other half being sent standard renewal notices requiring appearance in a field office. Accidents and convictions following the mailout of these documents were tracked for both groups; the present interim report covers an 18-month period subsequent to mailout.

During these 18 months, there was no evidence that the extension program resulted in increased accidents for the group offered renewal by mail as compared to the control group. In addition, there was no significant difference between the groups with respect to subsequent convictions.

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EXECUTIVE SUMMARY

A sequence of legislation has sought, since 1978, to simplify the renewal process in California. Previous programs, authorized by AB 777 (Calvo, 1979) and AB 583 (Calvo, 1978), offered license extensions to drivers whose licenses were expiring and who had clean 4-year records. The program authorized by AB 583 (no longer in existence) offered 2-year extensions to such drivers regardless of age, while the program authorized by AB 777, which is ongoing, offers 4-year extensions to drivers under the age of 70. The authorizing legislation mandated evaluation of the effect of both programs on traffic safety.

The present study was mandated by SB 483 (Speraw, 1982; see Appendix) as an evaluation of a demonstration program authorizing license renewal by mail (the equivalent of license extension) for drivers under the age of 70 with clean 2-year, but not clean 4-year, records. (Drivers with clean 4-year records renew by mail through the ongoing program authorized by AB 777.) Two-year-clean drivers have on their California Department of Motor Vehicles (DMV) records, at the time of selection to receive offers of renewal by mail, no accidents, no convictions, and no failures to appear in court or forfeit bail (FTAs) in connection with traffic violations, during the immediately preceding two years. The intent of the program is to decrease administrative costs and offer increased convenience to the public.

This report contains a review of research literature on the effect of omitting components of the standard renewal process, which includes vision screening and traffic law testing. In general, omission of renewal testing has not been shown to have any great effect on subsequent accident or conviction rates.

The department's final evaluation of the Calvo extension programs (Kelsey, Janke, Peck & Ratz, 1985) is probably the most relevant study included in this literature review. It is highly similar to the present study in conception, although drivers in the Kelsey et al. study, as mentioned above, had clean 4-year prior records. Using random assignment to extension and control groups, the investigators tracked driving records during the 4-year period following mailout of renewal notices or extension offers. There was a

slight (1%) increase in accident involvement over these four years for the extension group as compared to their controls, but the difference did not reach statistical significance.

Method

From October 1982 through September 1983, drivers under the age of 70 whose licenses would expire during 1983 were screened to select those with clean prior 2-year records and no fatal accidents or major convictions during the prior 4 years (requirements of the authorizing legislation). The resulting 496,366 drivers were then randomly assigned, by terminal digit of the driver's license number, either to a control group (N = 248,753) or to a mail renewal (hereinafter called extension) group (N = 247,613). Control drivers were required to undergo the standard in-person license renewal process, including law and vision testing. Extension drivers were allowed to renew their licenses by mail. While about 24% of the group chose to renew in a field office instead, those who indicated that they were eligible for extension had their records checked; their renewal tests were waived if eligibility was established. If they did not claim eligibility they were tested as usual. All such drivers were nevertheless retained in the extension group, to enable generalization to the operational program and because corresponding control-group members could not be identified and removed.

Licensing process variables which could affect program cost and/or traffic safety effect were identified and examined, as were license restrictions relating to corrective lenses or limitations in driving exposure (area, time, etc.). Restrictions were tabulated to determine whether personal contact with DMV personnel at the time of license renewal resulted in significantly more restricted drivers.

The major criterion variables were subsequent accidents and convictions, including FTAs. These variables were measured over the 18 months subsequent to mailout and analyzed by means of analysis of covariance. Differences between the extension and control groups on criterion measures were considered statistically significant if their probability of occurring by chance was less than .10 (10 chances in 100). However, the obtained level of

significance is also reported, since it provides a more informative index of the probabilities associated with the tests of hypotheses.

Results and Discussion

Despite the random assignment of subjects to treatments as described above, the extension group had a slightly worse prior record than the control group, in terms of accidents and convictions. The small difference probably reflects "chance significance," but it justified the inclusion of prior accidents and convictions as covariates in the analysis to adjust for potential bias.

Table 2 on page 16 shows licensing process variables, measured approximately 18 months subsequent to mailout. Extension drivers, in general agreement with the results of Kelsey et al. (1985), had more valid licenses and duplicate licenses, but fewer vision restrictions and vision referrals, than their controls. Extension drivers also had fewer limited-term licenses and fewer reexaminations or hearings on grounds of physical or mental impairment.

These data suggest that small numbers of extension drivers drove with unrestricted or regular-term licenses which would have been restricted or limited had the drivers been required to renew in person. Similarly, a small number of extension drivers escaped reexamination on grounds of impairment. However, it cannot be concluded that these drivers were unaware of their disabilities or failed to compensate for them.

Table 3 on page 19 shows average 18-month subsequent accidents per 100 drivers. The difference between the grand means for the extension and control groups amounts to a 1.7% effect in favor of the extension group. This difference just reached significance at the .10 level ($p = .10$), meaning that there was a 10% chance of obtaining the observed difference if the two programs had equal effects on accidents.

Table 5 on page 23 shows average 18-month subsequent convictions per 100 drivers, including FTAs. The obtained difference did not approach statistical significance.

Because the extension group had fewer accidents than the control group, there was no need to perform a benefit-cost or breakeven analysis.

Conclusion and Recommendations

There is no indication at this point that the savings to the public in reduced program administrative costs due to the Speraw-authorized pilot extension program is offset by an increased cost due to accidents. In fact, there is as yet no evidence for any increase in accidents attributable to the program. Nevertheless, this report is not considered definitive, since it covers only 18 months of post-mailout driving. Before drawing any conclusions regarding long-term program safety, it will be necessary to evaluate these drivers over their full 4-year license terms.

Because results of this interim evaluation were positive, it is recommended that the demonstration program be continued. In light of the brief follow-up period, however, it is also recommended that further expansion of the program to drivers currently ineligible not be made until the full 4-year evaluation has been completed.

INTRODUCTION

Prior to 1979, Californians wishing to renew their driver licenses were required to appear at local Department of Motor Vehicles (DMV) field offices and pass vision screening and written law tests. In rare instances, when the Licensing/Registration Examiner observed behavior that might adversely affect driving ability, they were also required to pass road tests.

In 1979, legislation (AB 583--1978, Calvo) provided that drivers with clean four-year records (about 50% of the California renewal population) could receive a single two-year extension of the driver license. Such drivers have records showing no traffic accidents, no convictions (regardless of point count) of traffic law violations, and no failures to appear in court or pay fines in connection with traffic law violations, for the four years preceding the time of renewal notice generation. The full license renewal fee, \$3.25 at that time, was charged for an extension.

In 1980, further legislation (AB 777--1979, Calvo) modified the extension program. It was now possible for drivers with clean four-year records to receive a single four-year driver license extension, but only if they were under the age of 70. Again, a \$3.25 fee was charged.

The two-year-extension program was superceded by the age-restricted four-year-extension program, an expanded (see below) version of which continues on an ongoing basis as the "renewal by mail" program. Both programs have been experimentally evaluated, and the results (Janke & Kelsey, 1981; Kelsey & Janke, 1983; Kelsey, 1984; Kelsey, Janke, Peck, & Ratz, 1985) showed no statistically significant detrimental effect on traffic safety attributable to the program. That is, "four-year-clean" drivers offered the opportunity to renew their licenses by mail, thus avoiding vision and law testing, did not have driving records significantly poorer than those of similarly eligible drivers who were required to renew in the regular manner. (The 1985 study, which covered four years of driving subsequent to treatment, is discussed in more detail below.)

The extension program was expanded in late 1982 (taking effect for 1983 renewals) to a maximum of two consecutive four-year extensions and to drivers with clean records for at least the preceding two years who were under the age of 70 (SB 483--1982, Speraw; see Appendix). Although the clean-record criterion period was reduced, a driver could not have a fatal accident or major (two-point) conviction on the record covering the four years preceding renewal notice generation. This program as it relates to two- and three-year-clean drivers, sometimes referred to as the Speraw renewal-by-mail demonstration program, is the subject of the present report. For evaluation purposes, all eligible licensees whose driver licenses expired during 1983, and whose driving records were at least two years clean but less than four years clean, were assigned randomly, by terminal digit of the driver license number, either to a mail renewal group or to a control group. Roughly equal numbers of subjects were assigned to each group. The mail renewal group was given the opportunity to renew by mail; the control group was not. Subsequent driving records of both groups are being followed and compared on an ongoing basis. The present report covers 18 months of driving subsequent to treatment, but the monitoring process will continue for a full four years.

The renewal-by-mail program is meant to accomplish the twin objectives of convenience to the public and economy to the department. Therefore the primary question of interest to be answered by the evaluation is whether these benefits are offset by increased accidents attributable to the program.

Any detrimental effect would presumably be mediated by the avoidance of renewal testing. The vision test serves a screening function; when low-vision drivers are identified they must have their vision corrected to a safe level in order to be licensed, and one or more restrictions are imposed on the license. Among drivers aged 50 years or younger, about half of one percent fail to meet the screening standard (with or without corrective lenses), and about two-tenths of one percent are referred to a vision specialist for corrective measures. Among drivers over the age of 50, almost two and one-half percent fail to meet the screening standard, and slightly over two percent are referred to a vision specialist (Kuan, 1984, unpublished data). However, static visual acuity under normal illumination--the only visual function presently tested in California--is only weakly correlated with accident

involvement, although a minimal amount of vision is certainly necessary for driving.

The written test screens out only a negligible proportion of drivers (there are oral and foreign language versions of the test for drivers who do not understand written English), but it serves an educational function in that drivers may study a manual containing rules of the road and safety-related information, which is distributed by the department, prior to taking the test. The possibility of failing the test undoubtedly motivates some applicants to study the manual, and this may lead to reduced accident likelihood. (It should be noted, however, that one California study--Kuan, Peck, & Sadler, 1982--failed to find an increase in accidents during the year following a written test waiver. That study is discussed in more detail below.)

Experimental Evaluations of Renewal Simplification

A study (California Department of Motor Vehicles, 1971) was performed, in response to Assembly Concurrent Resolution 67 (1969 legislative session), to evaluate the effect of (1) sending a congratulatory letter which indicated that the written law test would be waived, (2) sending a congratulatory letter with no promise of a waiver, or (3) neither (no contact), for drivers with clean 37-month records. There was random assignment of such drivers to the three groups. In addition, the study evaluated the effect, relative to a control group, of written-test waiver (no letter) on drivers selected randomly, regardless of driving record. All drivers were required to visit local field offices to pay the fee and take the vision test.

The six-month subsequent driving records of all subjects were examined. For the "good driver" letter/waiver group (members of which had their written tests waived) there was a small but statistically significant decrease in subsequent convictions; although this group also showed a tendency toward being involved in fewer subsequent accidents, the tendency did not approach statistical significance. A congratulatory letter alone had no effect on either the accidents or convictions of "good drivers." Similarly, no differences approached statistical significance for drivers given a written test waiver regardless of record.

The implication of these results is that law testing at license renewal has no particular value. However the study had relatively--for traffic safety research involving drivers with average or better records--few subjects (5,000 drivers per group for the "good driver" comparisons and 3,000 per group for the comparisons involving unselected drivers), combined with a brief follow-up period. Therefore there was little power to detect a small difference.⁽¹⁾ In addition, drivers selected regardless of record did not know that the test was to be waived until they arrived at the field office. Therefore they may have studied for it, and received safety benefits in that way.

Because the six-month follow-up period was perhaps inadequate to reveal true differences among the groups, Kuan, Peck, and Sadler (1982) followed the subjects for a full year subsequent to treatment. For drivers selected as having clean 37-month records, there was a statistically significant detrimental (accident-increasing) effect of the congratulatory letter alone, shown by comparison of the letter-only group to the other two groups. However, there was no significant difference in subsequent accidents between the letter/waiver and no-contact groups. For drivers selected regardless of record, there were no significant differences in subsequent accidents between those who took the test and those who received waivers. For neither population of drivers was there a significant effect on subsequent convictions. It was concluded that waiving the renewal law test had no negative effect on traffic safety.

Harano and Hubert (1974), in response to Senate Concurrent Resolution 104 (1971), evaluated the effect of a one-year license extension for drivers under the age of 56 with clean one-year records, as well as the incentive effect of promising a license extension, conditional on maintaining a clean record (incentive condition). The evaluation incorporated randomly assigned

(1) Traffic accidents are rare and have a large random component; this tends to render what would be a vast number of subjects in other research areas an inadequate number for detecting small but critical effects in traffic safety research. The problem is exacerbated in the case of drivers with relatively clean records.

treatment and control groups drawn from the population of eligibles. For the treatment group without incidents during the prior year there was no statistically significant effect of the extension on convictions in the following year, but, relative to the control group, there was a significant (14%) increase in accidents reported by law enforcement agencies, referred to in the report as "CHP collisions." (Such accidents include all those involving death or injury, and many involving only property damage.) This accident increase was found to be due primarily to drivers with less than three-year-clean records. While there was a nonsignificant tendency for the effect of treatment to vary by renewal year for three-year-clean drivers, with 1972 and 1973 extension-group renewees showing a trend toward increased CHP collisions, no reliable overall program effects on CHP collisions were found for this group. A possible implication of this finding is that there is a point, somewhere between a clean-record criterion of three years and a clean-record criterion of one year, beyond which it may become dangerous to extend the license of a driver meeting the criterion. The relevance of this supposition to the present evaluation is apparent; therefore results here will be given separately for two-year-clean and three-year-clean drivers, as well as for both groups combined.

As mentioned, the Harano and Hubert study also examined the incentive effect of extensions, finding that drivers whose renewal year was 1972 (as opposed to 1973-75) had a statistically significant reduction of 22% in CHP collisions during the year subsequent to notification. The letters notifying study subjects of the possibility of an extension were sent approximately 60 days before the licenses of 1972 renewees expired (Harano, 1985, personal communication), so these drivers had the shortest time lag between receipt of the letter and their next renewal. Drivers in later renewal years showed no incentive effect. However, regardless of the time between notification and renewal, drivers who maintained clean records over the year subsequent to notification and received their extensions showed a highly statistically significant ($p < .005$ for three and one-half months of follow-up) reduction of 33% in such accidents after receiving the extension. It can be hypothesized that these drivers had consciously sought to establish safe driving habits over the preceding year, and that these habits persisted. Thus the incentive aspect of the program seemed to offer much more promise

than did its direct reward aspect, where the reward was not preceded by striving for it. Incentive effects are certainly present in the Speraw renewal-by-mail program, and should increase as the program becomes more widely known. However, the present evaluation is not designed to determine their impact.

Waller, Hall, and Padgett (1977) evaluated the effects of North Carolina's program of waiving the written test for renewal applicants with no convictions for moving violations during the preceding four years (and no mental or physical conditions that might affect their driving). Study drivers who had their written tests waived under this program apparently might have had any number of recent prior accidents, so long as no conviction was associated with any accident. While the study was quasi-experimental rather than being a true experiment and its results are difficult to interpret, the authors concluded that the program had a detrimental effect on drivers less than 25 years old, and recommended that test waivers not be offered to drivers in this age group. However, the North Carolina eligibility criterion at that time--freedom from moving-violation convictions, but not from accidents--was not the same as the Speraw-authorized program's eligibility criterion, so the relevance of their conclusion to the California program is moot.

Harrington and Ratz (1978), studying the effect of written renewal test waivers for California drivers who had either clean three-year prior records or one accident or conviction during the prior three years, found that the effect of treatment was moderated by classification status. Thus, when drivers of all ages and both sexes were combined, there were no significant treatment effects among those who had been correctly classified as being incident-free or as having one incident during the three-year period. However, there was a significant increase in accidents for drivers wrongly classified as having incident-free records, and a significant increase in convictions for drivers wrongly classified as having only one incident. The reason for these errors in classification was the time lag between occurrence of an incident and update of the driver's record; this time lag can conceivably be reduced but never eliminated.

The Harrington and Ratz finding may represent a Type I error, however; neither the Calvo extension studies (Janke & Kelsey, 1981; Kelsey & Janke,

1983; Kelsey, 1984), nor preliminary data analyses for the present study, showed any increase in accidents or convictions attributable to license extension for wrongly classified drivers. Although their mean accident and conviction rates were considerably higher than those of correctly classified drivers, reflecting the higher risk level of drivers with a recent accident or conviction, there was no evidence that the extension or renewal-by-mail program increased this risk. Therefore, the classification factor is not included in the present study.

Stoke (1978) studied the effect of including manuals and written tests in the Virginia license renewal process. He found no statistically significant effect of this enhanced testing on accidents and convictions during the subsequent six-month period. Power to identify a true difference as significant was low in the Stoke study, and the lack of statistical significance may be attributable to that. A reanalysis of Stoke's data (Peck, 1981; unpublished memo) indicated that the odds favored a beneficial impact of tests and manuals more than no impact ($p < .20$).

Kelsey, Janke, Peck, and Ratz (1985) reported on the effect of the Calvo-authorized license extension programs for four-year-clean drivers over the four years subsequent to mailout of renewal notices and extension offers. For the evaluation of the four-year-extension program (i.e., extension term of four years) there were approximately 366,000 drivers in the extension (offer) group and 40,000 drivers in the control group. Control drivers were required to renew their licenses in the standard manner, taking law and vision tests. Drivers over the age of 69 were not eligible for the four-year program and not represented in the sample.

It was found that the extension group had a slightly (1%) higher accident rate over the four-year period than had the control group, but this difference did not approach statistical significance. In addition, there was no trend in the driving record data over time; extension-group drivers had slightly better records than had their controls during the first and fourth years subsequent to mailout, and worse records during the second and third. This lack of a consistent trend, together with the lack of a significant treatment-by-age interaction (which would have indicated that the effect of

extension depended upon a driver's age), was consistent with an interpretation that the observed nonsignificant difference was due to chance. Specifically, there was no support for an alternative hypothesis that increases in undetected physical disability over time would lead to an accident increase for extended drivers; if such impairment had occurred, one might expect it to have affected older drivers particularly.(2) For drivers of relatively advanced age (70 and above) in the two-year program, it was even the case that Kelsey et al. found a beneficial effect of extension offers, contravening the nonsignificant trend of the program, overall, toward increasing accidents. That is, elderly drivers in the extension group incurred significantly fewer accidents than did their controls, during the two years subsequent to mailout.

With the exception of the Calvo extension studies and that of Harano and Hubert (1974), the studies cited above waived only the written law test. The effects of waiving the written test have not generally been found to be great, although Harrington and Ratz (1978), as mentioned, found some negative effects following a test waiver. Stoke's (1978) evidence can be interpreted as suggesting some value of exposing drivers to the type of material covered in the written test, and McKnight and Green (1977) also found support for the effectiveness of tests and manuals in reducing accidents associated with convictions for renewal applicants. However, it is possible that it is more detrimental to traffic safety to waive the vision test than to waive the law test. Although there is little if any evidence to show that a visual acuity test like California's correlates with accident frequency, the vision screening that exists as part of the renewal process undoubtedly compels some drivers, who otherwise would not bother, to have their vision corrected.

(2) It could on the other hand be argued that drivers in an age range -- say, the forties -- at which visual and possibly other bodily functions begin to decline significantly, are most harmed by being excused from renewal testing. Such drivers may be impaired to some degree and not yet be aware of their impairment. There is some evidence to support this view. For subjects in both the two-year and four-year Calvo extension evaluations, the largest negative effects on accidents attributable to the programs were shown for drivers aged 30-50 (Kelsey et al., 1985). However, it should be stressed that these effects were not significant and could easily have been due to chance.

An Oregon study (Rice & Jones, 1984) attempted to find what proportion of renewal applicants had substandard vision. While Oregon drivers at the study date were not required to undergo vision screening when they renewed their licenses, 19 of the state's 60 DMV field offices participated in an evaluation of the addition of vision tests to the renewal process. Applicants could refuse the testing, but not many did so. If they failed, drivers were referred to a vision specialist of their choice.

Almost 5,000 vision screenings were administered. Tests included Oregon's standard original licensing checks on acuity under standard illumination, depth perception, color recognition, phoria, fusion, and visual field, plus an added test of acuity under reduced illumination, failure of which did not affect licensing status.

Of the drivers tested, 2.4% failed the vision screening and were referred to a vision specialist. Nearly all of these vision referrals were made because the driver's visual acuity (even corrected with lenses) did not meet the 20/40 standard. Drivers referred to a specialist were considerably older on the average (67 years) than was the sample of applicants as a whole (43 years). Generally, drivers over 50 years of age and without existing "corrective lens" restrictions were the most likely to require reexamination by a specialist, and the likelihood increased with age. However, these results suggest that over 97% of Oregon drivers, although not screened for vision at renewal, become aware of their visual problems in other ways and correct them adequately. The same is no doubt true of California drivers.

In California, as noted above, about 2.5% of drivers over age 50 and 0.05% of younger drivers fail to meet the screening standard (Kuan, 1984, unpublished data). These are referred to a vision specialist, and many of them have their vision corrected to meet the standard. If this is not possible, they may still be licensed based on evaluation by a Driver Safety Referee.

METHOD

Subject Selection

Drivers whose licenses expired during 1983, and who met the eligibility criteria for renewal by mail with less than a four-year-clean record, were assigned by terminal digit of the license number, odd or even, to the mail-renewal or control group, respectively. (Terminal digit of the license number is essentially random; numbers are assigned sequentially at a current rate of about 20,000 per day.) Drivers eligible for renewal by mail with less than a four-year-clean record make up approximately 14% of the renewal population in California. There were, by the end of 1983, 247,613 drivers in the mail renewal group and 248,753 drivers in the control group. The mail-renewal group will be referred to as the extension group in the following; there is no substantive difference between a renewal accomplished by mail and a license extension accomplished in the same manner.

Once identified, drivers remained in the group to which they had been assigned, regardless of whether or not they renewed their licenses and of whether or not they renewed by mail. (Control group drivers did not have the option of renewing by mail, but drivers in the extension group could renew in a field office rather than by mail.)(3) It might be objected that the inclusion of field office renewals in the extension group diluted the effect of the license extension as measured. This may be true, but their inclusion would have invalidated the evaluation, for two reasons. First, drivers who

(3) If such drivers claimed to be eligible for extension, their records were checked and, if eligibility was confirmed, their written and vision tests were waived. Test waiver also followed presentation of the extension statement (offer). If they had no extension statement and did not claim eligibility (for example, because they had not received the statement and were not aware that they were eligible), the tests were not waived. It is not known what percentage of drivers were in the latter group, although the total percentage of extension-group drivers who renewed in field offices was about 24. Even under circumstances where tests could be waived, observation of behavior indicating health problems in the applicants may have led to testing--even, perhaps, including drive testing.

choose to renew in a field office, even though they have been offered the opportunity to renew by mail, may be different from other drivers in ways that affect their subsequent accident and conviction records. Such drivers could have been removed from the extension group but not, of course, from the control group; thus their exclusion could have severely biased the evaluation. This problem was extensively discussed by Peck (1976) in a context of evaluating driver improvement programs. Second, the purpose of the study was to evaluate the license extension program, not the effect of license extension per se. Thus, it was necessary that the results of the evaluation generalize to the program as it operates in practice, with a considerable number of drivers failing to take advantage of the mail renewal offer.

Treatment

Drivers in the extension group were sent statements two months prior to license expiration informing them that they could send the \$10.00 (increased since 1980) fee and renew by mail. It was necessary for them to answer a question on the statement regarding the presence of any disabilities that might affect their driving; if the answer was "yes" the statement was referred to a Driver Safety Referee for further investigation and clearance before mail renewal could be allowed. There was also a reminder on the statement indicating the importance of good vision and suggesting that drivers have their vision checked.

Drivers in the control group were sent standard renewal notices two months prior to license expiration. The renewal notice, which also contained the disability question, was to be presented at the field office when a driver went in to renew his or her license. (Drivers forgetting to bring their renewal notices with them are required to fill out an equivalent form in the office.)

Drivers in the extension group who opted to renew by mail and remitted the fee were sent certificates to be kept with their old licenses, rather than being issued new licenses.

Criterion Measures and Follow-up Period

Total and fatal/injury accidents and convictions of drivers in the two groups were tracked subsequent to the mailout of their extension statements or

renewal notices (hereinafter referred to as "mailout"). The measure of convictions included failures to appear in court, or forfeit bail in lieu of appearance, in connection with traffic violation citations (hereinafter referred to as "FTAs"). The present report covers the first 18 months subsequent to mailout. This actually includes only 15 to 16 months of actual driving record, due to a two- to three-month lag between the occurrence of most accidents and violations and their entry as count abstracts and accidents in the DMV's automated file of driver records. However, this circumstance does not bias the conclusions of the report, since the time lag was the same for extension and control drivers.

Major Statistical Tests

For the major analysis of accidents and convictions/FTAs, 2x2x3x2 analyses of covariance were run using the computer program SPSS ANOVA (Nie, Hull, Jenkins, Steinbrenner, & Bent, 1975). Factors were treatment (extension vs. control), prior record status (prior clean record of 2 years vs. 3 years), age group (under 30, 30 through 50, over 50), and sex. Covariates were prior 2-year accidents and convictions, including FTAs.

The default method was used for the ANOVA (actually, ANCOVA) runs. This is the so-called "classic experimental approach," also frequently used in nonexperimental research, in which sample subgroup sizes typically reflect unequal population subgroup sizes, as for example in the case of the variables age and sex when a sample is randomly drawn from the population. In this method, cell means are weighted according to cell frequencies, to reflect the greater importance of cells with larger frequencies in the aggregated population. It would be appropriate to weight extension and control means equally, of course, and the analysis used did not exactly accomplish that because there were somewhat fewer drivers in the extension than in the control group. However, the sizes of the groups were so large and the difference so small (less than 1%) that this discrepancy would have made no practical difference.

License class was used neither as a covariate nor as a factor in the major analysis, for reasons discussed in Kelsey et al. (1985). It was expected that there would be an excess of class 1 and 2 (heavy commercial vehicle) drivers in the extension group, because they could avoid the relatively

stringent testing needed to renew their commercial licenses. Such an imbalance, which leads to a self-selection bias confounding the interpretation of any findings regarding license class, was found by Kelsey et al. (1985) and was tested for in the present analysis. Although a supplementary ANCOVA using treatment and license class as factors was performed, it is not reported because of the ambiguities mentioned here and discussed more fully in the Results section.

A significance level of $p < .10$ (two-tailed) was used for the purpose of making significance claims.

Analysis of Program Costs and Savings

The program's overall impact on the department was to effect a savings. To help in estimating the amount of this savings, the following variables were tabulated and furnished to the DMV's Division of Driver Safety and Licensing, which was responsible for program costing.

1. Proportion of subjects in the extension group who renewed by mail, renewed in a field office; or did not renew.
2. Proportion of subjects in the control group who renewed in a field office or did not renew.
3. Proportion of subjects in each group who received a duplicate license.
4. Proportion of subjects in each group who received a vision referral.
5. Proportion of subjects in each group who received a limited-term license.
6. Proportion of subjects in each group who had a contact with a Driver Safety Referee because of possible physical or mental impairment.

Unit reducible costs of the mail-renewal and standard renewal programs were furnished by the Division of Driver Safety and Licensing. It was known in

advance that these figures would indicate an administrative savings attributable to the extension program. If there were found to be an excess of accidents also attributable to the program, this might or might not outweigh the administrative savings, depending upon the size of the effect.

In the past such a determination has been made by means of a benefit-cost analysis. However, it was decided that a "breakeven analysis" would be more defensible and more useful to management, since the usual benefit-cost analysis is subject to challenge because of widespread disagreement on the societal and economic costs of accidents and on how such costs should be measured. A discussion of the rationale for this decision is contained in Kelsey et al. (1985). In a breakeven analysis the disutility of any accident increase is evaluated by computing the accident-cost threshold necessary for the increase in accidents to offset the cost savings attributed to the extension program. The sensitivity of any marginal benefit-cost analysis to different accident-cost values is assessed by referring to specially constructed accident-cost nomographs.

RESULTS AND DISCUSSION

Descriptive and Process Variables

An examination of demographic and prior-record variables for the extension and control groups to detect possible bias in the assignment process produced the results shown in Table 1.

Table 1

Demographic and Prior-Record Variables by Treatment

Variable	Treatment	
	Extension (N = 247,613)	Control (N = 248,753)
Mean age.....	37.4	37.4
Percent male.....	59.0	58.9
Prior 2-year accidents (per 100 drivers)*...	1.01	0.95
Prior 2-year convictions (per 100 drivers)*...	6.97	6.83

*Significantly different, $p < .10$.

The samples are biased despite the random assignment process, in that the extension group showed a slightly worse record, in both accidents ($t = -2.31$, $df = 496,364$, $p < .03$) and convictions ($t = 1.70$, $df = 496,364$, $p < .09$), than that of the control group over the two years prior to mailout. The bias amounted to a 6% difference in prior accident rate and a 2% difference in prior conviction rate. These are small differences, but the anticipated treatment effects were also small. (It should be noted that these accidents and convictions were not on the drivers' records at the time they were selected for inclusion in the study. If the incidents had been on their records, they would have been ineligible for renewal by mail.) These results indicate that the extension group received more entries than did their controls in the period just prior to determination of extension eligibility. It was because of this bias, which must be attributed to chance, that prior 2-year accidents and convictions were used as covariates in the major

analyses of subsequent accidents and convictions. Through use of these covariates, not only was variance ("noise") removed from the error term, increasing the power of the statistical test to reveal a real difference between groups, but also group means were adjusted for the slight observed differences in prior record, so that any observed difference between groups could more defensibly be attributed to the treatment, mail-renewal offer vs. field office renewal, only.

Table 2 presents data on variables related to the licensing process, measured approximately 18 months after mailout. Because these variables were to be used in program costing, almost 400 drivers with codes on their record indicating the presence of certain impairments (progressive physical conditions, severe visual defects, or "lack of knowledge or skill"--usually used as a euphemism for impairments caused by aging--were omitted from Table 2. Such drivers, although not excluded by the Speraw legislation, are not now considered eligible for renewal by mail, due to a DMV policy change. Other drivers were omitted because the relevant information was not on file, or their records were unavailable. This left 247,090 drivers in the extension group and 247,861 drivers in the control group.

Table 2

Licensing Process Variables by Treatment;
Percentages 18 Months Subsequent to Mailout
(N = 494,951)

Variable	Treatment	
	Extension (N = 247,090)	Control (N = 247,861)
Renewed in field office....	24.5 ^(a)	88.1
Did not renew.....	9.7	11.8
Valid license.....	89.3	87.3
Duplicate license.	5.5	3.9
Change in vision restrictions ^(b) .	0.7	3.2
Change in vision referrals.....	-0.01	0.09
Change in exposure restrictions ^(c) .	0.007	0.014
Limited term license.....	0.008	0.072
P&M reexamination or hearing ^(d) ...	0.08	0.10

(a) 65.8% of extension group drivers accepted the extension.

(b) Percentage of drivers with a vision restriction 18 months subsequent to mailout minus percentage of drivers with a vision restriction just prior to mailout. The change scores following were calculated in the same way.

(c) Exposure restrictions are those limiting drivers' exposure to risk by restricting them to certain areas, times of day, etc.

(d) P&M (physical and mental) reexaminations or hearings are held on the grounds that the driver may have a significant physical or mental impairment.

All of the differences between extension and control groups in these licensing-process variables were statistically significant above the .05 level as shown by z tests of the difference between proportions, with the exception of the difference in exposure restrictions, those which reduce drivers' exposure to risk by limiting the area or time of their driving.

The difference in issuance of duplicate licenses may be due to the desire of drivers in the extension group to have licenses with current photographs of themselves, or the necessity to replace their old licenses because of loss or damage.

The differences in valid licenses, restrictions, vision referrals, limited-term licenses, and P&M (physical/mental) reexaminations or hearings have possible traffic-safety as well as cost implications. The difference in valid licenses may be attributable to the fact that more drivers in the extension than in the control group renewed their licenses, presumably because it was easy to do so. Without the extension program, such drivers might have been screened from the driving population, or have voluntarily removed themselves from it. The data on vision restrictions suggest that 2.5% (3.2%-0.7%) of drivers in the extension program would have gotten a vision restriction had they been required to renew in person; because their licenses were extended they did not. This does not mean that the 2.5% drove with impaired vision since, as discussed before, most drivers probably become aware of their visual defects and have them corrected, with or without the DMV renewal vision test. But it is very likely that some small percentage of visually impaired drivers drove with insufficient correction as a result of avoiding DMV's vision screening.

Similarly, the data suggest that .064% (.072%-.008%) of extension-group drivers drove with regular license terms when their terms should have been limited to less than 4 years. The limitation in license term for both extension and control drivers must have been acquired at the 1983 (field office) renewal, since limited-term licensees are not eligible for renewal by mail in California. The numbers of limited-term licensees are small, but they include drivers judged, because of physical or mental impairment, to be

licensable but at such high accident risk that they must undergo periodic, sometimes yearly, reexaminations in order to retain their licenses. Impaired drivers with extended licenses, who thereby escaped the reexamination process, may have been aware of their limitations and driven more carefully or reduced their mileage. On the other hand, it is likely that not all of them did so.

In a similar vein, the data on reexaminations or hearings on grounds of physical or mental impairment suggest that 0.02% (0.10%-0.08%) of drivers in the extension group would have had such contacts had they been obliged to renew in person; these drivers may have had increased accident risk. The difference is relatively small for this variable, probably because an affirmative answer to the disability question on the extension statement generated a review by a Driver Safety Referee which could have led to a reexamination or hearing.

If one assumes, from face-validity considerations, that the in-person renewal process has some screening or remediation effect, the factors discussed above would tend to increase the subsequent accident rate of drivers in the extension group, relative to that of their controls.

Subsequent Accidents

It should be noted that, in the following discussion, use of the term "accidents" actually means "accident involvements." More than one driver can be (and indeed usually is) involved in any given accident. If a driver participating in this study collided with another driver from within the study group, this would be counted as two involvements--one for each driver--although both involvements would represent the same accident. If a driver participating in this study collided with a driver outside of the study group, the accident would count as one involvement. Obviously, the larger the study group the more likely it is that there will be more involvements than accidents.

Accidents were not broken down by type (fatal, injury, property-damage-only), since analysis indicated that the proportion of drivers involved in fatal or injury accidents, relative to the proportion of

accident-involved drivers, was the same for both groups ($z = .201$, $p > .80$), about .33. Thus, there was no evidence of a differential program impact on accident severity. The only accident criterion used in the major analysis, accordingly, was total accidents.

Table 3 presents the mean subsequent total accidents per 100 drivers by treatment group, record status, age group, and sex. These are the raw means; the SPSS ANOVA program does not display adjusted means with the degree of precision needed for these data.

Table 3

Mean 18-Month Accidents per 100 Drivers by
Treatment, Record Status, Age Group, and Sex
(N = 496,366)

Treatment Age group	Record status and sex			
	2 years clean		3 years clean	
	Male	Female	Male	Female
<u>Extension</u>				
Under 30.....	10.01	8.23	8.56	7.07
30-50.....	8.01	6.69	7.20	6.25
Over 50.....	7.92	5.94	7.19	4.91
Combined ages and sexes...	8.07		7.03	
<u>Control</u>				
Under 30.....	10.23	8.32	8.62	6.82
30-50.....	8.22	6.73	7.74	6.01
Over 50.....	7.51	6.29	7.42	5.51
Combined ages and sexes...	8.17		7.18	
Grand mean, extension group.....	7.63			
Grand mean, control group.	7.76			

The analysis of covariance summary table is shown as Table 4 (following page).

It can be seen that the main effect of treatment is borderline significant, ($p = .10$), with the extension group having slightly (1.7% for raw means)

Table 4
Analysis of Covariance Summary Table, Accidents
(N = 496,366)

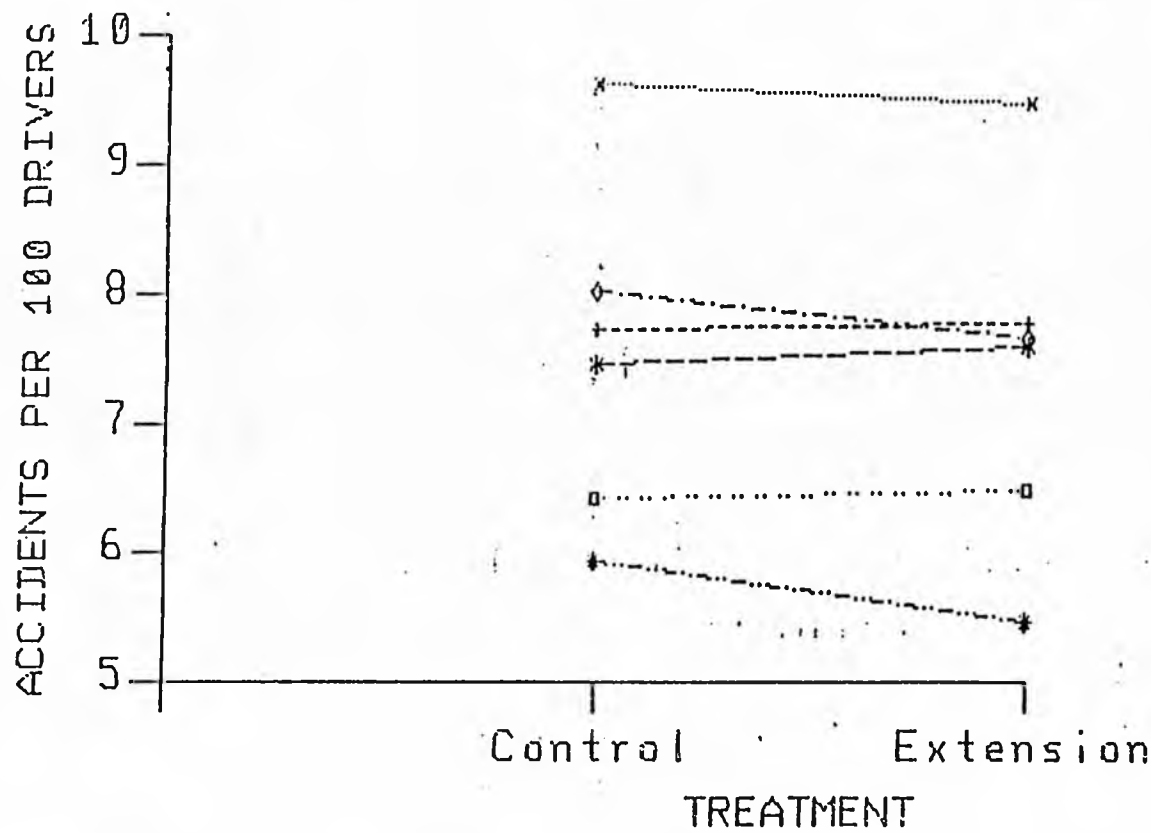
Source of variation	Sum of squares	Degrees of freedom	Mean square	F	P
<u>Covariates</u>					
prior accidents.....	8.91	1	8.91	111.94	0.00
prior convictions...	48.78	1	48.78	613.09	0.00
<u>Main effects</u>					
treatment.....	0.22	1	0.22	2.71	0.10
record status.....	8.23	1	8.23	103.50	0.00
age group.....	25.10	2	12.55	157.73	0.00
sex.....	25.48	1	25.48	320.27	0.00
<u>Interactions</u>					
treatment x					
record status.....	0.01	1	0.01	0.12	0.73
treatment x					
age group.....	0.03	2	0.01	0.17	0.84
treatment x sex.....	0.09	1	0.09	1.16	0.28
record status x					
age group.....	1.60	2	0.80	10.08	0.00
record status x sex.	0.002	1	0.002	0.02	0.88
age group x sex.....	0.47	2	0.23	2.95	0.05
treatment x record					
status x age group	0.18	2	0.09	1.13	0.32
treatment x record					
status x sex.....	0.15	1	0.15	1.88	0.17
treatment x age					
group x sex.....	0.42	2	0.21	2.61	0.07
record status x					
age group x sex...	0.17	2	0.09	1.08	0.34
treatment x record					
status x age					
group x sex.....	0.02	2	0.01	0.13	0.88
<u>Explained</u>	121.29	25	4.85	60.98	0.00
<u>Residual</u>	39487.84	496340	0.08		

fewer accidents than the control group, overall. It should be noted, however, that there was a significant interaction between age group and sex, and that this interaction differed by treatment, as shown by the significant 3-way interaction. Figure 1 (following page) shows the nature of this 3-way interaction.

The interaction is such that men through age 50 and women over age 50 showed beneficial (accident-decreasing) effects of the extension program. For the remaining sex/age groups (young and mid-age women and older men) the graphed lines are almost parallel with a slightly positive slope, indicating a slight nonsignificant increase in accidents for extension-group drivers among these latter groups. Overall, there was no differential effect of the extension program on accidents for drivers of different ages, different sexes, or different record statuses (2- versus 3-year prior clean records). This is shown by the lack of significance for the 2-way interactions between group and record status, age group, or sex.

As usual in studies of driving records, the effects of age and sex were highly significant, with men and younger drivers, regardless of treatment, having more accidents. The effect of record status was also highly significant, with 3-year-clean drivers having consistently lower accident rates than 2-year-clean drivers, regardless of treatment. The highly significant interaction between record status and age group reflects the finding that younger drivers constituted a disproportionately greater risk, relative to older drivers, within the 2-year-clean group. The youngest group of drivers had 30% more accidents than the oldest group among 2-year-clean drivers, and 20% more among 3-year-clean drivers. Since none of these interactions involved the treatment factor, the reader should note that they are not relevant to the question of extension-program effects.

Additional analyses of total subsequent accidents were run omitting drivers with P&M codes on their records indicating severe visual defect, progressive physical disorders, or lack of knowledge or skill. As pointed out above, such drivers are no longer eligible for participation in the extension program. There were 363 such drivers in the sample, 177 in the control group and 186 in the extension group. The results of analyses with these drivers excluded



---*---	Male under 30
--+--	Female under 30
--◇--	Male 30-50
...□...	Female 30-50
--*--	Male over 50
--+---	Female over 50

Figure 1. Subsequent 18-month accidents per 100 drivers (N=496,366).

were almost identical to those obtained using the total sample. For instance, for the reduced sample the difference between extension and control groups was -0.12 accidents per 100 drivers, while for the total sample the difference was -0.13. Therefore, the results of the accident analyses using the reduced sample are not presented here.

Subsequent Convictions/FTAs

Results for convictions (including FTAs) were directionally different from those for accidents, in that the extension group showed somewhat more convictions per 100 drivers (31.11) than the control group (30.99). Table 5 presents the raw mean total subsequent convictions per 100 drivers by treatment, record status, age group, and sex.

Table 5

Mean 18-Month Convictions/FTAs per 100 Drivers by
Treatment, Record Status, Age Group, and Sex
(N = 495,366)

Treatment Age group	Record status and sex			
	2 years clean		3 years clean	
	Male	Female	Male	Female
<u>Extension</u>				
Under 30.....	55.58	29.81	42.83	24.43
30-50.....	37.16	22.15	31.93	19.35
Over 50.....	24.58	12.53	20.38	11.48
Combined ages and sexes...	34.06		27.02	
<u>Control</u>				
Under 30.....	54.95	29.89	42.92	23.86
30-50.....	37.23	21.91	31.57	19.58
Over 50.....	23.71	13.56	21.25	11.15
Combined ages and sexes...	33.89		26.95	
Grand mean, extension group.....			31.11	
Grand mean, control group.			30.99	

The analysis of covariance summary table is shown as Table 6.

The main effect of treatment (that is, the observed excess of convictions forextension-group drivers) did not approach statistical significance ($p > .60$). There was, however, a highly significant interaction between treatment, prior record status, and age group ($p < .005$). This interaction varied by sex, as shown by a significant 4-way interaction ($p = .08$). Figure 2 (a and b) shows the form of the relationship between treatment, prior record status and age group within sexes, Figure 2a representing men and Figure 2b representing women.

Table 6
Analysis of Covariance Summary Table, Convictions/FTAs
(N = 496,366)

Source of variation	Sum of squares	Degrees of freedom	Mean square	F	P
<u>Covariates</u>					
prior accidents.....	37.28	1	37.28	93.58	0.00
prior convictions...	3836.58	1	3836.58	9629.96	0.00
<u>Main effects</u>					
treatment.....	0.06	1	0.06	0.16	0.69
record status.....	328.50	1	328.50	824.55	0.00
age group.....	2679.44	2	1339.72	3362.75	0.00
sex.....	2777.46	1	2777.46	6971.54	0.00
<u>Interactions</u>					
treatment x					
record status.....	0.05	1	0.05	0.12	0.73
treatment x					
age group.....	0.16	2	0.08	0.20	0.82
treatment x sex.....	0.09	1	0.09	0.21	0.65
record status x					
age group.....	79.03	2	39.51	99.18	0.00
record status x sex.	38.41	1	38.41	96.41	0.00
age group x sex.....	232.46	2	116.23	291.74	0.00
treatment x record					
status x age group	0.17	2	0.09	0.22	0.81
treatment x record					
status x sex.....	0.40	1	0.40	1.00	0.32
treatment x age group					
x sex.....	0.06	2	0.03	0.08	0.93
record status x age					
group x sex.....	10.83	2	5.41	13.59	0.00
treatment x record					
status x age					
group x sex.....	2.04	2	1.02	2.56	0.08
<u>Explained</u>	9915.12	25	396.60	995.49	0.00
<u>Residual</u>	197741.93	496340	0.40		

It can be seen that the graphed lines are highly parallel and relatively flat, indicating that the significant differential effect of treatment on different record status/age groups within each sex was of slight magnitude. Slight differences in this relationship by sex group can also be noted; these differences reflect the 4-way interaction effect. Because of the complexity and small magnitude of these 3- and 4-way interactions, particularly the 4-way interaction, no attempt is made to offer an interpretation. The interactions have no practical policy implications.

Overall, 2-year-clean and 3-year-clean drivers were not differentially affected by the extension program in terms of subsequent convictions, as shown by the lack of a significant 2-way interaction between treatment and record status. Similarly, there was no overall differential effect of the extension program for drivers of different ages or sexes, as shown by the lack of significance for the corresponding 2-way interactions.

An analysis of convictions/FTAs excluding the 363 drivers with visual or progressive physical disorders, or lack of knowledge or skill, gave essentially the same results as the total sample analysis, and is not presented in this report.

Imbalance in License Class

As mentioned above, it was anticipated that an excess of class 1 and 2 drivers would be found in the extension group. This was in fact the case. Of the control group, 9,670 drivers, or 3.9%, held class 1 or 2 licenses, allowing them to drive heavy commercial vehicles or buses. Of the extension group, 10,909 drivers, or 4.4%, held class 1 or 2 licenses. This difference was highly significant ($t = 7.56$, $df = 496,364$, $p < .0001$), confirming the suspicion that avoidance of the relatively stringent class 1 and 2 renewal test had the effect of increasing the number of class 1 and 2 licensees in the extension group.

This circumstance indicated a self-selection bias which made class 1 and 2 drivers in the extension and control groups noncomparable. Specifically, it seemed likely that some drivers with class 1 or 2 licenses who would have given them up, had they been required to renew in person, kept them through

the license extension procedure even though they no longer drove commercially and their exposure to accident risk was therefore substantially lowered. Such drivers would of course have been eliminated from the class 1 or 2 subgroup of the control group, appearing instead as class 3 or 4 drivers, and thereby creating biases in the extension vs. control comparisons of different license classes. Therefore, in the absence of evidence for a notable increase in accidents for extension-group class 1 and 2 drivers as compared with their controls, the results of the supplementary analysis of covariance in which license class was used as a factor are not reported.

Program Savings

As furnished by the Division of Driver Safety and Licensing, the 1985 unit reducible cost to the department of a regular renewal for extension noneligibles is \$4.50 and the unit reducible cost of a mail renewal is \$.95. In addition, there is, as mentioned above, a modified renewal for extension eligibles in which the individual renews in a field office but written and vision tests are waived. This costs \$2.83.

It has been seen that a year's worth of 2- and 3-year-clean drivers eligible for renewal by mail amounts to about 500,000 drivers. Assuming that 66% of 2- and 3-year-clean drivers offered extensions renew by mail, as was the case in the present study, and that an additional 24% receive a modified renewal, this would amount to an estimated annual savings to the department of about \$2.65 per driver, or \$1.3 million. In addition, there was an observed avoidance of 0.13 accidents per 100 2- and 3-year-clean drivers over the first (nominal) 18 months of driving subsequent to mailout. If reliable, this figure would signify a further societal savings because of decreased accidents, so a breakeven analysis would not be indicated. Instead, an analysis of total administrative plus societal savings, given various values for the cost of an accident, might be made.

Any such forecast, however, should be made on the basis of a full 4-year driving record. Janke and Kelsey (1981) found a slight, statistically nonsignificant beneficial effect of the Calvo extension program (for 4-year-clean drivers) on accidents, in their study covering the first 18 months subsequent to mailout. After a full four years had passed, the

direction of the difference, still not statistically significant, was found to be reversed (Kelsey et al., 1985), with the extension group showing 1% more accidents than their controls. The difference in favor of the extension group observed here reached only the $p = .10$ level; therefore the probability that it was due to chance rather than to the treatment is 1 in 10, certainly not a negligible figure. However, it can certainly be said that there is no indication at this point that the savings to the public in reduced program administrative costs due to the Speraw pilot extension program is offset by an increased cost due to accidents, and in fact there is no evidence for any increase in accident costs attributable to the program.

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APPENDIX

APPENDIX A

Senate Bill No. 483

CHAPTER 776

An act to amend Section 12814.5 of, and to add Section 12814.6 to, the Vehicle Code, relating to driver's licenses.

[Approved by Governor September 7, 1982. Filed with Secretary of State September 8, 1982.]

LEGISLATIVE COUNSEL'S DIGEST

SB 483, Speraw. Driver's licenses.

(1) Existing law provides for licensing any person who drives a motor vehicle in this state. Unless otherwise limited, a driver's license expires on the 4th birthday following the date of application or the date of prior license expiration, but may be extended for a single 4-year period for a fee of \$10, at the discretion of the Director of Motor Vehicles, for licensees who meet specified qualifications.

This bill would revise the license extension provisions to instead authorize the director to renew by mail, for not more than 2 successive 4-year periods, for a fee of \$10, driver's licenses expiring on or after January 1, 1983, for licensees, not holding a probationary license, who meet those qualifications.

The bill would authorize the director to establish a demonstration program to evaluate the effects of renewing driver's licenses by mail and, as part of the demonstration program, to renew by mail licenses expiring on or after January 1, 1983, for licensees who meet the stricter qualifications, as specified. The program would terminate when the department's evaluation is completed or at any time the department determines that the program has an adverse impact on traffic safety.

The department would be required to monitor and conduct a study on the effects of license renewal by mail under the license renewal and license renewal demonstration program and to submit an interim report to the Legislature not later than January 1, 1986, and a final report to the Legislature not later than March 1, 1989, on both programs.

(2) Existing law authorizes the Department of Motor Vehicles to issue driver's licenses to minors.

This bill would authorize the director, operative July 1, 1983, to establish a demonstration program to evaluate the traffic safety effects of issuing a provisional driver's license to persons under 18 years of age. The demonstration program could include any or all, but would not be limited to, specified components.

The bill would require the department, if the demonstration program is established, to conduct a study on the traffic safety effects of the program, authorize the department to terminate the program if the department determines that the program has no substantial

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beneficial impact on traffic safety, and require the preparation and submission to the Legislature of an interim report of the study on or before July 1, 1986, and a final report on or before December 31, 1988. The bill would require the department to recommend termination of the demonstration program and permit it to discontinue issuing provisional licenses if the final report does not establish that the program has had a substantial beneficial impact on traffic safety and would require the department to continue the demonstration program until its effect on traffic safety can be conclusively determined if the final report results are not adverse and, as of the date the final report is required to be submitted, are not yet conclusive. The bill would require continuance of the program as a provisional license program if the final report indicates a substantial beneficial impact on traffic safety and would require that periodic evaluations of the program be conducted.

(3) Under existing law, any person issued and having in his or her immediate possession an instruction permit may operate a motor vehicle under specified conditions, which include being accompanied by a California licensed driver 18 years of age or over whose driving privilege is not on probation.

This bill would authorize, notwithstanding that existing law, the inclusion in the program of a component which requires that any person issued and having in his or her immediate possession an instruction permit issued after June 30, 1983, may operate a motor vehicle, other than a motorcycle or motorized bicycle, only if accompanied by a licensed driver who is 25 years of age or older whose driving privilege is not on probation, with specified exceptions.

The people of the State of California do enact as follows:

SECTION 1. Section 12814.5 of the Vehicle Code is amended to read:

12814.5. (a) At the discretion of the director, drivers' licenses expiring on or after January 1, 1983, may, subject to subdivision (b), be renewed by mail for a four-year period for licensees, not holding a probationary license, whose records, for the four years immediately preceding the determination of the eligibility for the renewal, show no convictions of violating traffic laws, no involvement in a traffic accident, and no notification of a violation of subdivision (a) of Section 40509.

No renewal by mail shall be granted to any person who is 70 years of age or older.

(b) The director may establish a demonstration program to evaluate the traffic safety and other effects of renewing driver's licenses by mail. If a demonstration program is established, the director may, under that program, renew by mail driver's licenses expiring on or after January 1, 1983, for licensees whose records, for

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the two years immediately preceding the determination of the eligibility for the renewal, show no convictions of violating traffic laws, no involvement in a traffic accident, and no notification of a violation of subdivision (a) of Section 40509, and additionally whose records, for the four years immediately preceding that determination, do not show a violation which has a violation point count of two determined in accordance with Section 12810 or a fatal accident notation. The department shall terminate the demonstration program when its evaluation is completed or may terminate the program at any time the department determines that the program has an adverse impact on traffic safety.

(c) The department shall charge a fee of ten dollars (\$10) for each license renewal granted pursuant to subdivision (a) or (b).

(d) The department shall monitor and conduct a continuing study of the effects of the license renewal by mail under subdivisions (a) and (b) and submit an interim report to the Legislature not later than January 1, 1986, and a final report to the Legislature not later than March 1, 1989, on its findings. The study shall include, but not be limited to, safety issues. The final report shall specifically include information regarding the impact on traffic safety of persons who receive a second extension under subdivision (b), which information shall cover a period not less than 24 months of experience following the second consecutive extension.

(e) The department shall notify each licensee granted a renewal by mail pursuant to this section of major changes to the Vehicle Code affecting traffic laws occurring during the prior four-year period.

(f) The department shall not renew a driver's license by mail if the license has been previously renewed by mail two consecutive times for four-year periods.

SEC. 2. Section 12814.6 is added to the Vehicle Code, to read:

12814.6. (a) Notwithstanding any other provision of this code, the director may establish a demonstration program to evaluate the traffic safety effects of issuing a provisional driver's license to persons under 18 years of age. The demonstration program may include any or all, but shall not be limited to, the following components:

(1) The issuance of a distinctive driver's license to persons under 18 years of age on which appear the words "Provisional until age 18."

(2) Notwithstanding subdivision (c) of Section 12509, a general requirement that any person who has in his or her immediate possession a valid permit issued after June 30, 1983, pursuant to subdivision (a) of Section 12509 and who is under 18 years of age may operate a motor vehicle, other than a motorcycle or a motorized cycle, only if that person is accompanied by, and under the immediate supervision of, a driver who is 25 years of age or older, who then holds a driver's license issued under this code, and whose driving privilege is not on probation. This paragraph does not apply if that licensed driver is the parent, spouse, or guardian of the permit holder or is a licensed or certified driving instructor.

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(3) A requirement for supervised driving practice, which is prior to the issuance of a provisional driver's license and is in addition to any other driving training instruction required by law, and certification by a parent, spouse, guardian, or licensed or certified driving instructor that the person under 18 years of age has completed that driving practice. A minor without a parent, spouse, or guardian, or emancipated minors, may have a licensed driver 25 years of age or older or a licensed or certified driving instructor complete the certification. This requirement does not apply to motorcycle practice.

(4) A suspension of the driving privilege of any driver under 18 years of age when the record shows notification of one or more violations of subdivision (a) of Section 40509. The suspension shall continue until the suspended person's driver record does not show any notification of a violation of subdivision (a) of Section 40509.

(5) A 30-day restriction imposed on a driver under 18 years of age when that driver's record shows a violation point count of two or more points in 12 months determined in accordance with Section 12810. The restriction shall require the licensee to be accompanied by a licensed parent, spouse, guardian, or other licensed driver 25 years of age or older, except when operating a class 4 vehicle with no passengers aboard.

(6) A six-month suspension of the driving privilege and one-year term of probation to be imposed whenever the record of a driver under 18 years of age shows a violation point count of three or more points in 12 months determined in accordance with Section 12810.

(7) A requirement that any term of restriction or suspension imposed on a person under 18 years of age remain in effect until the end of the term even though the person becomes 18 years of age before the term ends.

(b) If the provisional driver's license demonstration program is established pursuant to subdivision (a), the department shall conduct a study on the traffic safety effects of the program, and, unless the department sooner determines that the program has no substantial beneficial impact on traffic safety, in which case the department may, upon that determination, recommend termination of the program and discontinue the issuing of provisional licenses pursuant to this section, the department shall prepare and submit an interim report on the study to the Legislature on or before July 1, 1986, and a final report on or before December 31, 1988.

(c) If the final report to the Legislature does not establish that the demonstration program has had a substantial beneficial impact on traffic safety, the department shall recommend termination of the program and may discontinue the issuing of provisional licenses pursuant to this section. If the final report results are not adverse and not yet conclusive as of the date the final report is required to be submitted, the department shall continue the demonstration program until its effect on traffic safety can be conclusively

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determined. If the final report indicates that the demonstration program has had a substantial beneficial impact on traffic safety, the department shall continue issuance of a provisional driver's license under the program with periodic evaluations.

(d) This section shall become operative July 1, 1983.

sued to him.

History.—s. 28, ch. 19551, 1939; CGL 1940 Supp. 4151(642), 8135(58); s. 28, ch. 20451, 1941; r. 1, ch. 29683, 1955; s. 1, ch. 57-757; s. 1, ch. 59-432; s. 2, ch. 67-174; s. 1, ch. 67-265; s. 1, ch. 69-81; s. 209, ch. 71-136; s. 1, ch. 71-144; s. 5, ch. 77-120; s. 14, ch. 77-121; s. 16, ch. 78-394; s. 10, ch. 79-3; s. 1, ch. 82-132; s. 1, ch. 85-121; s. 12, ch. 85-309.

322.17 Duplicate and replacement certificates.—

(1) In the event that an instruction permit or driver's license issued under the provisions of this chapter is lost or destroyed, the person to whom the same was issued may, upon payment of \$5, obtain a duplicate, or substitute thereof, upon furnishing proof satisfactory to the department that such permit or license has been lost or destroyed, and further furnishing the full name, date of birth, sex, residence address, proof of birth as provided in s. 232.03, and proof of identity satisfactory to the department.

(2) Upon the surrender of the original license and the payment of a \$1 replacement fee, the department shall issue a replacement license to make a change in name, address, or restrictions.

History.—s. 29, ch. 19551, 1939; CGL 1940 Supp. 4151(643); s. 29, ch. 20451, 1941; s. 1, ch. 71-73; s. 2, ch. 75-228; s. 1, ch. 77-174; s. 5, ch. 85-98.

322.18 Original applications, licenses, and renewals; expiration of licenses; delinquent licenses.—

(1) An original operator's, restricted operator's, or chauffeur's license may be issued only after the applicant successfully passes the required driver's license examination and presents the application to the department.

(2) Each applicant who is entitled to the issuance of a driver's license, as provided in this section, shall be issued a driver's license, as follows:

(a) An applicant applying for an original issuance shall be issued a driver's license which expires at midnight on the licensee's birthday which next occurs on or after the sixth anniversary of the date of issue.

(b) An applicant applying for a renewal issuance shall be issued a driver's license which expires at midnight on the licensee's birthday which next occurs 4 years after the month of expiration of the license being renewed, except that a driver whose driving record reflects no convictions for the preceding 3 years shall be issued a driver's license which expires at midnight on the licensee's birthday which next occurs 6 years after the month of expiration of the license being renewed.

(3) If a license expires on a Saturday, Sunday, or legal holiday, it shall be valid until midnight of the next regular working day and may be renewed on that day without payment of a delinquent fee.

(4) Except as otherwise provided in this chapter, all licenses shall be renewable every 4 years or 6 years, depending upon the terms of issuance and shall be issued upon application, payment of the fees required by s. 322.21, and successful passage of any required examination, unless the department has reason to believe that the licensee is no longer qualified to receive a license.

(5) All renewal operator's licenses or chauffeur's licenses may be issued after the applicant licensee has been issued a certificate of eligibility by the department.

(6) If the licensee does not receive a certificate of eligibility, the licensee or applicant may apply to the department, under oath, at the nearest driver's license ex-

amining office. Such application shall be on a form prepared and furnished by the department. The department shall make such forms available to the various examining offices throughout the state. Upon receipt of such application, the department shall issue a license or temporary permit to the applicant or shall advise the applicant that no license or temporary permit will be issued and advise the applicant of the reason for his ineligibility.

(7) An expired Florida driver's license may be renewed any time within 12 months after the expiration date, with reexamination, if required, upon presenting to the department a valid certificate of eligibility and upon payment of the required delinquent fee or taking and passing the written examination. If the final date upon which a license may be renewed under this section falls upon a Saturday, Sunday, or legal holiday, the renewal period shall be extended to midnight of the next regular working day. The department may refuse to issue any license if:

(a) It has reason to believe the licensee is no longer qualified to receive a license.

(b) Its records reflect that the applicant's driving privilege is under suspension or revocation.

(8) To implement a 6-year license term for licensees whose driving record reflects no convictions for the preceding 3 years, the department may issue a one-time 4-year license extension by mail, without reexamination, for licenses which expire between November 1, 1985, and October 31, 1989.

(a) If the department determines from its records that the holder of a license about to expire has no convictions for the preceding 3 years, the department shall mail a certificate of eligibility to the licensee at his last known address, not less than 30 days prior to the licensee's birthday. The licensee shall have the option of obtaining a 4-year license extension by mail or a 6-year license renewal at a driver license examining station.

(b) Upon receipt of a properly completed certificate of eligibility form and payment of a service fee of \$15, the department shall mail a license extension sticker to the licensee to affix to the expiring license as evidence that the license term has been extended for 4 years.

(c) The department shall not issue more than one license extension to a licensee. Upon expiration of the license extension period, renewal with reexamination as provided in s. 322.121 shall be required.

(d) A renewal applicant whose driving record reflects no convictions for the preceding 3 years shall be issued a 6-year renewal license upon payment of the fees required by s. 322.21 and passing the required examinations if application is made at a driver license examining station.

(e) Any person who knowingly possesses any forged, stolen, fictitious, counterfeit, or unlawfully issued license extension sticker, unless possession by such person has been duly authorized by the department, is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(f) The provisions of paragraphs (a), (b), (c), and (d) shall expire on October 31, 1989, and paragraph (e) shall expire on October 31, 1993.

(9)(a) A restricted operator's license shall not be issued to any person who has previously held a restricted operator's license issued by this state.

(b) An original restricted operator's license is not renewable.

History.—s. 30, ch. 19551, 1939, CGL 1940 Supp. 4151(644); s. 30, 20451, 1941; s. 1, ch. 24346, 1947; s. 1, ch. 26911, 1951; s. 1, ch. 61-13; s. 2, ch. 67-242; ss. 24, 35, ch. 69-106; s. 1, ch. 72-211; ss. 3, 5, ch. 75-223; s. 17, ch. 78-394, s. 2, ch. 82-132; s. 22, ch. 84-359, s. 6, ch. 85-98.

Note.—As amended, effective November 1, 1985.

322.19 Notice of change of address or name.—Whenever any person, after applying for or receiving an operator's or chauffeur's license, moves from the address named in such application or in the license issued to him, or when the name of a licensee is changed by marriage or otherwise, such person shall within 10 days thereafter notify the department in writing of his old and new addresses, or of such former and new names, and of the number of his license. A violation of this section is a nonmoving violation with a penalty as provided in s. 318.18(2).

History.—s. 31, ch. 19551, 1939; CGL 1940 Supp. 4151(645); s. 31, ch. 20451, 1941; s. 18, ch. 84-359.

322.20 Records of the department; fees; destruction of records.—

(1) The department shall maintain a record of every application for license received by it. The possession of such an application form, whether filled out or in blank, or of a counterfeit thereof, not authorized by the department or its personnel constitutes a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(2) The department shall also maintain a record of all accident reports, abstracts of court records of convictions, and notices of revocation or suspension of a person's driver's license or driving privilege.

(3) The department shall maintain convenient records or make suitable notations, in order that the individual driver history record of each licensee is readily available for the consideration of the department upon application for renewal of a license and at other suitable times. The release by the department of the driver history record, with respect to accidents involving a licensee, shall not include any notation or record of the occurrence of a motor vehicle accident unless the licensee received a traffic citation as a direct result of the accident.

(4) It is unlawful for any person to falsify, alter, erase, remove, or destroy, or cause to be altered, erased, removed, or destroyed, any record maintained by the department unless the alteration, erasure, removal, or destruction has been duly authorized.

(5) The department shall promulgate rules and procedures to ensure adequate safeguards and auditing capabilities to enable records of uniform traffic dispositions to be reported to the department in an automated fashion, through cooperative arrangements which may be entered into between court clerks and the department, in order to enhance the effectiveness and efficiency of dispositions reported on the uniform traffic citation. Automated procedures must be subjected to tests to ensure that the integrity of the driver file is enhanced or maintained and that the intent of this chapter, as stated in s. 322.263, is given priority consideration with respect

to either on-line data entry activities between the courts and the department or the forwarding of electronically recorded data. Departmental rules shall require that data verification be accompanied by comparison with data from uniform traffic disposition reports.

(6) The department shall tabulate and publish statistics of traffic citation dispositions and provide records to court clerks for the purpose of verifying that the data was properly received and recorded.

(7) The requirement for the department to keep records shall terminate upon the death of an individual licensed by the department upon notification by the Department of Health and Rehabilitative Services of such death. The department shall make such notification as is proper of the deletions from their records to the court clerks of the state.

(8) The department may, upon application, furnish to any person, from the records of the Division of Driver Licenses, a list of the names, addresses, and birth dates of the licensed drivers of the entire state or any portion thereof by age group. Each person who requests such information shall pay a fee, set by the department, of 1 cent per name listed, except that the department shall furnish such information without charge to any state agency or to any state attorney, sheriff, or chief of police. Such state agency, state attorney, or law enforcement agency may not sell, give away, or allow the copying of such information. Noncompliance with this prohibition shall authorize the department to charge the noncomplying state agency, state attorney, or law enforcement agency the appropriate fee for any subsequent lists requested. The department may adopt rules necessary to implement this subsection.

(9) The Division of Driver Licenses is authorized, upon application of any person and payment of the proper fees, to search and to assist such person in the search of the records of the department and make reports thereof and to make photographic copies of the departmental records and attestations thereof.

(10)(a) The department is authorized to charge the following fees for the following services and documents:

- 1. For providing a transcript of any one individual's driver history record for the past 3 years or for searching for such record when no record is found to be on file\$2.00
- 2. For providing a transcript of any one individual's driver history record for the past 7 years or for searching for such record when no record is found to be on file\$3.00
- 3. For providing a certified copy of a transcript of the driver history record for any one individual\$3.00
- 4. For providing a certified photographic copy of a document, per page\$1.00
- 5. For providing an exemplified record\$15.00
- 6. For providing photocopies of documents, papers, letters, clearances, or license or insurance status reports, per page\$0.50
- 7. For assisting persons in searching any one individual's driver record at a terminal located at the department's general headquarters in Tallahassee\$2.00

The department in its discretion may require a person who has successfully passed a motorcycle examination not involving the operation of a motorcycle, issued under this act, to have a motorcycle permit entitling the applicant to operate a motorcycle during daylight hours on heavily traveled streets, roads, and highways for a period of two months; provided, the permit is in the immediate possession of the applicant and that the applicant does not carry a motorcycle at any time. Upon examination on motorcycle operation, the department shall indicate on the operator license whether the licensee is qualified to operate a motorcycle.

The department shall issue to an applicant who is the holder of an operator license and who is otherwise qualified in accordance with this act, a motorcycle permit which is plainly printed with the word "minor," or an operator's license of a special color not used for issue to persons 21 years of age and over.

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for a report on the driving record of any person licensed as an operator in the state. 1964
Effective July 1, 1965.

41-2-12.2. Fees deposited in transportation fund - Expenses of tax commission - Budget.

All fees collected under this act shall be transmitted monthly to the state treasurer for deposit in the transportation fund. The expenses of the state tax commission in carrying out the provisions of this act shall be provided for by legislative appropriation from this fund. The commission shall prepare and submit to the governor, to be included in his budget to the legislature, a budget of the requirements for carrying out the provisions of this act for the fiscal year next following the convening of the legislature. 1977

41-2-12.3. No fee for reports made to governmental agencies.

Provided further, that no charge shall be made for reports furnished to municipal, county, state or federal agencies. 1977

41-2-13. Licenses issued to operators - Contents - Anatomical gifts indication - Temporary licenses - Minor's licenses and permits.

(1) The department shall issue to every person privileged to drive as an operator, a license certificate indicating the type or general class of vehicle the licensee may drive. No person shall drive any class of motor vehicle unless licensed in that class.

(2) Every such license certificate shall bear thereon (a) the social security number and/or the distinguishing number assigned to the licensee, (b) the name, age and residence address of the licensee, a brief description of the licensee for the purpose of identification, and (c) a photograph of the licensee and a photograph or other facsimile of the licensee's signature. The license shall be of an impervious material, resistant to wear, damage and alteration. The size, form and color of said license shall be as prescribed by the commissioner of public safety and the commissioner may prescribe the issuance of a special type limited license as authorized in subsection 41-2-18(d). In addition, the commissioner may in his discretion authorize the issuance of renewed or duplicate driver licenses without pictures in instances where the applicants are not then living within the boundaries of the State of Utah.

(3)(a) With every operator's license issued or renewed on and after July 1, 1981, the division shall, upon the request of the licensee, provide a sticker which can be affixed to the back of the license and which will indicate the licensee's intent to make an anatomical gift pursuant to the requirements of the anatomical gift act in Chapter 26 of Title 26. The statement must be signed in the presence of at least one witness who shall sign the statement in the presence of the licensee.

(b) The division or any of its employees shall not be liable for any loss, detriment, or injury, directly or indirectly, which results from false or inaccurate information contained in the sticker issued to and signed by the licensee.

(4) The department, upon determining after an examination that an applicant is mentally and physically qualified to be granted a license, may issue to such a person a receipt for the fee which shall serve as a temporary license certificate allowing him to operate a motor vehicle while the department is completing its investigation and determining all of the facts bearing upon whether he is entitled to be licensed. Such receipt must be in his immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's license certificate has been issued or for good cause the privilege has been refused. The department shall indicate on such receipts a date after which it ceases to be valid as a license certificate.

possession while operating a motor vehicle, and it shall be invalid when the applicant's license certificate has been issued or for good cause the privilege has been refused. The department shall indicate on such receipts a date after which it ceases to be valid as a license certificate.

(5) The department will, when issuing to any person under 21 years of age, issue to all such persons who have qualified, an instruction permit or a temporary permit which is plainly printed with the word "minor," or an operator's license of a special color not used for issue to persons 21 years of age and over.

(6) The department shall issue such temporary licenses, of the same nature except as to duration as the licenses which they temporarily replace, as are necessary to implement applicable provisions of section 41-2-19.6. 1963

41-2-13.1. Change of address - Duty of licensee to notify department.

Whenever any person after applying for or receiving an operator's license shall move from the address named in such application or in the license issued to him such person shall within 10 days thereafter notify the department in writing of his new address and of the number of any license then held by him. 1963

41-2-14. Duplicate license certificate - Fee.

In the event that an operator's license certificate issued under the provisions of this act shall be lost, stolen, or destroyed, the person to whom the same was issued may obtain a duplicate thereof upon furnishing proof satisfactory to the department that such license certificate has been lost, stolen or destroyed and upon payment of a fee of \$5. In the event that the department is advised that an operator's license certificate has been lost, stolen or destroyed, the same shall forthwith be void. 1963

41-2-15. License to be carried when driving - Production in court.

The licensee shall have his license in his immediate possession at all times when driving a motor vehicle and shall display the same upon demand of a justice of peace, a peace officer or a field deputy or inspector of the department. It shall be a defense to any charge under this subsection that the person so charged produce in court an operator's license theretofore issued to such person and valid at the time of his arrest. 1963

41-2-16. Expiration dates of licenses - Renewal - Fees for renewal - Extension without examination - Files, forms and clerical help - Licensees in armed forces.

(1) Every operator's license renewed after June 30, 1967 shall expire on the licensee's birth date in the fourth year following the year of issuance of such license, and no new license shall be issued to any person after the expiration of his license until he has again passed the examinations specified in subsection 41-2-11(1) and has paid the required fee. Any operator's license granted without specific expiration date, heretofore designated as good-until-revoked license, shall expire on the date last stamped by the department upon such license and may be renewed as any other operator's license referred to in this chapter for the applicable period of time set forth above.

(2) The holder of a valid license may secure a renewal thereof by making application at any time within six months before such license expires, by

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passing the examination specified in subsection 41-2-11(2) and by paying a fee of \$10, except for those 65 years of age and over who shall pay a fee of \$3.00. Upon the payment of such fee and the passing of such examinations, the department shall issue a new license to such holder.

The commissioner may allow the holder of a valid operator's license to renew said license more than six months prior to its expiration date; provided, the applicant furnishes proof that such applicant will be absent from the state during the six-month period prior to the expiration of the license.

(3) At the discretion of the commissioner and under standards established by the department, operators' licenses expiring after July 1, 1980, may be extended for four years without examination for licensees whose driving records for the four years immediately preceding the determination of eligibility for extension show driving violation penalty points not exceeding 50, no suspensions or revocations, and no outstanding warrants for traffic violations, except that a person 65 years of age or older must take and pass the eye examination specified in subsection 41-2-11(1). No extension shall be granted to any person who is identified by the department as having a medical impairment which may represent a hazard to public safety. The department shall charge \$10 per extension for each person under 65 years of age and \$3.00 per extension for each person 65 or over. During the period of the extension, or prior thereto, the department shall notify each licensee granted an extension under this subsection of changes to the traffic code.

(4) The department shall establish the necessary files, application blanks, license certificate blanks, and clerical help to put into effect the provisions of this act.

(5) Utah operators' licenses held by persons ordered to active duty in any of the armed forces of the United States shall be honored as valid until 90 days after the person has been discharged or has left the service, unless such license is suspended or revoked for cause by the department.

(6) All operators' licenses in effect as of the effective date of this act unless expressly otherwise provided herein, shall continue in force and effect for the period for which such license was issued.

41-2-17. Court to report convictions and may recommend suspension of license.

(a) Whenever any person is convicted of any offense for which this act makes mandatory the revocation of the operator's license of such person by the department, the court in which such conviction is had shall require the surrender to it of all operator's license certificates then held by the person so convicted and the court shall thereupon forward the same together with the record of such conviction to the department.

(b) Every court having jurisdiction over offenses committed under this act or any other act of this state or under any city ordinance regulating the operation of motor vehicles on highways, shall within 10 days forward to the department an abstract of the court record of the conviction of any person in said court for a moving traffic violation of any said laws or ordinances, and may recommend the suspension of the operator's license of the person so convicted.

Said abstract shall be made upon a form approved and furnished by the department and shall

include the name and address of the party charged, the number of his operator's license, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment or whether bail was forfeited, and the severity of the violation, which shall be graded by the court as "minimum," "intermediate," or "maximum" in respect to a conviction or bond forfeiture. For speeding, the severity of violation shall be graded as "minimum" for exceeding the posted speed limit by up to 9 miles per hour; as "intermediate" for exceeding the posted speed limit by from 10 to 19 miles per hour; and as "maximum" for exceeding the posted speed limit by 20 or more miles per hour.

(c) For the purposes of this act the term "conviction" shall mean conviction by the court of first impression. Also, for the purposes of this act a forfeiture of bail or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction.

(d) Where a convicted person secures a judgment of acquittal or reversal in any appellate court after conviction in the court of first impression, the department shall reinstate his operator's license and return his license certificate immediately upon receipt of a certified copy of said judgment of acquittal or reversal.

41-2-18. Mandatory revocation or suspension of license - Extension of period - Hearing - Limited driving privileges - Instructional programs.

(a) Except as hereinafter provided, the department shall forthwith revoke or, in those cases in which suspension is in this code specifically provided for, suspend the license of any person upon receiving a record of the conviction of such person of any of the following crimes:

(1) Manslaughter resulting from the operation of a motor vehicle or automobile homicide as provided for in section 76-5-207.

(2) Driving or being in actual physical control of a vehicle while under the influence of alcohol or any drug or combination thereof to a degree which renders the person incapable of safely driving a vehicle as prohibited in section 41-6-44 or as prohibited in an ordinance that complies with the requirements of subsection 41-6-43(1).

(3) Driving or being in actual physical control of a vehicle with a blood alcohol content of .08% or higher as prohibited in section 41-6-44 or as prohibited in an ordinance that complies with the requirements of subsection 41-6-43(1).

(4) Perjury or the making of a false affidavit to the department under this act or any other law of this state requiring the registration of motor vehicles or regulating their operation on highways.

(5) Any crime punishable as a felony under which the motor vehicle laws of this state or any other felony in the commission of which a motor vehicle is used.

(6) Failure to stop and render aid as required under the laws of this state in the event of a motor vehicle accident resulting in the death or personal injury of another.

(7) Two charges of reckless driving committed within a period of twelve months; provided, however, that if, upon a first conviction of reckless driving, the judge or justice shall recommend suspension of the convicted person's license, the department may, after a hearing suspend the said license.

POUCH Y-STATE CAPITOL
JUNEAU, ALASKA 99811

4. For such other and further relief as to this court seems proper.

Dated: 19

[Sign.

[Verification]

§ 12812. Restricted driver's license as to person presumed to be negligent operator

(a) Except as provided in subdivision (b), if a driver is presumed to be a negligent operator pursuant to Section 12810.5, the department may, as a condition of probation, issue a restricted driver's license to permit driving a vehicle for which the person is licensed and also certificated, where required, while in the course of the driver's employment during specified hours of employment or any other restrictions as determined by the department. The restrictions shall be noted on the driver's license.

(b) If a driver who holds a certificate issued pursuant to Section 12804 or 12804.3, or both, is presumed to be a negligent operator as defined in subdivision (a) of Section 12810.5, the department may suspend or revoke the certificate or continue the certificate under terms of probation.

Amended Stats 1984 ch 667 § 12, operative July 1, 1985.

Amendments:

1984 Amendment: Substituted the section for the former section.

§ 12814.5. Extension of licenses

(a) At the discretion of the director, drivers' licenses expiring on or after January 1, 1983, may, subject to subdivision (b), be renewed by mail for a four-year period for licensees, not holding a probationary license, whose records, for the four years immediately preceding the determination of eligibility for the renewal, show no convictions of violating traffic laws, no involvement in a traffic accident, and no notification of a violation of subdivision (a) of Section 40509.

A driver's record that shows involvement in not more than one traffic accident within any two-year period preceding driver's license renewal shall not be considered to be involvement in a traffic accident for purposes of subdivision (a) if (1) the driver met the requirements of Chapter 1 (commencing with Section 16000) of Division 7 with respect to the accident and (2) the driver was not cited for any violation of this code in connection with the accident.

No renewal by mail shall be granted to any person who is 70 years of age or older.

(b) The director may establish a demonstration program to evaluate the effect of renewing driver's licenses by mail. If such a demonstration program is established, the director may, under that program, renew by mail driver's licenses expiring on or after January 1, 1983, for licensees whose records, for the two years immediately preceding the determination of the eligibility for the renewal, show no convictions of violating traffic laws, no involvement in a traffic accident, and no notification of a violation of subdivision (a) of Section 40509, and whose records, for the four years immediately preceding that determination, do not show a violation which has a violation point count of two or more as determined in accordance with Section 12810 or a fatal accident notation. The department shall terminate the demonstration program when its evaluation is completed.

is completed or may terminate the program at any time the department determines that the program has an adverse impact on traffic safety.

(c) The department shall charge a fee of ten dollars (\$10) for each license renewal granted pursuant to subdivision (a) or (b).

(d) The department shall monitor and conduct a continuing study of the effects of the license renewal by mail under subdivisions (a) and (b) and submit an interim report to the Legislature not later than January 1, 1986, and a final report to the Legislature not later than March 1, 1989, on its findings. The study shall include, but not be limited to, safety issues. The final report shall specifically include information regarding the impact on traffic safety of persons who receive a second extension under subdivision (b), which information shall cover a period not less than 24 months of experience following the second consecutive extension.

(e) The department shall notify each licensee granted a renewal by mail pursuant to this section of major changes to the Vehicle Code affecting traffic laws occurring during the prior four-year period.

(f) The department shall not renew a driver's license by mail if the license has been previously renewed by mail two consecutive times for four-year periods.

Amended Stats 1984 ch 985 § 1.

Amendments:

1984 Amendment: Added the second paragraph of subd (a).

§ 12816. Term of licenses; Period for renewal

(a) Every original driver's license expires on the fourth birthday of the applicant following the date of the application for the license.

(b) Renewal of a driver's license shall be made for a term which expires on the fourth birthday of the applicant following the expiration of the license renewed, if application for renewal is made within six months prior to the expiration of the license to be renewed, or within 90 days after expiration of the license. If renewal is not applied for within 90 days after expiration of the license, the application and fee is considered the same as an application for an original license.

(c) The department may accept application for a renewal of a driver's license made more than six months prior to the date of expiration. The renewal shall be made for a term which expires on the fourth birthday of the applicant following the date of the application for the renewal license.

(d) The department may accept an application for a license of a different class made more than six months before the expiration of the license previously issued, if the previously issued license is surrendered for cancellation in accordance with Section 13100. The driver's license issued from that application expires on the fourth birthday of the applicant following the date of the application.

Amended Stats 1984 ch 34 § 1, operative July 1, 1985.

Amendments:

1984 Amendment: In addition to making technical changes, substituted (1) "expires" for "issued after January 1, 1975, shall expire" in subd (a); and (2) "different" for "higher" after "license of a" in subd (d).

§ 12950 and following sections—general references:

Within Evidence 2d § 318A.

1963 Amendment: Added (1) "at any office of the Department of Motor Vehicles" in the first sentence; and (2) the last sentence.

1968 Amendment: Added (1)"; except that the department shall not require an examination of the driving ability of any applicant for the renewal of a four-year license who is otherwise eligible for the renewal of such license unless the department finds evidence of a condition which may affect the ability of the applicant to safely operate a motor vehicle" at the end of the second sentence; and (2) the third and fourth sentences.

1973 Amendment: (1) Designated the former section to be subd (a); (2) amended subd (a) by (a) adding "(a)"; (b) substituting ", or an examination deemed by the department to be appropriate considering the licensee's record of convictions and accidents, or an examination deemed by the department to be appropriate in relation to" for "; except that the department shall not require an examination of the driving ability of any applicant for the renewal of a four-year license who is otherwise eligible for the renewal of such license unless the department finds"; (c) substituting "a license" for "an applicant"; (d) deleting "such" after "evidence of"; (e) adding "requiring an examination of the driving ability"; (f) adding "or licensee" in the fourth sentence; and (3) added subds (b) and (c).

1974 Amendment: Added subd (d).

1979 Amendment: Deleted (1) "and, at the discretion of the director, licenses may be extended for not to exceed one year when the number of renewal applications to be processed in a year will exceed the number of applications in the previous year or the next subsequent year by more than 10 percent" after "by the department" in subd (b); and (2) former subd (d) which read: "(d) The department shall report to the Legislature on or before August 1st, annually, describing the number of licenses extended during the preceding fiscal year pursuant to subdivision (b) and the reason for such action. Such report shall also include the regulations adopted pursuant to subdivision (c), the categories of test waivers granted, the purposes for which waivers were granted, and the result of the evaluation made during the preceding fiscal year of the selective testing program."

Note —"the the" so appears in the second sentence of subd (a) of Veh C § 12814 in the enrolled bill.

Cross References:

Application for original license: § 12800.

Fee on application for renewal of license: § 14900.

Collateral References:

8 Cal Jur 3d Automobiles § 122.

Attorney General's Opinions:

33 Ops Atty Gen 161 (examination of applicant for renewal of driver's license as though he were applying for original license where application not timely made).

§ 12814.5. Extension of licenses

(a) At the discretion of the director, drivers' licenses expiring on or after January 1, 1983, may, subject to subdivision (b), be renewed by mail for a four-year period for licensees, not holding a probationary license, whose records, for the four years immediately preceding the determination of the eligibility for the renewal, show no convictions of violating traffic laws, no involvement in a traffic accident, and no notification of a violation of subdivision (a) of Section 40509.

No renewal by mail shall be granted to any person who is 70 years of age or older.

(b) The director may establish a demonstration program to evaluate

the traffic safety and other effects of renewing driver's licenses by mail. If a demonstration program is established, the director may, under that program, renew by mail driver's licenses expiring on or after January 1, 1983, for licensees whose records, for the two years immediately preceding the determination of the eligibility for the renewal, show no convictions of violating traffic laws, no involvement in a traffic accident, and no notification of a violation of subdivision (a) of Section 40509, and additionally whose records, for the four years immediately preceding that determination, do not show a violation which has a violation point count of two determined in accordance with Section 12810 or a fatal accident notation. The department shall terminate the demonstration program when its evaluation is completed or may terminate the program at any time the department determines that the program has an adverse impact on traffic safety.

(c) The department shall charge a fee of ten dollars (\$10) for each license renewal granted pursuant to subdivision (a) or (b).

(d) The department shall monitor and conduct a continuing study of the effects of the license renewal by mail under subdivisions (a) and (b) and submit an interim report to the Legislature not later than January 1, 1986, and a final report to the Legislature not later than March 1, 1989, on its findings. The study shall include, but not be limited to, safety issues. The final report shall specifically include information regarding the impact on traffic safety of persons who receive a second extension under subdivision (b), which information shall cover a period not less than 24 months of experience following the second consecutive extension.

(e) The department shall notify each licensee granted a renewal by mail pursuant to this section of major changes to the Vehicle Code affecting traffic laws occurring during the prior four-year period.

(f) The department shall not renew a driver's license by mail if the license has been previously renewed by mail two consecutive times for four-year periods.

Added Stats 1978 ch 658 § 1; Amended Stats 1979 ch 625 § 2; Stats 1981 ch 541 § 31, effective September 17, 1981, operative January 1, 1982; Stats 1982 ch 776 § 1.

Amendments:

1979 Amendment: Prior to 1979 the section read: "(a) The department may establish a demonstration program to evaluate the effect of extending drivers' licenses. At the discretion of the director, during the demonstration program, licenses expiring on or after July 1, 1979, may be extended for licensees whose records, for the four years immediately preceding the expiration date of their licenses, or expiration date of their extended licenses, show no convictions of violating traffic laws, no involvement in a traffic accident, and no notification of a violation of subdivision (a) of Section 40509. The periods of the extension shall be for one or two years and in no event shall there be more than two consecutive extensions nor shall two consecutive extensions exceed two years.

- "(b) During the demonstration program, the number of licenses extended shall not exceed 10 percent of the total number of licensees eligible for an extension.
- "(c) The department may charge a fee for each license extension issued pursuant to subdivision (a).
- "(d) The department may continue the demonstration period of extending licenses through December 31, 1981. However, if, at any time, the department determines that such program has a negative effect on traffic safety, the process of extending licenses may be terminated by the department.
- "(e) The department shall prepare and submit to the Legislature an interim report on the effects of the demonstration program by July 1, 1981, and shall submit a final report by December 31, 1983.
- "(f) The authority granted the department by this section is in addition to the authority granted the director under subdivision (b) of Section 12814.
- "(g) This section shall remain in effect until January 1, 1982, and as of such date is repealed."

1979 Amendment amended the section to read as at present, except for the 1981 and 1982 Amendments.

1981 Amendment: Substituted "ten dollars (\$10)" for "three dollars and twenty-five cents (\$3.25)" in subd (b).

1982 Amendment: (1) Amended subd (a) by substituting (a) "January 1, 1983, may, subject to subdivision (b), be renewed by mail for a four-year period for licensees not holding a probationary license," for "January 1, 1980, may be extended for a single four-year period for licensees"; (b) "renewal" for "extension" after "eligibility for the"; and (c) substituting "renewal by mail" for "extension" in the second paragraph; (2) added subd (b); (3) redesignated former subds (b)-(d) to be subds (c)-(e); (4) amended subd (c) by (a) substituting "renewal" for "extension"; and (b) adding "or (b)"; (5) amended the first sentence of subd (d) by substituting (a) "monitor and conduct a continuing" for "conduct a"; (b) "renewal by mail under subdivisions (a) and (b) and submit an interim " for "extension and submit a"; and (c) "January 1, 1986, and a final report to the Legislature not later than March 1, 1989, on its findings" for "January 1, 1982"; (6) deleted "including an assessment of age criteria" at the end of the second sentence in subd (d); (7) added the third sentence in subd (d); (8) substituted "a renewal by mail pursuant to this section" for "extension" in subd (e); and (9) added subd (f).

Note —Stats 1981 ch 541 also provides:

SEC. 42. The Supreme Court may, upon the request of any party, transfer to itself, before a decision in the court of appeal, any appeal or petition for extraordinary relief from an action or proceeding to attack, review, set aside, void, or annul any provision of this act. The request for transfer should receive preference over all civil actions and proceedings on the Supreme Court's calendar. If the action or proceeding is transferred to the Supreme Court, the Supreme Court should commence to hear the matter within six months of the transfer, unless the parties by joint stipulation request additional time and the request is granted or the court, for good cause shown, grants additional time.

§ 12814.6. Provisional licenses; Demonstration program; Components; Report

(a) Notwithstanding any other provision of this code, the director may establish a demonstration program to evaluate the traffic safety effects of issuing a provisional driver's license to persons under 18 years of age. The demonstration program may include any or all, but shall not be limited to, the following components:

- (1) The issuance of a distinctive driver's license to persons under 18 years of age on which appear the words "Provisional until age 18."
- (2) Notwithstanding subdivision (c) of Section 12509, a general

requirement that any person who has in his or her immediate possession a valid permit issued after June 30, 1983, pursuant to subdivision (a) of Section 12509 and who is under 18 years of age may operate a motor vehicle, other than a motorcycle or a motorized cycle, only if that person is accompanied by, and under the immediate supervision of, a driver who is 25 years of age or older, who then holds a driver's license issued under this code, and whose driving privilege is not on probation. This paragraph does not apply if that licensed driver is the parent, spouse, or guardian of the permit holder or is a licensed or certified driving instructor.

(3) A requirement for supervised driving practice, which is prior to the issuance of a provisional driver's license and is in addition to any other driving training instruction required by law, and certification by a parent, spouse, guardian, or licensed or certified driving instructor that the person under 18 years of age has completed that driving practice. A minor without a parent, spouse, or guardian, or emancipated minors, may have a licensed driver 25 years of age or older or a licensed or certified driving instructor complete the certification. This requirement does not apply to motorcycle practice.

(4) A suspension of the driving privilege of any driver under 18 years of age when the record shows notification of one or more violations of subdivision (a) of Section 40509. The suspension shall continue until the suspended person's driver record does not show any notification of a violation of subdivision (a) of Section 40509.

(5) A 30-day restriction imposed on a driver under 18 years of age when that driver's record shows a violation point count of two or more points in 12 months determined in accordance with Section 12810. The restriction shall require the licensee to be accompanied by a licensed parent, spouse, guardian, or other licensed driver 25 years of age or older, except when operating a class 4 vehicle with no passengers aboard.

(6) A six-month suspension of the driving privilege and one-year term of probation to be imposed whenever the record of a driver under 18 years of age shows a violation point count of three or more points in 12 months determined in accordance with Section 12810.

(7) A requirement that any term of restriction or suspension imposed on a person under 18 years of age remain in effect until the end of the term even though the person becomes 18 years of age before the term ends.

(b) If the provisional driver's license demonstration program is established pursuant to subdivision (a), the department shall conduct a study on the traffic safety effects of the program, and, unless the department sooner determines that the program has no substantial beneficial impact on traffic safety, in which case the department may, upon that determination, recommend termination of the program and

SB

96

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version: CS SR 96 (Hess)
Publish Date: 4-21-87

Revision Date: _____

Agency Affected: DHSS/DHDD

Title: _____

BRU: Inst. & Administration

Sponsor: _____

Components: Mental Health Admin.

Requestor: _____

Benn

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		140.1	140.1	140.1	140.1	140.1
TRAVEL		38.0	38.0	38.0	38.0	38.0
CONTRACTUAL		78.8	78.8	78.8	73.8	78.8
SUPPLIES		1.8	1.8	1.8	1.8	1.8
EQUIPMENT		9.0	0	0	0	0
LAND & STRUCTURES		0	0	0	0	0
GRANTS, CLAIMS		0	0	0	0	0
MISCELLANEOUS		0	0	0	0	0
TOTAL OPERATING	0	267.7	267.7	267.7	267.7	267.7

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND		267.7	267.7	267.7	267.7	267.7
FEDERAL FUNDS						
OTHER						
TOTAL		267.7	267.7	267.7	267.7	267.7

POSITIONS:

FULL-TIME		3	3	3	3	3
PART-TIME						
TEMPORARY						

ANALYSIS :

Prepared by: Mel Henry, Director
Division: Mental Health & Dev. Disabilities

Phone: 465-3370
Date: 4/4/87

Approved by Commissioner: Mona M. McCann
Agency: Department of Health & Social Services

Date: 4/6/87

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

FISCAL NOTE

CSSB 96 HBSS
~~HB 91-1~~

Mental Health Board

Personnel Services:

one (1) Mental Health Board Coord.	Range 22	\$ 63,900
one (1) Research Analyst III	Range 18	49,157
one (1) Clerk Typist III	Range 8	27,004
		<u>\$140,061</u>

Travel:

*Board travel and per diem 4 meetings/year X 6,000/meeting =		\$ 24,000
Staff travel 7000/per prof. staff X 2 =		14,000
		<u>\$ 38,000</u>

Contractual:

Phone, copying, printing, advertizing	\$ 8,000
Professional Services	50,000
Lease space 519 sq. ft. X 2.57 sq. ft./mo X 12 mo. =	16,000
Computer hook up 1600 X 3	4,800
	<u>\$ 78,800</u>

Supplies:

50/mo. X 12 X 3 staff	<u>\$ 1,800</u>
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Equipment:

3 Personal Computers 3000 X 3 =	<u>\$ 9,000</u>
3 Printers	
Software	

TOTAL	<u>\$267,661</u>
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*The amount of \$10.0 is also available from the DMHDD/s budget.

CSB 964ES
HB 91

FISCAL NOTE #1

Mental Health Board

House Bill 91 (CMI) recommends the establishment of a statewide Mental Health Board that would influence the actions and directions of the Department of Health and Social Services in attaining the overall mission of the mental health system in Alaska. The duties and responsibilities of the existing Governor's Mental Health Advisory Council (Sec. 47.30.605) would be absorbed and expanded by this new board structure.

Modeled after the Governor's Council for the Handicapped and Gifted (Sec. 47.30.030), the attached document describes the functions and responsibilities of the new board. Although advisory in scope, this Board will be significantly more influential than the "old" Council with respect to legislative/executive advocacy, impact on departmental policies, regulations and procedures, budget and program oversight, short and long range planning and quality assurance.

In order to effectively accomplish its goals and objectives, the Mental Health Board will be staffed by three full time professional and clerical staff. The Senior staff position, the Executive Director, will be partially exempt, and be hired by the balance of candidates submitted by the Commissioner. The remaining staff will be hired through the classified service by the Executive Director. Although the staff will be employees of

Bush ...

the Department of Health and Social Services, Division of Mental Health and Developmental Disabilities, and be guided by the policies and procedures of the Department, they will be directly responsible to the Board for their assignments and performance. They will work directly for the Board and not the Department. Ideally, the staff should be located in the Division of Mental Health and Developmental Disabilities regional office in Anchorage.

The staff for the Board will comprise three permanent full time employees:

- (1) Executive Director (Range 22). This person, a Mental Health Clinician or a Health Planner, would have responsibility for working directly with the Board to accomplish its mission, the overall coordination and supervision of the office, and coordinating and collaborating with the Department. In addition to the established requirements of a Mental Health Clinician III or a Health Planner, this individual must possess special knowledge in the areas of mental health administration and supervision, planning, research, program monitoring and evaluation, skills in oral and written communication, broad knowledge of Alaska's mental health system (including the private sector), previous experience in working with advisory or governing boards, and skilled at interagency coordination, collaboration and cooperation.

- (2) Research Analyst III (Range 18) who would have responsibility for planning and social indication forecasting, designing and conducting independent research and studies, collecting and analyzing data, providing reports and analysis for both policy and management recommendations. Ability to interface with the private sector is important.
- (3) Clerk Typist III (Range 8) will provide secretarial support to the two professional staff and the Board.

FACT SHEET - MENTAL HEALTH LEGISLATION

HB 92/SB 96 - Mental Health Trust Lands Settlement

BACKGROUND:

In 1956, the U.S. Congress gave the Territory of Alaska approval to select 1 million acres of federal land to create a "trust" -- the income of which was first to be used "to fund the necessary expenses of the mental health program of Alaska."

Although the Territory and State selected the million acres, no income from the acreage was ever identified for mental health uses.

In 1978, the legislature passed a law redesignating mental health trust lands as general grant lands. The law established a trust fund for mental health programs and specified that 1.5% of the annual receipts from all state land would go to the fund.

No appropriations were ever made into the fund.

In 1982 a suit was filed in Fairbanks Superior Court on behalf of Carl Weiss, a seven-year-old boy from Nenana and Earl Hilliker, a Fairbanks resident. Weiss v. State of Alaska contended that the plaintiffs were in need of mental health services which were not available in Alaska. They questioned the constitutionality of the 1978 law which abolished the land trust.

The court, in 1984, stated that the million acres of land was, indeed, intended to produce revenues for the benefit of Alaska's mentally ill and that the 1978 law was unconstitutional. The Supreme Court agreed with the lower court and stated that the million acre trust had to be reconstituted as nearly as possible. The court said further that the trust had to be reimbursed for lands sold since 1978.

The state, to the extent possible, has "tried to put Humpty Dumpty together again" but only 207 thousand of the original million acres remain as "unencumbered land." Nearly 300 thousand acres are described as "less than fee disposals." These include oil leased lands, coal leases, timber sales and other such uses. Proceeds from these lands are currently being credited to a special mental health account.

A new approach, suggested by the Interim Mental Health Commission and adopted as a Committee Substitute by both the House and Senate HESS committees, would do the following:

*It would establish the value of the original mental health lands.

*It would specify that a new mental health trust is created from certain legislatively-designated lands which have value equal in dollars to the former trust. These lands would be re-appraised every five years.

*It would mandate that each year the Commissioner of Revenue would make rent or lease payments to the trust by depositing 8% of the value of the trust lands into a special account.

*From this account, the Legislature would appropriate enough money to fund the necessary expenses of Alaska's mental health program. Excess moneys not necessary to fund mental health could be appropriated to meet other needs of the state.

*A strong mental health board would be established, a prime function of which would be to determine each year what the necessary expenses of the program would cost.

*As an interim measure, until valuations are made and the new trust is established, the "5% solution" proposed in the original House and Senate bills would go into effect. This would give the mental health program a temporary source of funds.

The advantages of the proposal are these:

1. It reconstitutes a permanent land trust and gets everybody out of court.
2. It allows mental health professionals to focus on mental health needs and on adequate budgeting, not on land management.
3. It eliminates all clouded land titles and frees lands for all other uses.
4. It is relatively easy to administer.
5. It requires no cash reimbursement for lands disposed of; its only special costs are for lands appraisal.
6. Most important, it creates a vehicle for the state -- three decades after the 1956 Congressional act -- to adequately fund the long neglected needs of the mentally ill.

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

FACT SHEET - MENTAL HEALTH LEGISLATION

HB 92/SB 96 - Mental Health Trust Lands Settlement

BACKGROUND:

In 1956, the U.S. Congress gave the Territory of Alaska approval to select 1 million acres of federal land to create a "trust" -- the income of which was first to be used "to fund the necessary expenses of the mental health program of Alaska."

Although the Territory and State selected the million acres, no income from the acreage was ever identified for mental health uses.

In 1978, the legislature passed a law redesignating mental health trust lands as general grant lands. The law established a trust fund for mental health programs and specified that 1.5% of the annual receipts from all state land would go to the fund.

No appropriations were ever made into the fund.

In 1982 a suit was filed in Fairbanks Superior Court on behalf of Carl Weiss, a seven-year-old boy from Nenana and Earl Hilliker, a Fairbanks resident. Weiss v. State of Alaska contended that the plaintiffs were in need of mental health services which were not available in Alaska. They questioned the constitutionality of the 1978 law which abolished the land trust.

The court, in 1984, stated that the million acres of land was, indeed, intended to produce revenues for the benefit of Alaska's mentally ill and that the 1978 law was unconstitutional. The Supreme Court agreed with the lower court and stated that the million acre trust had to be reconstituted as nearly as possible. The court said further that the trust had to be reimbursed for lands sold since 1978.

The state, to the extent possible, has "tried to put Humpty Dumpty together again" but only 207 thousand of the original million acres remain as "unencumbered land." Nearly 300 thousand acres are described as "less than fee disposals." These include oil leased lands, coal leases, timber sales and other such uses. Proceeds from these lands are currently being credited to a special mental health account.

More than 360 thousand acres have gone into such limited-use designations as parks, game refuges, habitat areas, and state forests.

More than 40,000 acres have been allocated to municipalities. The Attorney General has advised the legislature that, without some sort of settlement, these lands may have to be returned to the trust.

The Legislature, in response to the decision, created a Joint Special Committee charged with trying to come up with a legislative solution to the decision that would meet with the approval of all concerned. It also created the Interim Mental Health Trust Commission and charged it with protecting the present diminished land trust, approving rentals and other administrative actions, and with making a report of its own concerning possible solutions to the problem.

WHY IS A LEGISLATIVE SOLUTION DESIRABLE?

At the present time, the court decision creates a cloud over many thousands of acres of land which have been transferred to municipalities, designated as state parks or set aside for other public uses. The decision effectively places a "freeze" not only on the use of mental health lands but potentially creates a "freeze" as well over additional lands which may have to be designated as mental health lands to make up for original lands which have been disposed of.

Too, it is not considered in the state's best interest for mental health lands to be administered separately from its other land holdings. Estimates are that it might cost as much as 25% of income generated for the state to administer the trust.

It will be far better -- assuming everyone concerned can have their needs met -- if the legislature can come up with a solution that satisfies the original Congressional grant language and yet avoids creation of a costly bureaucratic process.

PROPOSED LEGISLATION

HB 92 and SB 96, introduced in each house at the request of the Special Joint Committee, would attempt to fund the equivalent of trust lands earnings each year by designating 5% of the state's general revenues as being available for appropriation to the mental health program. The plan, sometimes called "the 5% solution," does not however reconstitute the trust in any form.

A new approach, suggested by the Interim Mental Health Commission and adopted as a Committee Substitute by both the House and Senate HESS committees, would do the following:

*It would establish the value of the original mental health lands.

*It would specify that a new mental health trust is created from certain legislatively-designated lands which have value equal in dollars to the former trust. These lands would be re-appraised every five years.

*It would mandate that each year the Commissioner of Revenue would make rent or lease payments to the trust by depositing 8% of the value of the trust lands into a special account.

*From this account, the Legislature would appropriate enough money to fund the necessary expenses of Alaska's mental health program. Excess moneys not necessary to fund mental health could be appropriated to meet other needs of the state.

*A strong mental health board would be established, a prime function of which would be to determine each year what the necessary expenses of the program would cost.

*As an interim measure, until valuations are made and the new trust is established, the "5% solution" proposed in the original House and Senate bills would go into effect. This would give the mental health program a temporary source of funds.

The advantages of the proposal are these:

1. It reconstitutes a permanent land trust and gets everybody out of court.
2. It allows mental health professionals to focus on mental health needs and on adequate budgeting, not on land management.
3. It eliminates all clouded land titles and frees lands for all other uses.
4. It is relatively easy to administer.
5. It requires no cash reimbursement for lands disposed of; its only special costs are for lands appraisal.
6. Most important, it creates a vehicle for the state -- three decades after the 1956 Congressional act -- to adequately fund the long neglected needs of the mentally ill.

BACKGROUND:

Historically in Alaska, the needs of the mentally ill have not been adequately recognized and funded. This situation has existed for a number of reasons, one of which is that until very recently people with mentally ill family members or friends were extremely hesitant to talk about it in any public forum. Treatment for the chronically mentally ill was an area of particular underfunding and therefore undertreatment.

Too, until the 1984 Weiss decision by the Alaska Supreme Court, there was no identifiable source of funding which advocates could point to as being available for treatment of mentally ill persons. That, of course, has now changed. The court has ruled that the 1954 million-acre federal grant of lands for a mental health trust must be reconstituted. From income off of these lands, the money must first go to meet expenses of the mental health program of Alaska. (Moneys excess to those needs may be appropriated for other public uses.)

Some members of the 14th Alaska Legislature attempted to remedy the underattention and underfunding of needs of the chronically mentally ill (CMI) last year. They introduced legislation which would have specifically mandated treatment for these individuals. The bill, however, took a considerable amount of time to develop and by the time it was in shape for consideration the legislature was approaching adjournment. The bill did, however, receive favorable attention from the House HESS Committee and was passed out of that committee with a majority do-pass recommendation.

The 1986 interim Joint Special Committee created by the legislature to look into mental health matters also recognized the need for legislation of this kind. In both houses of the 15th Alaska Legislature the committee prefiled legislation similar to the former bill. The identical bills are HB 91 and SB 97.

PRESENT STATUS:

HB 91 has been considered by the House HESS Committee and has been passed out of committee in the form of a recommended committee substitute, the principal features of which are these:

*Priorities for treatment are established, the highest priority being for those facing immediate risk of hospitalization, for those in need of continuing services, for those who pose a hazard to themselves or others, and for severely mentally ill youth; second level priority would go to those who, because of geographic or income limitations, are not capable of obtaining assistance in the private sector; third

level attention would go to those suffering from mental or emotional disturbances of a less severe or persistent nature not requiring hospitalization in the foreseeable future.

*General treatment services -- both outpatient and inpatient -- available to treat all types of mental illness are described. (These include such services as emergency services, counseling, screening, evaluation, prevention, education, etc.)

*In addition, the particular needs of the chronically mentally ill -- never before truly recognized in statute -- are set out. Language identifying the services to meet these needs was taken from a model federal program initiated by the National Institute of Mental Health. These include such services as crisis stabilization, unique patient treatment services such as psychotropic medication, case management, residential living, vocation assistance and other services. Recent NIMH research demonstrates that acute psychotic episodes are significantly reduced when a community has an array of such services. (Many of these services, incidentally, have long been available for other needy individuals, but have not, until recently, been available for CMI individuals even in a limited way.)

*The bill provides that in cases where the usual funding "match" for CMI services and other community mental health services cannot realistically be expected from a community or a local organization, the Department of Health and Social Services will fund the percent of costs that is necessary to ensure the services will be provided. (In some instances, this may be 100% of program costs.)

*The bill also establishes broad standards for community health services



ALASKA MENTAL HEALTH ASSOCIATION

2811 Fairbanks Street, Suite A
Telephone 276-1705

Anchorage, Alaska 99503

A Division of the National Mental Health Association

1322

February 19, 1987

Rep. Pourchot
Sen. Halford
Sen. Fahrenkamp
P.O. Box V
Juneau, Alaska 99811

Rep. Gruenberg
Sen. Fischer
Sen. Josephson

FEB 24 1987

Re: Proposed Legislation to Settle the Mental Health Trust
Lands Litigation (HB 92 & SB 97)

After consultation with our attorney, Jim Gottstein, we are writing you to express our position, as a party plaintiff in the Mental Health Trust Lands litigation regarding the above referenced legislation to resolve the litigation. Our position was developed after a couple of lengthy discussions by the entire board of directors with Jim.

First, we wish to thank all of you for your tremendous efforts and support in working towards a solution to the problem. Your commitment to better mental health services has shown through, as well as your interest in a resolution of the lawsuit. Of course, our primary concern, as yours, is to provide at least an adequate mental health program. The Trust is simply a mechanism to achieve this.

As another preliminary matter, we wish to acknowledge that the bills as drafted are simply an outline of the proposal the parties have agreed merit further development, but which all understand must be significantly fleshed out before it will be accepted by any party. The purpose of this letter is to indicate what would have to be included before we could accept this type of a proposal and also to offer a slightly different alternative which we prefer at this point. As a litigant in the lawsuit, we will not accept any proposal that we do not agree with in every particular. We understand this is not a normal situation for the Legislature to be in, but do not see how we can take any other approach.

This leads us to our first substantive comment on the bill, which is it must be much more explicit and detailed that it is part of a stipulated settlement of the lawsuit. Our attorney advises us, in order to protect the beneficiaries of the Trust, any negotiated solution should be incorporated into a "court ordered settlement". In connection with this, we are advised that the

legislation should explicitly state it is being enacted in connection with a court ordered settlement, with detailed findings and statements of purpose. It is imperative for people who may be in the position of reviewing the legislation many years from now to be able to understand the reasons for the legislation.

As to the specific proposal of substituting a trust corpus with 5% of general revenues to be used first for the necessary expenses of the Alaska's mental health program, when we first learned of it, our initial reaction was that it sounded very similar to the promise made in 1978 that was never lived up to. However, Jim explained that the bill provides for an enforcement mechanism that is designed to come into play if the state does not live up to its commitment. According to Jim, there is still some question about the enforceability of even the waiver of sovereign immunity contained in the bill, and, of course, this question will have to be resolved satisfactorily before we could ever accept a settlement that does not provide for a reconstructed trust corpus. Also, it is our position that the enforcement mechanism should have the option of enforcing the 5% provision, and not have the only choice being to reconstitute the entire trust corpus. In other words, if the Legislature in 2015 should fail to appropriate for the mental health program out of the 5% first, the enforcement mechanism should be able to be brought into play and require the 5% approach and not force the beneficiaries of the trust to attempt to recreate a multiple billion dollar trust.

One of our absolute bottom lines is that any resolution of the lawsuit that eliminates a trust corpus per se must include a commitment to the mental health program. To the extent there is even an argument the State can assert it is expending funds "first for mental health" without actually providing an adequate mental health program, in any settlement proposal, it is simply unacceptable to us. A mechanism with appropriate public participation must be established to legitimately and objectively determine the real needs for mental health services and then there must be some sort of standard to determine when "the necessary expenses of the mental health program" have been met. For example, if the determination of needs results in the finding that there is potential need for X mental health services, the state would have to fund 90% of X before it could use the 5% of general revenues for other purposes. Of course, we recognize the need for a phase in over the next few years in order to develop an efficient and cost effective program.

This leads to the issue of the Mental Health Board established under the bills. First, the Powers of the Board must be carefully defined and greatly strengthened. The Board's powers must be on the order of the Fish and Game Boards and the University of Alaska Regents. Second, it seems to us the Board is really a beefing up of the Governor's Mental Health Advisory Council and should be approached that way.

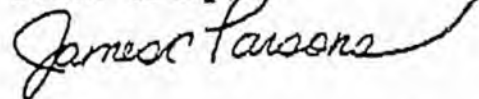
In light of our very grave concern about the illusory nature of simply providing the 5% will be spent "first" on mental health without a firm agreement about what this means, we feel that this legislative session should be considered a Dry Run. We believe the mechanism set out in the bill should be followed this year to see how it comes out. To the extent that none or little more is appropriated than would have otherwise been funded, there is absolutely no reason for us to give up the land and we will not agree to it. Our review of the current mental health budget leads us to believe that it should be increased from approximately \$23.5 million to \$35 million with the primary emphasis in the increased funding on community support programs and services to children and adolescents. We think the program for Alaska Natives also desperately needs to be expanded, but do not believe the Division is in a position to really do much for the fiscal year in question, other than to try and develop its program.

Another issue which should be addressed explicitly is the provision for capital construction. Suitable planning and provision for capital construction costs must be made. Our first inclination is that a 5 year capital construction plan be developed annually and a sinking fund from the 5% be created to pay for it.

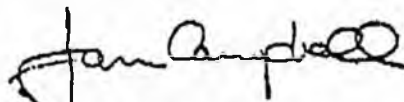
The adjustment to the basic 5% proposal the Board discussed and would like the Legislature to adopt is to use the 5% first to fund the necessary expenses of the mental health program and then to fund an actual trust corpus, in an amount to be determined, with the idea it will replace the 5% when it is fully funded. The figure for the trust corpus would of course have to be preserved, inflation proofed and population adjusted.

We thank you for the opportunity to provide you with our comments and welcome the opportunity to discuss and testify as to them as well as continue to negotiate a settlement of the litigation.

Yours truly,



Dr. James C. Parsons,
President



Jan Campbell,
Executive Director

cc: James B. Gottstein, Esq.
Alaska Alliance For the Mentally Ill
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