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Assessment of Impoundment and Forfeiture Laws for Drivers Convicted of DUI, Phase II Report: Evaluation of Oregon and Washington Vehicle Plate Zebra Sticker Laws

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16. Abstract The practice of driving while suspended by Driving Under the Influence (DUI) offenders is a serious safety problem. The States of Oregon and Washington have enacted laws empowering police to: (1) seize the vehicle registration of motorists found to be driving on a suspended license and forward it to the State motor vehicle department for cancellation, and (2) affix a small, striped "Zebra" tag over the annual sticker on the vehicle plate. This report covers a study of the effectiveness of these laws in deterring illegal driving by drivers suspended for DUI. The results indicate that the law, which was more limited in its application in the State of Washington, did not reduce illegal driving by DUIs. In Oregon, where the law was more widely applied, convictions for Driving While Suspended (DWS) were increased principally by instances in which the officer tagged the offender's vehicle. Offenders with tagged vehicles had significantly fewer moving violations, DUIs and DWS convictions and somewhat fewer crashes than did DWS offenders whose vehicles were not tagged. There was some evidence that in Oregon, suspended DUI offenders who were eligible but did not receive DWS citations, were deterred and reduced the amount of their illegal driving.		14. Sponsoring Agency Code	
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STATE OF WASHINGTON

EXECUTIVE SUMMARY

OVERVIEW

This is the second of two reports covering the assessment of impoundment and forfeiture laws designed to reduce illegal driving by Driving Under the Influence (DUI) offenders whose licenses have been suspended. The first report covered a general description for current State laws that provide for the impoundment or forfeiture of vehicles, and for the impoundment or cancellation of vehicle license plates as a sanction for DUI or Driving While Suspended (DWS).

One objective of the Phase I Report (DOT HS 807 870, June 1992), was to determine whether there was a jurisdiction where impoundment laws were applied to a sufficiently large group of offenders that the impact of such laws might be profitably evaluated. The survey of laws summarized in that review indicated that in most States with laws providing for impoundment or forfeiture of vehicles or license plates, this legislation was applied to relatively few drivers and therefore could not be effectively evaluated. Two States, however, Oregon and Washington, had enacted legislation establishing a procedure by which law enforcement officers, upon apprehending an unlicensed driver, could take possession of the driver's vehicle registration. In such cases, the driver is given a temporary registration certificate, and a striped ("Zebra") tag is placed over the annual sticker on the vehicle license plate. A new annual sticker can only be obtained by the owner demonstrating that he or she is properly licensed. This "Zebra" Tag Law was applied to sufficiently large numbers of offenders (about 7,000 in Washington and about 31,000 in Oregon) to provide an opportunity to evaluate both the general and specific deterrent effect of these laws on illegal driving by DUI offenders. This Phase II report covers the results of a study of this law in these two states.

STUDY METHODS

To determine the impact of the Zebra Tag Laws in the States of Washington and Oregon, the motor vehicle departments of each state were approached to provide data on drivers with DUI convictions. For Washington, a total of 101,296 driving records, which included all operators with a DUI conviction entry between the dates of July 1, 1985 and June 30, 1991 (from three years before to three years after the implementation of the Zebra Tag Law), were drawn from the State file. For Oregon, a total of 101,639 driving records which included all operators with at least one DUI offense between the dates of January 1, 1987 and June 30, 1991 (from three years before to one and a half years after the implementation of the Zebra Tag Law), were drawn from the State file.

Using these data, monthly time series covering 6 years (Washington) or 4½ years (Oregon) were constructed for four dependent measures (i.e., crashes, moving violations, DUI convictions, and DWS convictions) for each of three DUI offender groups; (1) reinstated DUIs, who could legally drive and were therefore not at risk for receiving a Zebra sticker; (2) suspended DUIs, who if they drove illegally were at risk for receiving a sticker; and (3) suspended DUIs, who also had

been convicted of DWS. After the law, the group divided into two groups — those that received stickers and those that despite being arrested for DWS did not receive stickers.

WASHINGTON RESULTS

The time series data for the State of Washington was consistent across all groups and offense types in showing *no* evidence for impact of the Tag Law. This was in contrast to the positive results reported below for the State of Oregon.

There appears to be three possible reasons for the differences between the Washington and Oregon results:

1. The Washington Zebra Tag Program applied to fewer offenders than in Oregon. Only drivers operating their own vehicles while suspended or revoked were subject to having Zebra Tags applied over the annual stickers on their license plates and having their registrations canceled.
2. The Washington data did not show the significant rise in DWS convictions following implementation of the Zebra Sticker Law which occurred in Oregon.
3. The proportion of unlicensed drivers apprehended for Driving While Suspended each month (i.e., enforcement rate) is lower in Washington than in Oregon.

Because of this less intense application of the Tag Law, the lack of impact shown by the time series results is not unexpected.

It should be kept in mind, however, that since the Zebra Tag information was not available on the Washington DMV record, an evaluation of the *specific* deterrent effect of the Washington Zebra Tag Program was not possible. If DWS drivers with and without Zebra Tags could have been compared, it might have been possible to demonstrate that the law reduced illegal driving for those drivers whose vehicles had Zebra Tags applied to their plates.

The conclusion that the Washington Zebra Tag Program did not reduce illicit driving by DUIs is supported by the independent study conducted by Phil Salzberg (1991). He analyzed five years of data (1986-1991) from the State of Washington crash files covering the period before and after the implementation of the Washington Zebra Tag Program and found no indication that the law had reduced crashes among individuals cited for DWS. Unlike the present study, however, he did not study the records of suspended DUIs, who if they drove illegally, were at risk for receiving a sticker.

OREGON RESULTS

Since, in contrast to Washington, the time series analysis of group trends in Oregon provided evidence that the Zebra Tag Law had an impact on the driving of unlicensed DUIs, a more

detailed study of the impact of this law in that State was undertaken. This indepth study was facilitated by the inclusion in the driver record system of a notation when the driver received a Zebra Tag. This information, which was not available from the State of Washington driver file, permitted the comparison of the driving records of individuals convicted of DWS after the implementation of the Tag Law; with and without stickers on their cars.

In summary, the analysis of the Oregon data indicated that:

1. The administration of the law worked efficiently with only a very small number of errors or appeals.
2. Offender-owners experienced some delay in clearing the tags from their vehicles. Two-thirds cleared their vehicles by means other than obtaining valid drivers licenses. Some of these may have continued to have access to the vehicle even though their licenses continued to be suspended.
3. There was a marked immediate rise in the rate of DWS convictions when the Tag Law became effective on January 1, 1990.
4. This rise in DWS convictions was almost entirely accounted for by offenses for which the officer seized the vehicle registration and tagged the license plate.
5. After the law was implemented, DWS offenders who also had their vehicle plates stickered had lower rates of DUI offenses, moving violations, and repeat DWS offenses than DWS offenders who did not receive tags. Stickered offenders also had a lower rate of crash involvement which approached statistical significance. This suggests that the tagging of the vehicle had a *specific deterrent* effect which reduced illegal driving.
6. DUI offenders who were suspended and therefore at risk of being stickered were found to have fewer moving offenses and accidents following the implementation of the Tag Law. This reduction was significantly greater than the reduction experienced after the implementation of the law by the comparison group of DUI offenders who had been reinstated and therefore were not subject to tagging. This suggested that threat of the Tag Law had a *general deterrent* effect.

RECOMMENDATIONS

A number of recommendations were developed to handle issues or problems raised by this research effort; some specifically supported by research data in this document and others based on the experience of the investigators from interviewing law enforcement personnel and program administrators. The source for each recommendation is indicated below.

States should consider enacting Zebra Tag Laws. The study demonstrated that placing a sticker on the tag of a violator's vehicle had a specific deterrent effect which reduced violations, providing evidence that illegal driving was reduced. There was also evidence in Oregon of a general deterrent effect on unlicensed DUIs.

States considering the implementation of a Zebra Tag Law should provide for as broad an application of the law as possible. The Zebra Tag Law appears to have been effective in Oregon in reducing illegal driving by suspended drivers, to which the law applied. It had no specific deterrent effect on DWS offenders who were not tagged.

States considering the implementation of the Tag Law should provide for an active public education program on the Zebra Tag Law. A limited search of newspaper coverage of the Oregon Zebra Sticker Program and a survey of the public indicated that there was limited understanding of the Zebra Tag Laws among licensed drivers. An intensive public information campaign might have increased the general deterrent impact of the law.

States considering the implementation of a Tag Law should minimize the opportunity for owner-offenders to transfer the vehicle title to family members in order to remove the Zebra Tag while they continue to operate the vehicle. In the State of Oregon, between 30 and 40% of owner-offenders who had Zebra Tags placed on their vehicles were able to clear those Tags by transferring the titles of their vehicles to another person. It is not clear whether these transfers were legitimate sales or whether they were to a family member so that the Tag would be removed but the suspended offender could keep driving the vehicle.

States considering the implementation of a Tag Law should ensure adequate supplies of good quality Zebra Tags when the program begins. In interviews with the Principal Investigator, State law enforcement officers in Oregon indicated that in the early stages of the Zebra Sticker program, they often ran out of Zebra Tags for vehicle plates. Further, law enforcement officers reported that the Zebra Tags were difficult to apply to vehicle plates in the rain.

States which implement a Tag Law should record Sticker application and removal on the driving record. The State of Washington Motor Vehicle Department did not provide for an indication on the driver record for the application and removal of a Zebra Tag. As a result, it was not possible to evaluate the specific deterrent effect of a Tag on the license plate on the driving of a DWS offender.

States implementing a Tag Law should consider providing for a substantial fee for removal of the Zebra Tag and the issuance of a new annual sticker at least where the offender was the vehicle owner. In the State of Oregon, it costs a total of \$17 to have the Zebra Tag replaced by a new annual sticker. Many law enforcement officers in interviews with the Principal Investigator stated that they felt that this was such a minor penalty that they questioned the utility of the Oregon Zebra Sticker Program.

States implementing a Tag Law should include in their legislation the provision that the presence of the Tag is probable cause for law enforcement officers to stop the vehicle and determine the license status of the driver. This provision is in both the State of Washington and the State of Oregon Zebra Tag Laws. The tag, by attracting the attention of police officers and by providing a basis for stopping the vehicle, raises the actual and perceived risk of apprehension. This appeared to be an important factor in deterring illegal driving by individuals who had Zebra Tags on their plates.

States implementing a Tag Law should investigate methods for making the Zebra Tag more visible. In Washington and Oregon, the Zebra Tag on the vehicle plate is approximately the same size as the small annual renewal sticker (about 2½ to 3 sq. in.). To increase the deterrence to illegal driving, States implementing Zebra Tag Laws should develop Tags that are more easily visible (because they are larger or brighter) to law enforcement patrols.

States considering Tag Laws should provide for the seizure of license plates on Tagged vehicles when the registration has been canceled. The Tag Laws in both the States of Washington and Oregon provided that if the Tag is not cleared within 60 days, the vehicle registration will be canceled. In theory, once the registration has been canceled, the police are authorized to seize the vehicle plates. However, the Oregon State Patrol officers indicated that they were reluctant to try to remove the license plate. If it is not practical for officers to remove the plate, the legislation can authorize law enforcement personnel to have the vehicle towed to a facility where the plates can be removed, and the vehicle impounded, until the owner can provide a valid registration.

I. INTRODUCTION

In order for an officer to cite a motorist, he or she must observe a traffic violation. An important factor, therefore, in the effectiveness of an enforcement effort is the visibility of the offense. Table I-1 classifies the most frequently-observed traffic offense types by their visibility. The probability that an offense will be observed varies both with the visibility of the offense and the time during which the offense is visible. For some laws, such as motorcycle helmet laws, the offense is visible to law enforcement officers any time the motorist is operating on the public road without a helmet. This is also true of failure to meet vehicle registration laws (such as driving with out-of-date plates) and other vehicle defects (such as head- or tail-lights out), though these latter may only be visible at night. Moving offenses such as speeding or failure to yield are observable, but only when the specific maneuver is being made. The offense of Driving Under the Influence (DUI) may be visible only for particular individuals at certain times. For example, some impaired drivers may weave back and forth between lanes giving law enforcement officers a good indication that they have been drinking. Others may be able to keep their vehicles within the lane, but fail to see traffic when approaching an intersection. This impairment will only be visible at the time of an accident. Heavy drinkers with high tolerance to alcohol generally provide few impaired driving signs. As a result, arrest rates for DUI are estimated generally to be on the order of 1 in 1,000.

Table I-1
Visibility of Traffic Offenses

	Applies at all Times When Driving	Applies During Certain Maneuvers
Usually Observable	Helmet laws, vehicle registration laws, belt laws, defective vehicle offenses, etc.	Reckless driving, speeding, failure to yield, illegal parking offenses, etc.
Sometimes Observable	DUI/DUID	—
Never Observable	DWS	

One offense which is never observable by the officer, even though it is present whenever the driver is operating his or her vehicle on public roads, is Driving While Suspended (DWS). Because this offense is completely hidden from the officer, the number of drivers committing this offense is unknown. It is clear from State driver records, however, that there are many such drivers since individuals whose driving permits have been suspended or revoked continue to generate traffic citations and accident reports. While the Driving While Intoxicated (DWI) offender's misdeed is not observable, a significant amount of enforcement does occur in conjunction with the enforcement of other traffic offenses. Individuals stopped for speeding, failure to yield, or for DUI will normally have their driving permits checked with the State motor vehicle department and receive citations if their licenses are revoked or suspended. Since there is a reasonable chance that one may be apprehended for Driving While Suspended as a result of a stop for a minor traffic offense, this threat is not negligible. Undoubtedly, it produces some deterrence to illegal driving by those whose licenses have been suspended.

However, since we have no good measure of the number of unlicensed drivers and the frequency of their driving, it is difficult to gauge the intensity of this enforcement.

While there are no objective figures on the extent of DWS, there is evidence that it is a very wide-spread phenomenon. Not only do the driving records of individuals who have been suspended contain reports of accidents and citations which give evidence of their driving (Peck, Saddler, and Perrine, 1985), but studies in the States of California (Sadler and Perrine, 1984) and Washington (Voas and McKnight, 1991) have demonstrated that up to half of the offenders who receive license suspensions do not apply for reinstatement when they first become eligible. In a study by Voas and McKnight (1991) in the State of Washington, only one-third of first-offenders reinstated their drivers' licenses when they first became eligible. Another third delayed reinstating their licenses at least a year while the final third never reinstated within the period of the study (which covered four years). While some of these offenders who failed to reinstate their licenses when first becoming eligible may not actually be driving and may be using public transportation, the fact that most of the suspended drivers will accumulate citations not only during the suspension period, but (for those who failed to reinstate) beyond that time indicates that they are still driving.

This is obviously a significant problem for traffic safety. License suspension has been demonstrated to be the most effective sanction for the DUI offense (Nichols and Ross, 1989; Peck, Saddler and Perrine, 1985). Despite the tendency of many suspended drivers to continue to drive to some extent, there is evidence that they reduce their exposure through reduced driving and/or more "careful" driving (Ross and Gonzales, 1988). McKnight and Voas (1991) have shown that while suspension is not a specific countermeasure for drinking and driving offenses by reducing exposure, suspension reduces accidents and violations of all types. Studies of Administrative License Revocation (ALR) laws have demonstrated that license suspension is effective in reducing fatalities (Klein 1989, Zador et al., 1988). Thus, the ability of the motor vehicle department to suspend or revoke the license of high-risk offenders (such as those convicted of DUI) is perhaps the most effective countermeasure for impaired driving and for serious traffic offenses. It is important therefore that the impact of this measure not be subverted by the inability of the police to enforce driving restrictions.

Three general approaches have been taken to dealing with the DWS problem. The first of these has been to stiffen the penalties for being apprehended driving while suspended by providing relatively long jail sentences upon conviction. This approach has only been partially effective. The courts tend not to impose significant jail sentences for Driving While Suspended unless the offender is involved in a crash with injuries to others. More significantly, jail space in most jurisdictions is extremely limited. Frequently this sanctioning alternative is not readily available to the lower courts.

A second approach to the DWS problem is to separate offenders from their vehicles by impounding or forfeiting the vehicle or by revoking the registration. A description of these types of law and their current implementation is provided in the Phase I Report (DOT HS 807-870, June 1992). No research evaluations are available on this approach. It is clear however, from the survey reported in Phase I, that the current frequency of vehicle

for the DWS offense is very low and therefore of little significance in keeping offenders from illegal driving.

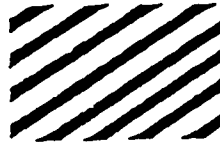
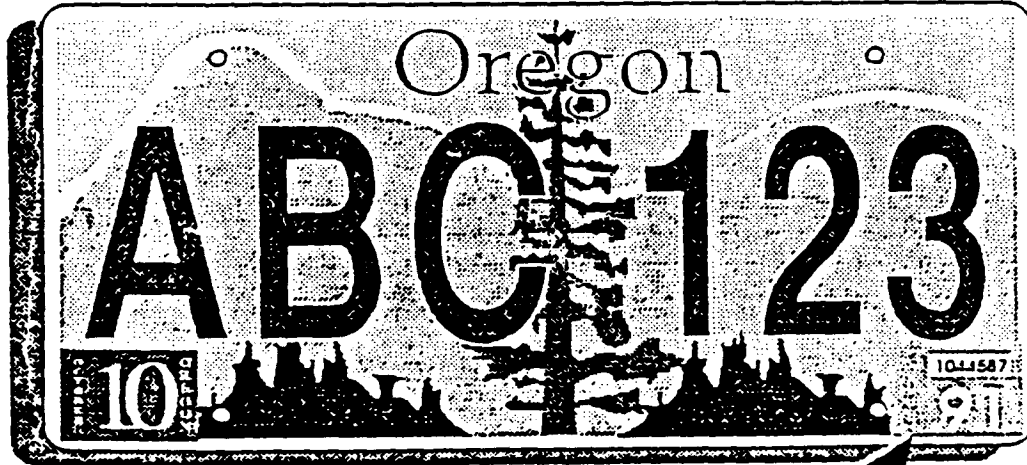
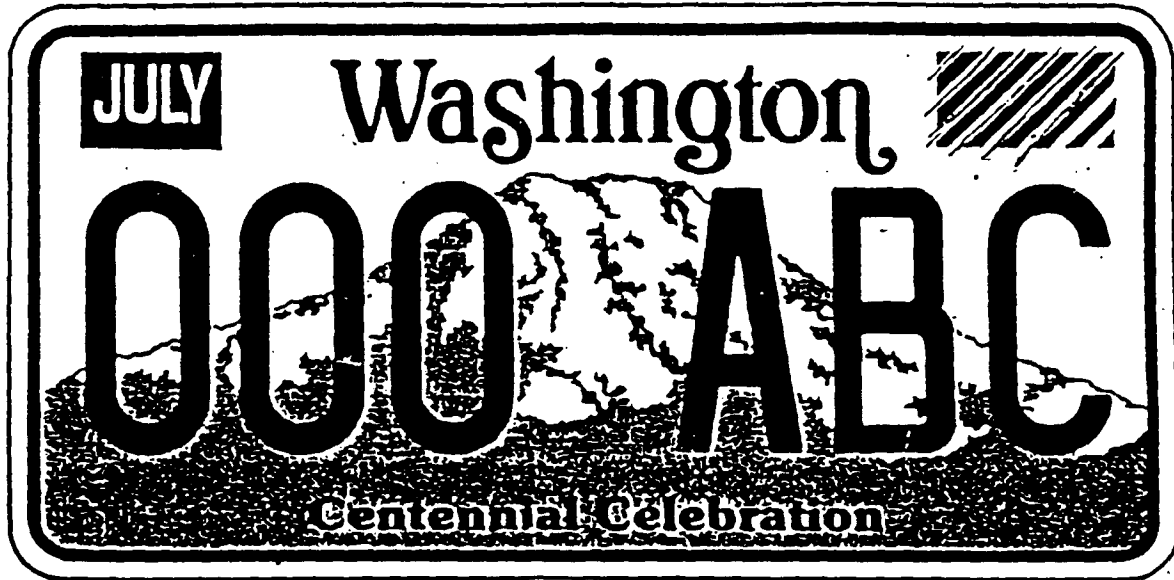
The third approach to the control of illicit driving by suspended operators has been to label the vehicle so that it will be drawn to the attention of the officer who can then stop the driver and check his or her license status. This type of legislation was also reviewed in the Phase I Report of this study. Two States, Ohio and Minnesota, have made provisions for the suspension of vehicle registration along with the driver's license of DUI offenders who own a vehicle. The laws provide for the issuance of a special "family plate" which distinguishes the vehicle for the officer. With these special plates, family members can drive the vehicle while the owner is suspended. An initial evaluation by the Minnesota Office of Traffic Safety (1990) of their Special Plate Law indicated that the courts frequently failed to suspend the vehicle registration when they had the power to do so. Moreover, few of those offenders whose plates were revoked requested the special family plates.

One "labeling" program which has been applied to large numbers of drivers is the Zebra Sticker Program originated in the State of Washington on 1 July 1988 and later copied and expanded upon by the State of Oregon beginning 1 January 1990. This administrative procedure permits officers to seize the vehicle registration whenever a driver is apprehended operating without a valid license. The registration is forwarded to the motor vehicle department, and replaced with a 60-day temporary registration. In addition, a striped "Zebra" Tag (see Figure I-1) is placed over the annual sticker on the vehicle plate. The vehicle owner must pay a small processing fee and pay for a new annual sticker to replace the one that was covered over by the Zebra Tag. This can only be done by the owner if he or she has a valid driving permit. Approximately 30,000 such Zebra Sticker citations are made by law enforcement officers in the State of Oregon each year and 7,000 in the State of Washington where the basis for applying the Zebra Tag are more limited.

The conclusion that the Washington Zebra Tag Program did not reduce illicit driving by DUIs was reached by the independent study conducted by Phil Salzberg (1991). He analyzed five years of data (1986-1991) from the State of Washington crash files covering the period before and after the implementation of the Washington Zebra Tag Program and found no indication that the law had reduced crashes among individuals cited for DWS. Unlike the present study, however, he did not study the records of drivers *at risk* but not actually apprehended for the DWS offense.

This report provides an evaluation of these Zebra Tag programs.

Figure I-1
Special Stickers Used on Plates in the States of Washington and Oregon



II. DESCRIPTION OF ZEBRA TAG PROGRAMS

The State of Washington was the first State to pass a license plate Zebra Tag Law¹ It became effective July 1, 1988. The State of Oregon modeled its law on that of Washington, and it became effective January 1, 1990. The similarity of the two laws is demonstrated in Table II-1. Both laws are administrative. Action is taken at the point of apprehension by the officer and the processing and administration of the program is done by the State motor vehicle departments. The vehicle registration cancellation proceeds irrespective of the outcome of the court trial on the charge of Driving While Suspended. Both laws provide that the arresting officer will confiscate the vehicle registration upon finding that the driver is not validly licensed. The officer seizes the registration and replaces it with a temporary registration document good for 60 days. The original registration is forwarded by the officer to the department of motor vehicles which will cancel that registration unless the vehicle owner takes action to clear the vehicle status within 60 days. At the time of the apprehension, the arresting officer places a striped "Zebra" Tag on the vehicle plate over the annual renewal sticker.

In Oregon, this Zebra Tag can be cleared by a validly-licensed owner proceeding to the local department of motor vehicles office, paying a \$6.00 reinstatement fee, as well as the standard \$11.00 renewal fee to obtain a new annual sticker. In both States, offender-owners who are not validly licensed are blocked from this reinstatement procedure and thus run the risk that their registration will be canceled at the end of the 60-day period. The procedures for application of the Zebra Sticker Laws for Oregon and Washington are described in some detail in Appendices F and H. The State of Washington did not have an administrative license revocation (ALR) law at the time of this research. While Oregon had an ALR law, because the implementation of the law was considered to be a "pilot" program, stickers were not placed on the vehicles of those with administrative suspensions.

The principal difference between the Washington and Oregon laws is that the Washington Zebra Tag Law applies only to *suspended or revoked drivers who own the vehicles which they are operating*. In Oregon, on the other hand, the vehicle will have a Zebra Tag applied to the license plate, whether or not the driver is also the owner of the vehicle. Thus, during the first two years (1 July 1988 - 30 June 1990) in Washington, approximately 7,000 drivers had Zebra Tags applied to their license plates each year compared to Oregon in which between 31,000 and 34,000 drivers had Zebra Stickers applied to their plates each year from 1990 to 1992. Fifty-five percent of the Oregon Zebra Tags were issued to owner-operators while 45% involved vehicles owned by "innocent" drivers. In both States, the Zebra Tag Law applies only to in-State operators.

In addition to the broader application of the Zebra Tag Law in Oregon, another factor which produced the lower frequency of tag actions in Washington when compared to Oregon

1 The term "Zebra Tag" and "Zebra Sticker" are used throughout this report to refer to both the Oregon legislation, "Zebra Sticker Law" (ORS 809), and the Washington legislation, "Zebra Tag Law" (HB 196).

is that the rate of enforcement of the Driving While Suspended (DWS) charge in Washington (about .8% per month) is about half of the enforcement rate in Oregon.

An interesting feature of both the State of Washington and the State of Oregon laws is that each stipulates that the presence of the Zebra Tag on the plate of the vehicle provides *probable cause* for the officer to stop the vehicle and check the driver. Thus, for example, Section II of Chapter 891 of the Oregon Vehicle Code states:

"Any police officer who sees a vehicle with registration plates marked — (with a Zebra Tag) — being operated on a highway or on premises open to the public may stop the vehicle for the sole purpose of ascertaining whether the driver is operating the vehicle in violation of driving while suspended laws."

**Table II-1
Comparison of "Zebra" Tag Laws in Washington and Oregon**

FEATURE	WASHINGTON	OREGON
ACTION	ZEBRA TAG	ZEBRA STICKER
PLACEMENT	over date sticker on rear license plate over date sticker on rear license plate	
INITIAL DATE	July 1, 1988	January 1, 1990
APPLICATION		
OFFENDER IS OWNER	Suspended or revoked drivers (6,710 in 1989)	Suspended and revoked drivers* (approximately 18,000 in 1990)
OFFENDER IS NOT OWNER	None	Suspended and revoked drivers* (approximately 13,000 in 1990)
STICKER ON VEHICLE	Reason to stop	Reason to stop
NOT APPLICABLE TO	Out of state vehicles and drivers NO ALR LAW	Out of state vehicles and drivers Drivers with ALR suspensions
TEMPORARY PERMIT	60 Days	60 Days
REGISTRATION CANCELLATION	60 Days	60 Days
TIME TO APPEAL	15 Days	15 Days

*Includes drivers operating outside of limits (e.g., driver with Learners' Permit, but no adult in car)

This section of the Oregon law goes on to provide that nothing prohibits the officer from making an arrest or citation for another offense if the officer has probable cause to believe that the person has committed that offense. Thus, the officer who stops a vehicle with a license plate displaying a Zebra Tag is able to cite the driver for a DUI offense as well as a Driving While Suspended offense.

III. RESEARCH DESIGN

RESEARCH OBJECTIVES

The first objective of this study was to determine whether the Tag Laws had a general deterrent effect on DUI offenders at risk for being apprehended driving while suspended and having their vehicles tagged. To meet this objective, separate but similar studies were carried out in Washington and Oregon. While the laws in both States were similar, approximately five times as many Zebra Sticker actions were recorded in Oregon as compared to Washington. *Because of its broader application, it should be expected that the impact upon illegal driving in Oregon would be greater than the impact of the law upon illegal driving in Washington.*

While the application of the Oregon and Washington Sticker Laws was based on Driving While Suspended offenses for a number of reasons, the interest of the current study was in reducing illegal driving by DUI offenders. Therefore, the study was limited to drivers who had been convicted of this offense. Aside from making the study relevant to the drinking and driving problem, this limitation also *ensures that the group under study consist of high-risk operators for whom it is important to discourage illegal driving.* Since licenses can be suspended on financial responsibility grounds for failure to provide adequate third-party insurance, some suspended operators may not be high risk drivers. While it may be important to discourage driving by those who cannot afford to purchase insurance, if this group includes relatively safe low-risk drivers, it would be difficult to evaluate the effectiveness with which their driving was limited since the measurement of illegal driving is dependent upon identifying traffic offenses and accidents occurring when the individual is supposedly suspended. If high risk drivers continue to drive while suspended, they are likely to accumulate more moving offenses and accidents. Low-risk drivers, on the other hand, can continue to drive frequently without a high probability of being cited for a traffic offense or being involved in a crash. Thus, the selection of the DUI offender as the subject for the current evaluation reduces the between-subject variance in the frequency of crash involvement compared to using a subject group which included any suspended driver. Secondly, it ensures that any positive effects will have clear safety relevance since the analysis will have been performed on high-risk drivers.

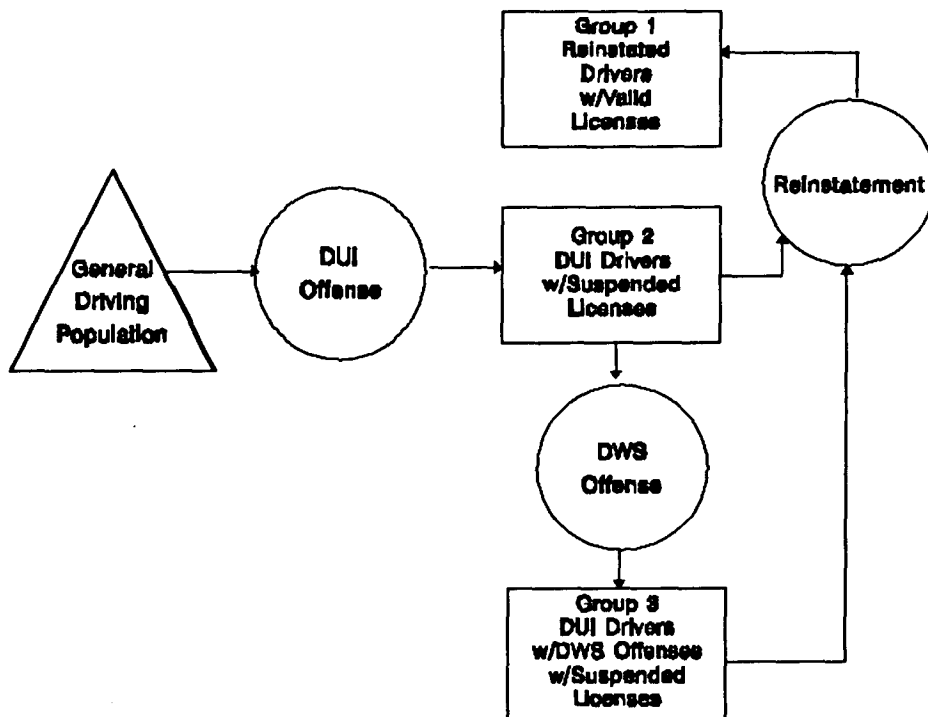
This study was designed to measure both the general deterrent effect of the Zebra Sticker Law on DUIs not yet apprehended driving while suspended, as well as its specific deterrent effect on those suspended drivers whose vehicles' plates had Zebra Stickers applied. The general deterrent effect of the Zebra Sticker Program applies principally to drivers who are suspended and therefore at-risk for having a Zebra Sticker applied to the license plates of their vehicles if caught driving while suspended. Driving Under the Influence offenders who have served their suspension period and hold valid licenses would not be expected to be strongly affected by the Zebra Sticker Program. Therefore, they were considered a comparison or control group for the present study. It might be argued that individuals with a drunk driving conviction on their records may be more sensitive to any public discussion of new laws, even those laws which only indirectly relate to DUI. However, the Zebra Sticker Laws were specifically directed at those who were driving while suspended. Therefore, their influence on fully-licensed drivers should be less than on DUIs without licenses.

RESEARCH DATA

As noted, the objective of this project was to study the impact of the Zebra Sticker Programs in Washington and Oregon on illegal driving by individuals suspended as a result of a DUI conviction. To obtain the basic data for the study, the cooperation of the Washington and Oregon State Motor Vehicles Departments was obtained to provide data from their driver records systems. In Washington, any driver showing a DUI conviction on his or her record beginning July 1, 1985 through June 30, 1991 was selected for this study. This produced 101,296 cases. In Oregon, the same procedure was followed; any driver receiving a DUI conviction (in this case between January 1, 1987 and June 30, 1991) was drawn from the State file. This produced a data set of 101,636 cases. In Washington, this provided data from 3 years before the law was implemented on July 1, 1988 to three years following that point, July 1, 1991. In Oregon, the data set provided three years prior to the implementation of the law on January 1, 1990 and a year-and-a-half after the implementation of the law. *The data elements in the two files were similar with the exception that there is no record on the State of Washington file of the issuance of a Zebra Sticker. Therefore it was not possible to analyze the driving records of operators with and without Zebra Stickers in Washington.*

In both States, the full driving record of each operator with a DUI offense within the selected period was obtained. That meant that some of these offenders had *prior offenses before* the data collection period. Drivers with such priors entered the time series groups (described below) at the beginning of the collection period. All others entered the time series on the date of their first DUI offense within the time period (July 1, 1985 to July 1, 1991 in the case of Washington, and January 1, 1987 to July 1, 1991 in the case Oregon).

Figure III-1
Model for Constructing Time Series Groups



These data were divided into three series based on the model presented in Figure III-1. Conviction for the DUI offense normally placed a case in Group 2, *suspended drivers*. The individual would remain in that group from month to month until (1) his or her license was reinstated or (2) he or she was apprehended for Driving While Suspended (DWS). If the license was reinstated, the case would move to Group 1, *reinstated drivers* composed of DUIs with valid licenses. If the individual was apprehended and convicted for Driving While Suspended, that case would move to Group 3, *suspended DWS drivers*. The case would remain in Group 3 until the offender's license was reinstated at which point that case would move back to Group 1, reinstated DUI drivers. DUIs with a valid license remained in Group 1 unless they were once again apprehended for DUI or some other serious offense which resulted in their being suspended and moving back to Group 2.

To form the three time series, drivers were allowed to move between the three groups each month with the position of the driver in Group 1, 2 or 3 being based on his or her status as of the last day of the previous month. Thus, the numbers in Groups 1, 2, and 3 varied from month to month as cases moved from one group to another as a result of a reinstatement, or a DUI or a Driving While Suspended conviction. Once a driver entered into the system, the case remained in the system for the rest of the time series. Therefore, the sizes of Group 1, 2 and 3 grew gradually through the six years of data in Washington and the four-and-a-half years of data in Oregon.

DEPENDENT VARIABLES

The driving record measures were divided into four classifications: (1) alcohol-related offenses such as Driving Under the Influence (DUI) and implied consent offenses; (2) Driving While Suspended (DWS) offenses including license suspension, license revocation, license expiration; (3) moving violations such as speeding, failure to yield, running a traffic light; and (4) accidents. The numbers of these events occurring for each group during each month was calculated and divided by the number of drivers within the group to produce an offense or accident involvement rate for each of the four categories of dependent variables for each of the three groups of subjects. Note, however, that since Group 1 were legal drivers, they did not receive DWS citations.

GENERAL DETERRENCE

In this manner, three groups of drivers were formed which were expected to experience different general deterrent impacts from the implementation of the Washington and Oregon Sticker Laws. Table III-1 summarizes the expected effects from the Sticker Law on these three groups of offenders. Group 1, DUIs who have reinstated licenses, would be expected to be little affected by the Sticker Law since they are not at risk for a DWS citation. These drivers provided a control or comparison group for this study. Group 2, made up of DUIs who are suspended, provided the experimental group for testing the *general deterrent* potential of the Sticker Law. If these individuals fear having the Zebra Sticker placed on their vehicle, then they should drive less (and more carefully) and therefore accumulate fewer offenses and crashes on their records.

Group 3 should experience a similar *general deterrence* effect from the Zebra Sticker Program if they had not yet received a Sticker. If they receive a DWS after the law and therefore have a Zebra Tag on their vehicle, they should also experience a *specific* deterrence effect. Thus they should drive less (or more carefully) and experience fewer crashes and receive fewer traffic citations. This deterrence effect may be counterbalanced to some extent by the fact that a Zebra Tag on a vehicle plate will attract the attention of law enforcement officers, making this group more likely to be cited for traffic offenses (see specific deterrence below). For Group 3, the presence of the Zebra Sticker should have no impact on the frequency of their accident involvement though it might result in their being more likely to be charged with a traffic offense as a result of crash involvement.

Table III-1
Expected Effects Due to Deterrence and Due to Stickers
for Experimental Groups

DUI Offender Groups	CRASHES		DUIs		MOVING VIOLATIONS		LICENSE OFFENSES	
	Deterrence Effect	Sticker Effect	Deterrence Effect	Sticker Effect	Deterrence Effect	Sticker Effect	Deterrence Effect	Sticker Effect
Group 1 DUIs with Licenses (not eligible for receiving a Sticker)	NONE		NONE		NONE			
Group 2 DUIs who are suspended (at risk of receiving a Sticker)	DECREASE		DECREASE		DECREASE		DECREASE	
Group 3 Suspended DUIs with DWS Convictions (received Sticker if DWS after law)	DECREASE	NONE	DECREASE	SMALL INCREASE	DECREASE	SMALL INCREASE	DECREASE	LARGE INCREASE

DATA ANALYSIS

The research design permits the separate comparison of four different driving record entries for DUI offenders before and after the passage of the Zebra Tag Laws in Oregon and Washington. In before and after studies of this type, an apparent reduction in the dependent variable after the enactment of a new law can be misleading because accidents as well as driving offenses can be influenced by many factors such as the weather, the economy, other safety programs and competing enforcement programs. Lengthening the period over which trends in the dependent variables are studied provides a means for reducing these "threats to the validity" of a "quasi-experimental" study (Campbell and Stanley, 1966). *Time Series Analysis* (Box and Jenkins, 1976) is an analytical technique which permits the construction of a model, or equation, which accounts for seasonal and other long and short-term effects, and the projection of these effects and trends to the period after the enactment of the law so that the difference between the expected and the actual level of the dependent variable can be compared. This procedure was used in the Zebra Sticker Laws. A more detailed description of the time series analysis and the models derived from the process are presented in Appendix A.

IV. RESULTS FOR WASHINGTON

The results for the time series analyses of the three DUI subgroups; reinstated DUIs, suspended DUIs, and suspended DUIs with DWS offenses, for the State of Washington are provided in Table IV-1. For the reinstated DUIs, three dependent variables were analyzed; moving violations, accidents, and DUI offenses. (The reinstated group was not subject to the DWS offense.) As expected, the reinstated group did not demonstrate a significant change in these three driving variables concomitant with the implementation of the Zebra Tag Law. In Washington, the monthly accident and DUI offense rate showed rather large reductions. However, the variability of the monthly rate was so great that these differences were not statistically significant. This lack of change was consistent with the hypothesis that the Zebra Tag Law would have no impact on fully-licensed DUIs and, therefore, they could serve as a comparison group for the suspended drivers. This comparison was made by analyzing the time series produced by the ratio between the proportion with an offense or accident in the suspended group with the proportion in the reinstated group. These data appear in Table IV-2.

To provide an additional test of the potential impact of exogenous factors such as vehicle miles traveled, economic factors, or overall changes in enforcement on accident frequency, a separate data set consisting of monthly summary accident statistics from Washington State were analyzed. Using these data, it was possible to construct a time series of monthly accidents for all drivers (not just DUIs) in the State (see Figure IV-1). While analyses of this series for Washington indicated no evidence of change at the point at which the Zebra Tag Laws were implemented, this Statewide crash series was also used as a covariate in the time series analysis of accident data (shown in Table IV-1).

The suspended group (those DUIs who were not validly licensed) provided the test group for general deterrent effect of the Zebra Tag Law. For this group, four driving variables were analyzed: moving violations, accidents, DUI offenses, and DWS offenses. In the State of Washington, no significant change was associated with the implementation of the Tag Law. There was a reduction of over 10% in moving violations and Driving While Suspended offenses. However, because of the large variability in the rate from month to month, the percent change was not statistically significant.

Results of time series analysis on the four driving measures (moving violations, accidents, DUI offenses, and DWS offenses) for suspended DWS groups in Washington are also presented in Table IV-1. This group was expected to experience conflicting effects. A portion of this group had Zebra Tags placed on their vehicles' plates by law enforcement officers following the implementation of the Zebra Tag Law in July of 1988. These drivers, in addition to experiencing the general deterrent effect of the Sticker Law, were also be exposed to the alerting effect of the Zebra Tag on law enforcement officers, making the driver more likely to be stopped and apprehended for driving offenses. The suspended group with a DWS citation, did show a statistically significant *increase* in the number of moving violations. The other driving measures; accidents, DUI offenses, and DWS offenses, showed increases which were not statistically significant.

**Table IV-1
Time Series Analyses of Monthly Crash or Offense Rates
for DUI Offenders in Washington**

WASHINGTON			
Reinstated Group	% Change in Rate	t	p
Moving Violations	-4.81	0.44	.659
Accidents	-12.87	1.50	.138
DUI Offenses	-20.48	1.10	.275
Suspended Group	% Change in Rate	t	p
Moving Violations	-12.81	1.57	.122
Accidents	-8.67	0.59	.560
DUI Offenses	4.62	0.39	.700
DWS Offenses	-13.03	1.35	.181
Suspended DWS Group	% Change in Rate	t	p
Moving Violations	30.94	2.59	.012*
Accidents	10.70	0.51	.613
DUI Offenses	-0.41	0.04	.969
DWS Offenses	-4.49	0.64	.521

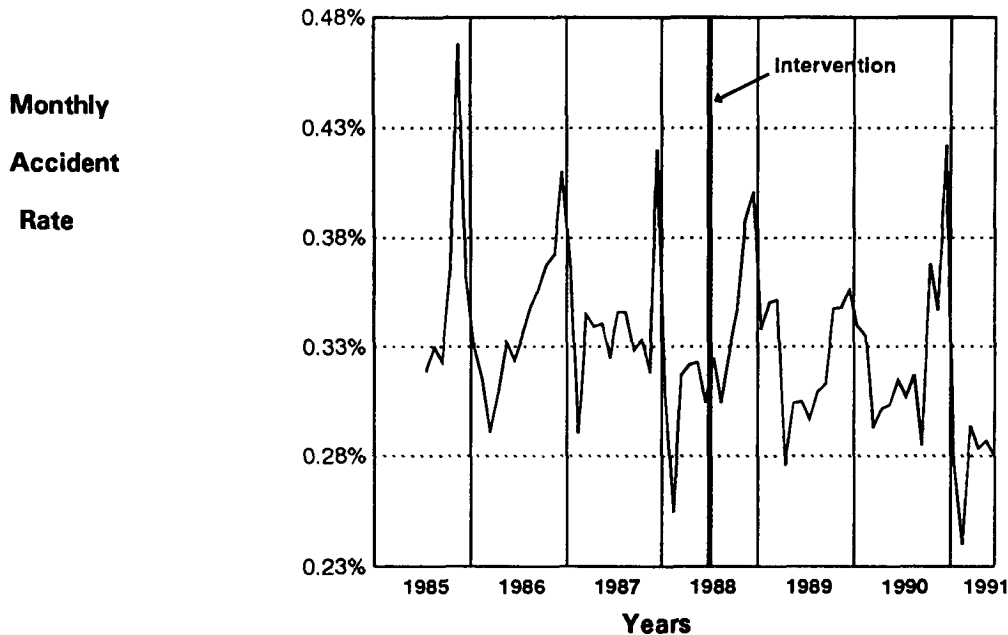
**Table IV-2
Ratio Series Comparing Suspended Group and
Suspended -DWS Group with Reinstated Group for Washington**

ANALYSES BASED ON RATIO TO REINSTATED GROUP (WASHINGTON)							
Suspended Group	% Change	t	p	Suspended DWS Group	% Change	t	p
Moving Violations	-10.82	.93	.357	Moving Violations	62.12	4.51	<.001**
Accidents	9.83	5.63	.575	Accidents	63.03	2.04	.045*
DUIs	28.03	1.38	.166	DUIs	37.69	1.53	.130

* Statistically significant based on individual test using a .05 probability as criterion.

** Statistically significant based on Bonferroni-corrected criterion (.0045) for multiple (11) tests.

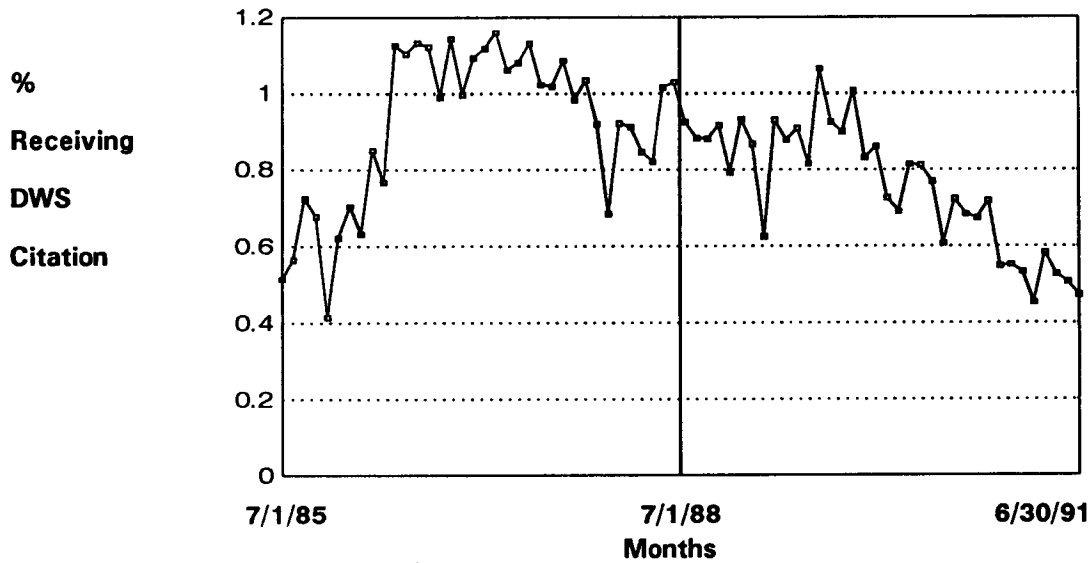
Figure IV-1
Washington Monthly Accidents (All Drivers)



Since the only significant change associated with the intervention for any of the Washington groups was the *increase* in moving violations for the DWS group, this result should be interpreted with caution. The probability of finding a significant result is increased when more than one statistical test is conducted. To determine whether this change was significant, a Bonferroni adjustment for the eleven tests was calculated. The adjusted probability for any variable in the table is .0045 to be significant at the .05 probability level. Given this adjustment, the increase in moving violations for the DWS group in Table IV-1 is not statistically significant. When the DWS group was compared with the reinstated group through a ratio analysis (Table IV-2) the *increase* in moving violations is statistically significant. However, this change, an *increase* is in the opposite direction to that which would be expected if the DWS offenders were deterred from illegal driving.

This apparent lack of impact (which contrasts with the results for the State of Oregon described in the next section) may be due in part to the lower level of enforcement of the DWS offense in the State of Washington. As shown in Figure IV-2 and IV-3, the proportion of unlicensed drivers receiving DWS convictions was 50 to 100% higher in Oregon than in Washington. In addition, the number of DWS convictions in Oregon increased significantly when the Tag legislation was implemented, whereas in Washington, DWS convictions were reduced compared to the baseline period. Overall, as shown in Table II-1, there were four times as many tag actions in Oregon, 31,000 compared to 7,000 in Washington.

Figure IV-2
 Percent of Unlicensed DUI Drivers Receiving DWS
 Convictions each month in the State of Washington



2. The Washington data did not show the significant rise in DWS convictions following implementation of the Zebra Sticker Law which occurred in Oregon.
3. The proportion of unlicensed drivers apprehended for Driving While Suspended each month is lower in Washington than in Oregon. Because of this less intense application of the Tag Law, the lack of impact shown by the time series results is not unexpected.

It should be kept in mind, however, that since the Zebra Tag information was not available on the Washington DMV record, the evaluation of the *specific* deterrent effect of the Washington Zebra Tag Program was not possible. If DWS drivers with and without Zebra Tags could have been compared, it might have been possible to demonstrate that the law reduced illegal driving for those drivers whose vehicles had tags applied to their plates.

The conclusion that the Washington Zebra Tag Program did not reduce illicit driving by DUIs is supported by the independent study conducted by Phil Salzberg (1991). He analyzed five years of data (1986-1991) from the State of Washington crash files covering the period before and after the implementation of the Washington Zebra Tag Program and found no indication that the law had reduced crashes among individuals cited for DWS. Unlike the present study, however, he did not study the records of drivers *at risk* but not actually apprehended for the DWS offense.

V. RESULTS FOR OREGON

The Oregon Department of Motor Vehicles provides monthly reports on the numbers of stickers issued by officers within the State and a summary of the outcome of these actions. Complete data are now available for three years; 1990, 1991, and 1992. These data (Table V-1) provide significant evidence that the administration of the law is working well. The program is resulting in the tagging of 31,000 vehicles a year of which about 55% are owned by the offender. Out of these 31,000, less than 2% were judged to be errors based on the vehicle or the driver not being subject to the law, while another 1% failed to be processed within the required 15 days. Finally, less than 1% of drivers have requested a hearing, suggesting that the law is *not* being strongly contested by the offenders.

Table V-1
Evidence for Effectiveness of
the Program Administration in Oregon

YEAR	1990	1991	1992
Total Number of Stickered Vehicles	30,776	34,323	31,582
Offender Owner	18,121 (59%)	18,965 (55%)	16,959 (54%)
Error, Inappropriate Cases	2%	1%	2%
Notice, Never Received	1%	0%	0%
Hearings	1%	1%	1%

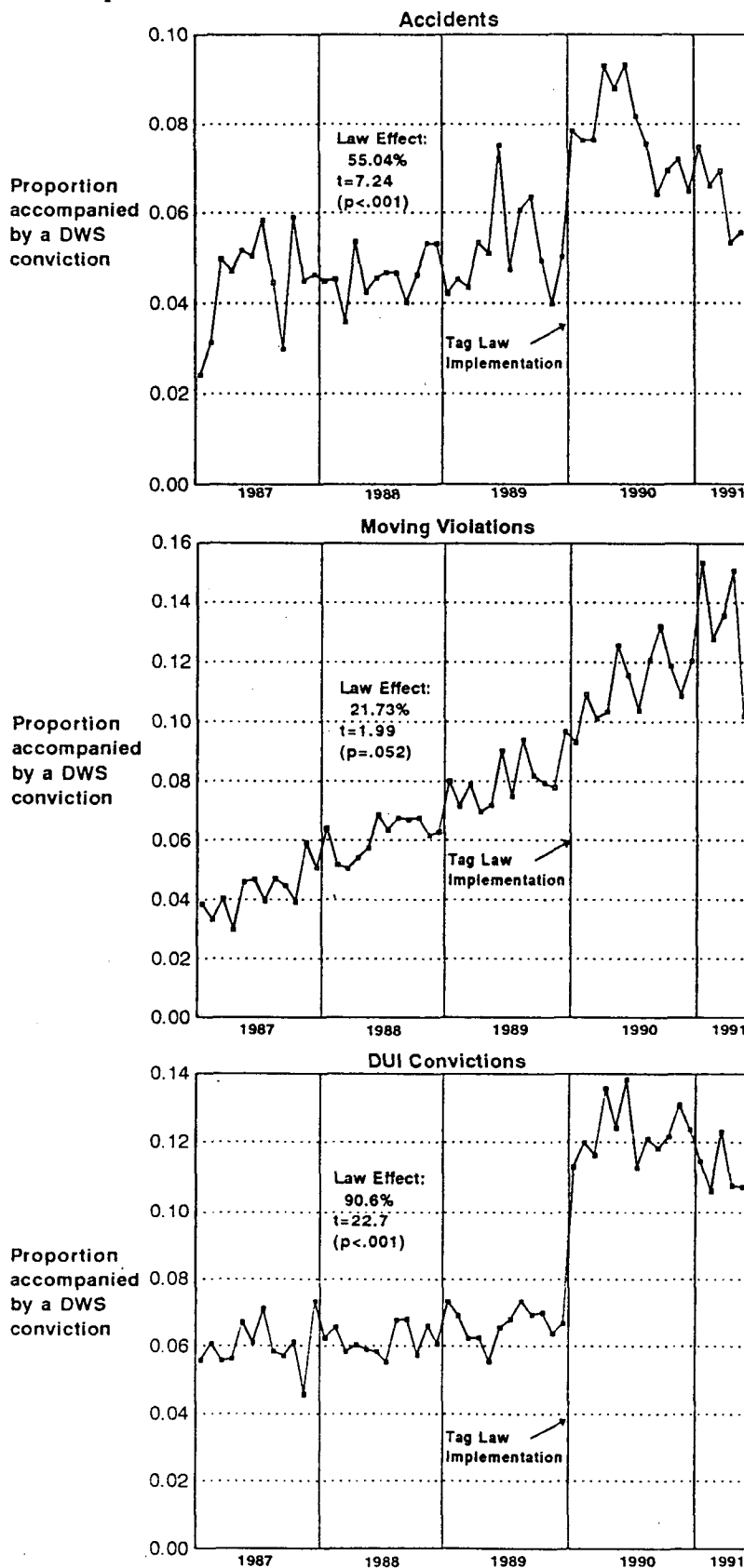
The impact of the vehicle tagging on cars owned by the offender is indicated in Table V-2. While the validly licensed non-offender owner can quickly clear his or her vehicle by paying a small fee and purchasing a new annual sticker; the offender-owner can not clear the sticker until his or her license is reinstated or the vehicle transferred. In the first year of the program, 95% of the non-offender owners cleared their vehicles before the end of the year whereas only 54% of the offender-owners were able to clear their vehicles by the end of the year. About one in three of the offender-owners' clearances were achieved by obtaining a valid driving license. An equal proportion were achieved by transferring the vehicle — a process which could indicate an attempt to place the car in the hands of a family member or friend, thereby getting rid of the sticker while continuing to drive it with a suspended license. The extent to which this occurs cannot be determined from the available data.

**Table V-2
Clearances of Offender Owner Cases**

	YEAR		
	1990	1991	1992
Total Number of Owners Stickered	18,121	18,965	16,959
Cases Closed	9,931 (54%)	13,846 (73%)	14,871 (87%)
Cases Remaining Open	8,190 (46%)	5,119 (27%)	2,088 (13%)
Type of Closures			
License Transfer	3,258 (33%)	4,183 (30%)	6,590 (44%)
Obtaining Valid License	3,488 (35%)	4,266 (31%)	4,480 (30%)
Other	3,193 (32%)	5,397 (39%)	3,801 (26%)

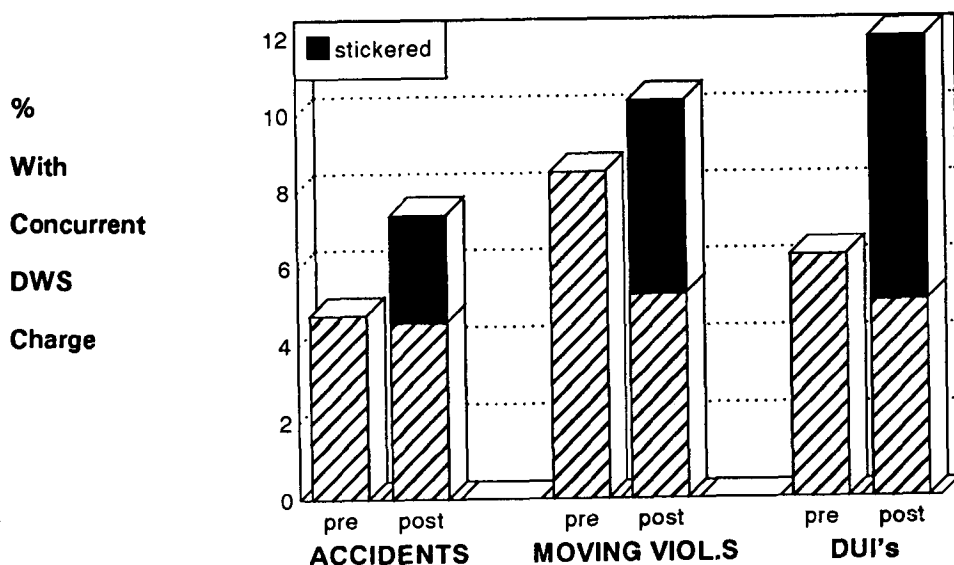
This recording of the sticker information in the driver record was important because not all drivers having a DWS on their record were eligible to receive a sticker. Since the legislature provided for a pilot program, drivers who were administratively suspended as a result of the implied consent law or the administrative license suspension law were not subject to the tag action. Only drivers suspended as a result of a DUI conviction (about half of those receiving an administrative suspension) were subject to the law. Since driving while suspended cannot be observed from outside the vehicle, a check of the license's status normally occurs in association with a legal stop for some other offense. Figure V-1 shows the dramatic increase in the proportion of DWS convictions accompanying a moving violation, a DUI, or involvement in an accident following the implementation of the Sticker Law on January 1, 1990.

Figure V-1
Proportion of Driver Record Entries Accompanied by a DWS Offense



This change is particularly clear in the proportion of DUI convictions accompanied by a DWS conviction which had been running approximately 6% before the Sticker Law. This frequency doubled within a month after January 1, 1990. Moreover, the increases in DWS convictions, as shown in Figure V-2, was almost entirely due to offenses for which the police officer was authorized to seize the vehicle registration and tag the license plate. DWS charges resulting from ALR suspensions (which were not eligible for stickers) did not contribute significantly to the observed increase. Since there was no corresponding overall increase in traffic offenses, in 1990 or 1991, this increase in DWS convictions appeared to result from the tendency of the police officer to use the new power to tag the vehicle to make a DWS charge which, prior to enactment of the Tag Law, would not have been pursued.

Figure V-2
Percent of Drivers Involved in a Crash or Receiving a Citation Who also Had a Concurrent DWS Charge



There is clear evidence therefore that the Tag Law increased the proportion of DUI offenders who received DWS convictions and had their vehicles tagged. This leads to the question of whether the tagging of the vehicle resulted in reduced illegal driving by these offenders. Since some offenders with DWS convictions did not receive a sticker, while other offenders were tagged, it is possible to compare the driving records of these two groups following the implementation of the Tag Law. This is done in Table V-3.

Because it was found that the individuals receiving stickers had better previous driving records than those who received a DWS conviction but no sticker, it was necessary to correct for previous driving record. This apparently anomalous result can be accounted for by keeping in mind that drivers receiving an administrative license suspension for 90 days were not eligible for tagging, whereas convicted offenders who received a 1-year suspension were. The result was that this latter group was more likely to have been suspended for a longer period and have been driving less, and therefore was less exposed to receiving traffic citations. To correct for this

potential source of bias, analysis of covariance was undertaken to compare DUI offenders who received DWS convictions, and *were stickered*, with DUI offenders who received DWS convictions, but *were not stickered*. To permit an adequate comparison period, only drivers for whom a 6-month driving record following their DWS offense was available were included in the study. Age, gender, and prior offenses were used as covariates.

Table V-3 provides the results of the ANCOVAs which indicated that the sticker group accumulated significantly fewer traffic offenses during the 6 months following the tagging of their vehicles than did the DWS offenders who did not receive stickers. This reduced (or more careful) driving was accompanied by a smaller number of accidents than exhibited by the DWS only group. Based on the two-tailed tests presented in Table V, the .222 P value suggests that there is one chance in five that this difference could have occurred by chance. Because of the low frequency of crash events and the low probability that the stickers could cause an increase in crash involvement, a one-tailed test is probably most appropriate for the crash data. With a one-tailed test, the P value falls to .111, indicating that the probability is only one in nine that the difference in crash frequency results from chance.

Table V-3
Analysis of Covariance Results for Comparison
of DWS Offenders With and Without Stickers on their Vehicles
Following Implementation of the Oregon Sticker Law

	N*	MOVING VIOLATIONS	DUIs	DWSs	ACCIDENTS
DWS Only	2302	.074 ⁺	.252	.758	.039
DWS and Sticker	5883	.044	.165	.317	.034
F statistic		25.55	67.56	499.45	1.49
Sign (p)		<.001	<.001	<.001	.222

*Limited to offenders with at least 6 months of post-DWS arrest exposure.

⁺ All figures are adjusted means — covariates include age, gender, and prior offenses.

The foregoing analysis provided evidence that the placing of a sticker on the license plate had a *specific deterrent* effect on those DUIs who received this sanction. Equally, if not more important, is the question of whether the *threat* of being tagged produces a *general deterrent* effect on unlicensed DUIs who are at risk of being caught and receiving a DWS and a vehicle tag. To measure this general deterrent effect, DUIs who were suspended but *had not* received a Driving While Suspended conviction were studied over the 4½-year period in accordance with the research design described in Section III (Figure III-1). These data are shown in Tables V-4 and V-5.

Table V-4
Time Series Analyses of Monthly Crash or Offense Rates
for DUI Offenders in Oregon

OREGON			
Reinstated Group	% Change in Rate	t	p*
Moving Violations	-5.73	0.95	.349
Accidents	-2.75	0.73	.469
DUI Offenses	8.89	0.96	.340
Suspended Group	% Change in Rate	t	p
Moving Violations	-33.02	5.74	<.001**
Accidents	-23.62	2.24	<.001**
DUI Offenses	19.30	2.01	.050*
DWS Offenses	29.68	3.09	.003**
Suspended DWS Group	% Change in Rate	t	p
Moving Violations	12.10	1.66	.104
Accidents	-0.10	0.01	.991
DUIs	22.29	3.44	<.001**
DWSs	31.80	3.59	<.001**

* Statistically significant based on individual test using a .05 probability as criterion.

**Statistically significant based on Bonferroni-corrected criterion (.0045) for multiple (11) tests.

Table V-5
Ratio Series Comparing Suspended Group and Suspended -DWS Group
with Reinstated Group for Oregon

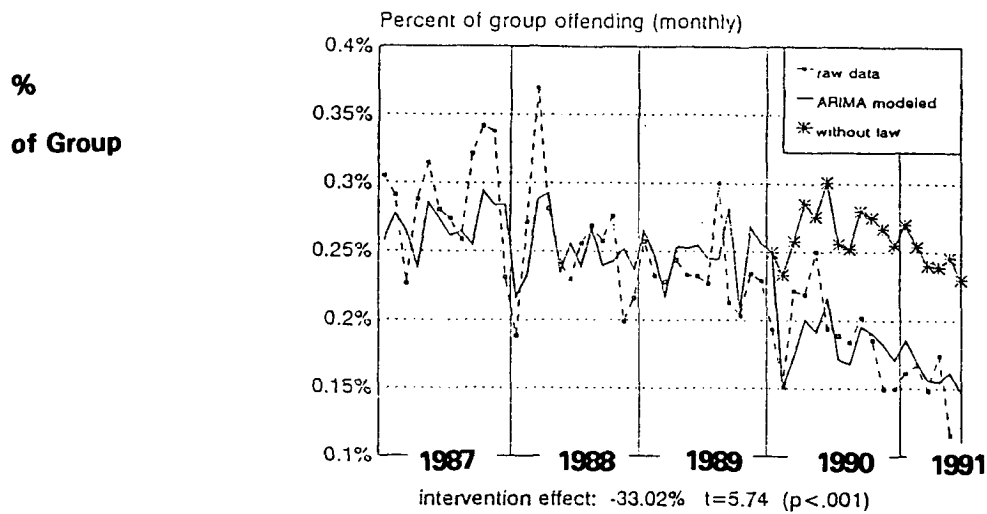
ANALYSES BASED ON RATIO TO REINSTATED GROUP (OREGON)							
Suspended Group	% Change	t	p	Suspended DWS Group	% Change	t	p
Moving Violations	-12.73	5.17	<.001**	Moving Violations	40.20	5.08	<.001**
Accidents	-10.93	2.26	.028*	Accidents	26.10	2.57	.013*
DUIs	5.26	1.29	.202	DUIs	29.10	2.12	.039*

* Statistically significant at p value shown (.05 criterion).

**Bonferroni-adjusted criterion (.0045).

Figure V-3

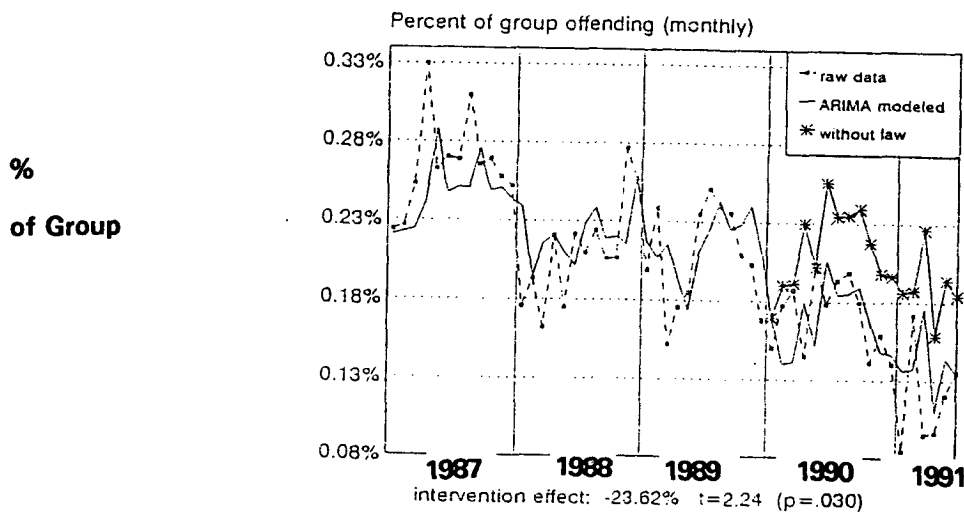
Moving Violations - Suspended Group (Oregon)



As shown in Figure V-3, the moving violation offense rate for the suspended group was reduced by a third following the implementation of the Tag Law suggesting they were driving less or more carefully. In contrast, as shown in Table V-4, the rate of DUI and DWS offenses increased. The rise in DWS offenses is clearly accounted for by the increase in DWS situations and convictions accompanying the Tag Law. The increase in DUI offense rate may be related to a general increase in DUI enforcement in 1990 (Statewide DUI arrests increased from 27,997 to 30,704 that year). These driving record changes were associated with a statistically significant reduction in accidents as shown in Figure V-4. However, there was also an overall, long term downward trend in accidents statewide, which could account for the reduction in

Figure V-4

Accidents - Suspended Group (Oregon)



crashes shown in Figure V-4. (Note, however, that the time series model used to analyze the data in Figure V-4 should have reduced or eliminated this long term trend effect.)

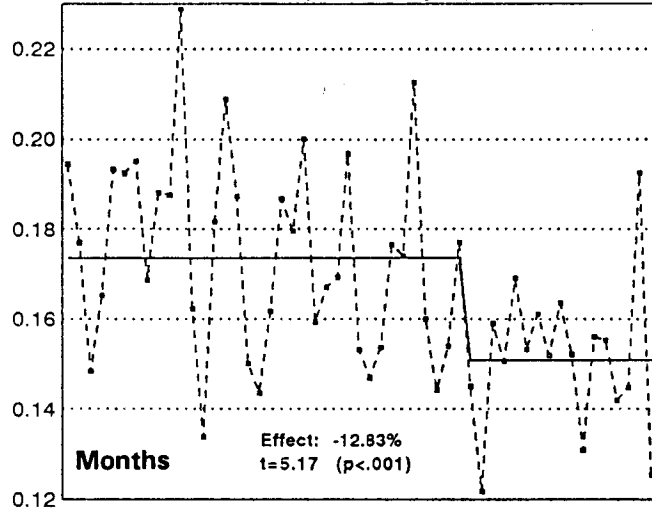
To better account for statewide trends not related to the Tag Law, driver record data on DUIs who had been reinstated (and therefore were not subject to the Tag Law) were used to normalize the data for the suspended DUI group. When the time series analyses of the ratios between the offense rates for suspended and the offense rates for reinstated DUIs were analyzed (Table V-5), statistically significant reductions in moving violation and accident rates were demonstrated for the suspended group which was at risk of receiving a tag. This suspended group did show a small but not significant *rise* in the rate of DUI offenses (see Figure V-5).

The suspended group, which also received a DWS, showed a statistically significant increase in moving violations and accidents relative to the reinstated group. This was apparently a reflection of the fact that this group was made up of high risk drivers as evidenced by their arrest for Driving While Suspended. (See Appendix A for a more complete discussion of the time-series analysis of these data.)

Figure V-5

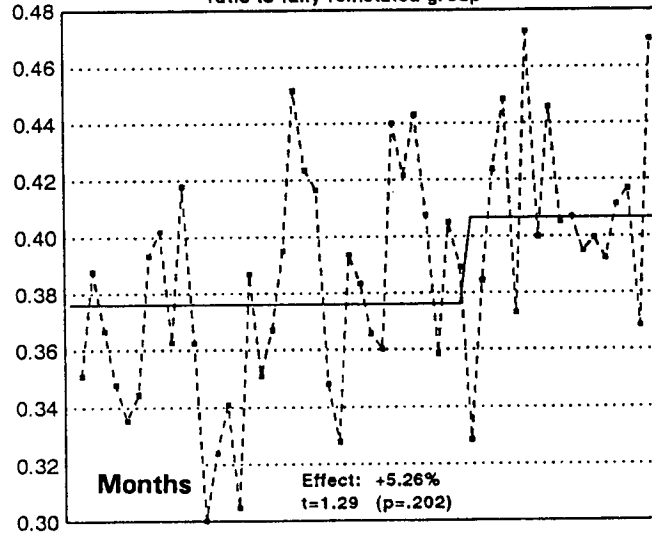
Ratio
to Fully
Reinstated
Groups

Moving Violations - Suspended Group
ratio to fully reinstated group



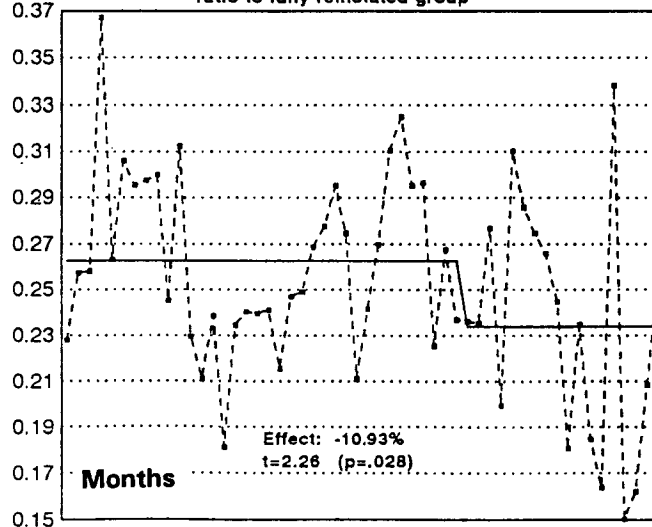
Ratio
to Fully
Reinstated
Groups

DUIs - Suspended Group
ratio to fully reinstated group



Ratio
to Fully
Reinstated
Groups

Accidents - Suspended Group
ratio to fully reinstated group



VI. CONCLUSIONS

Overall, evidence has been presented that suggests that the Oregon Zebra Sticker Law may have reduced driving or reduced risk-taking or both by suspended DUI offenders. Specifically, the following conclusions appear warranted:

1. The analysis of the Washington data indicated that:
 - a. The Zebra Tag Program had no impact on illegal driving by DUIs (Table IV-1).
 - b. These results are consistent with the result reported in an independent study by Salzberg (1991).
 - c. Three factors may explain this failure of the Washington Zebra Tag Law to demonstrate an effect:
 - i. Fewer DUI offenders were affected by the law because there were fewer bases for placing a Zebra Tag on the license plate of a vehicle (Table II-1). Only one-fourth as many tags (7,000 compared to 31,000) were issued in Washington as in Oregon, respectively.
 - ii. The Zebra Tag Law did not stimulate police departments to increase their attention to suspended drivers (Figure IV-2).
 - iii. Enforcement of the DWS offense as indicated by conviction rate is lower than in Oregon (Figures IV-2 and IV-3).
2. The analysis of the Oregon data indicated that:
 - a. The administration of the law worked efficiently with only a very small number of errors or appeals (Table VI-2).
 - b. Offender-owners experienced some delay in clearing the tags from their vehicles. Two-thirds cleared their vehicles by means other than obtaining valid drivers licenses (Table V-2). Some of these may have continued to have access to the vehicle even though their licenses continued to be suspended.
 - c. There was a marked immediate rise in the rate of DWS convictions when the Tag Law became effective on January 1, 1990 (Figure V-1).
 - d. This rise in DWS convictions was almost entirely accounted for by offenses for which the officer seized the vehicle registration and tagged the license plate (Figure V-2).

- e. DWS offenders who also had their vehicle plates stickered had lower rates of DUI offenses, moving violations and repeat DWS offenses than DWS offenders who did not receive tags. Stickered offenders also had a lower crash rate which approached statistical significance. This suggests the tagging of the vehicle had a *specific deterrent* effect which reduced illegal driving and crashes.
- f. DUI offenders who were suspended and therefore at risk of being tagged were found to have fewer moving offenses and accidents following the implementation of the Tag Law. This reduction was significantly greater than the reduction experienced after the implementation of the law by DUI offenders who had been reinstated and therefore were not subject to tagging. This suggested that threat of the Tag Law had a *general deterrent* effect (Figure V-3 and V-4).

VII. RECOMMENDATIONS

A number of recommendations were developed to handle issues or problems raised by this research effort; some specifically supported by research data in this document and others based on the experience of the investigators from interviewing law enforcement personnel and program administrators. The source for each recommendation is indicated below.

States should consider enacting Zebra Tag Laws. The study demonstrated that placing a sticker on the license plate of a violator's vehicle had a specific deterrent effect which reduced violations, providing evidence that illegal driving was reduced. There was also evidence in Oregon of a general deterrent effect on unlicensed DUIs.

States considering the implementation of a Zebra Tag Law should provide for as broad an application of the law as possible. The Zebra Tag Law appears to have been effective in Oregon in reducing illegal driving by suspended drivers, to which the law applied. It had no specific deterrent effect on DWS offenders who were not tagged.

States considering the implementation of the Tag Law should provide for an active public education program on the Zebra Tag Law. A limited search of newspaper coverage of the Oregon Zebra Sticker Program and a survey of the public indicated that there was limited understanding of the Zebra Tag Laws among licensed drivers. An intensive public information campaign might have increased the general deterrent impact of the law.

States considering the implementation of a Tag Law should minimize the opportunity for owner-offenders to transfer the vehicle title to family members in order to remove the Zebra Tag while they continue to operate the vehicle. In the State of Oregon, between 30 and 40% of owner-offenders who had Zebra Tags placed on their vehicles were able to clear those Tags by transferring the titles of their vehicles to another person. It is not clear whether these transfers were legitimate sales or whether they were to a family member so that the Tag would be removed but the suspended offender could keep driving the vehicle.

States considering the implementation of a Tag Law should ensure adequate supplies of good quality Zebra Tags when the program begins. In interviews with the Principal Investigator, State law enforcement officers in Oregon indicated that in the early stages of the Zebra Sticker program, they often ran out of Zebra Tags for vehicle plates. Further, law enforcement officers reported that the Zebra Tags were difficult to apply to vehicle plates in the rain.

States which implement a Tag Law should record Sticker application and removal on the driving record. The State of Washington Motor Vehicle Department did not provide for an indication on the driver record for the application and removal of a Zebra Tag. As a result, it was not possible to evaluate the specific deterrent effect of a Tag on the license plate on the driving of a DWS offender.

States implementing a Tag Law should consider providing for a substantial fee for removal of the Zebra Tag and the issuance of a new annual sticker at least where the offender was the vehicle owner. In the State of Oregon, it costs a total of \$17 to have the Zebra Tag replaced by a new annual sticker. Many law enforcement officers in interviews with the Principal

Investigator stated that they felt that this was such a minor penalty that they questioned the utility of the Oregon Zebra Sticker Program.

States implementing a Tag Law should include in their legislation the provision that the presence of the Tag is probable cause for law enforcement officers to stop the vehicle and determine the license status of the driver. This provision is in both the State of Washington and the State of Oregon Zebra Tag Laws. The tag, by attracting the attention of police officers and by providing a basis for stopping the vehicle, raises the actual and perceived risk of apprehension. This appeared to be an important factor in deterring illegal driving by individuals who had Zebra Tags on their plates.

States implementing a Tag Law should investigate methods for making the Zebra Tag more visible. In Washington and Oregon, the Zebra Tag on the vehicle plate is approximately the same size as the small annual renewal sticker (about 2½ to 3 sq. in.). To increase the deterrence to illegal driving, States implementing Zebra Tag Laws should develop Tags that are more easily visible (because they are larger or brighter) to law enforcement patrols.

States considering Tag Laws should provide for the seizure of license plates on Tagged vehicles when the registration has been canceled. The Tag Laws in both the States of Washington and Oregon provided that if the Tag is not cleared within 60 days, the vehicle registration will be canceled. In theory, once the registration has been canceled, the police are authorized to seize the vehicle plates. However, the Oregon State Patrol officers indicated that they were reluctant to try to remove the license plate. If it is not practical for officers to remove the plate, the legislation can authorize law enforcement personnel to have the vehicle towed to a facility where the plates can be removed, and the vehicle impounded, until the owner can provide a valid registration.

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APPENDIX A ARIMA MODELS

DATA ANALYSIS

One of the complexities that makes this study different from most investigations of similar design is the constant flux in group "assignment". Rather than having each subject permanently assigned to the same group with the same "co-members" over time, subjects move from one group to another as their license status changes. The practical implication of this is that rather than assigning group membership once and then taking monthly aggregate measures, each month the license status and group membership must be newly determined (as of the last day of the preceding month) and updated, and then the groups newly reaggregated. This requires an iterative data conversion program that consumes many days of continuous computer time in processing the data to create the time series.

TIME SERIES ANALYSIS

The time series analyses used in this study involved modeling the data series using the ARIMA (or Box-Jenkins, 1976) method of decomposing a series into white noise and ARIMA parameters. Plots of autocorrelation functions were carried out to 36 lags (three years) in order to check for seasonal AR or MA effects. A number of data series were best-fit by models that did include these seasonal ARIMA parameters (Table A-1). Since this is an intervention analysis, the effect of the law was modeled as a zero-order transfer (or step) function, by including a "dummy" variable whose value is zero for each of the 36 months preceding the law's implementation, and a value of one for each month (18 for Oregon, 36 for Washington) following the law's implementation. The parameter for the law variable represents the amount of shift upward or downward in the series that is attributable to the law, and is tested for significance (H_0 : intervention effect=0) with the t statistic. The adequacy of the ARIMA models were diagnosed using the conventional criteria. Plots of autocorrelation and partial autocorrelation functions were examined for the error series to insure that the patterns of the residuals were white noise using the Box-Ljung Q statistic, and to verify that no individual lags were significantly correlated. The Akaike Information Criterion was also used as a criterion, as well as the error's Root Mean Square, and the absolute percentage of error of the predicted series from the observed data. While it is possible for these criteria to differ in terms of which model is best, in all of the analyses performed in this study the model selected was superior in terms of all of the above criteria. Although it is becoming more common to overfit models and keep parameters of marginal significance, in the present case nearly every ARIMA parameter was either statistically significant at the .05 level and included in the analysis or else did not approach the .05 level and was excluded from the analysis.

Although many of the raw data series seem to indicate long-term trends upon visual inspection, in few cases did the best-fit models include a parameter for differencing, and most of these had non-significant constants for the differenced series, indicating stochastic drift only. Indeed, most constants for differenced series were far from significant. Because many plots of the data appeared to contain trends, attempts were made to adapt models so as to force a trend component into the model, but this almost always resulted in extremely poor-fitting models and

highly-significant patterns in the error series. The research design called for the reinstated group to act as a comparison for the suspended and DWS groups. In this role, the reinstated series might be used as a predictor series or used to create a ratio series with the suspended or DWS groups' data to control for extreme factors affecting both comparison and test groups, particularly those which might coincide with the onset of the intervention period. However, examination of the accident series for reinstated DUI drivers in Oregon indicated (as shown in Figure A-1) that there was a consistent downward trend in the accident and violation rate.

The reason for this trend is not entirely clear but appears to be related to a selection factor occurring in the course of the January 1, 1987 to June 30, 1991 research period. As shown in Figure A-2, when the prior offenses and accidents were calculated for those offenders entering the reinstated group each month a downward trend was evident. Apparently over time, drivers who had been unlicensed for longer periods following their DUI offenses joined the reinstated group. Because recidivism rates fall as time since the initial offense increases, these individuals would tend on the average to have better subsequent records. Further, high risk takers among the reinstated drivers will tend to be apprehended for DUI and other serious offenses thereby returning to the suspended group and leaving the "safer" drivers in the reinstated group. Despite these questions regarding the suitability of the analysis of a ratio series using the reinstated group, this procedure was carried out (see Table A-3) to determine whether it produced results substantially different from the analyses of the raw data series presented in Table V-4 in the main text. With respect to the suspended group, the general results were the same. For the suspended DWS group, use of the ratio series suggested large increases in offenses. This was probably a reflection of the fact that this group is composed of high risk drivers.

Whatever the reason for this long-term downward trend, the reinstated group did not appear to be an appropriate comparison for the other two groups, neither of which show a similar downward trend. Only if the reinstated group trend reflected Statewide phenomena due to some exogenous factor would it be appropriate to use it in a ratio series. To determine if there was evidence for a Statewide trend in crash frequency corresponding to the observed change in the reinstated group, State summary data for Oregon were obtained which provided monthly total accident frequencies for the period January 1, 1986 through December 30, 1992. These data were normalized by dividing by the number of licensed drivers in the State to make them comparable to the DUI offender data used in this research. The resulting time series is shown in Figure A-3. Analysis of these data failed to disclose any evidence of a general downward trend during the project period. Because these total crash data appeared to be a better representation of Statewide trends, this series was used as a regressor in analyzing all three DUI offender series.

Fairly often the data series would show significant autocorrelations at lags of two or three months, often without a significant correlation at one lag. While some significant lags are to be expected by chance alone, it might be expected that these particular autocorrelations would show up, since the length of time that someone is suspended is most often 60 or 90 days, after which point the subject would move back out of that group. Because the dependent measures involve quite low proportions (often less than or near one percent), a small group of "bad actors" could suddenly influence a group's series for two or three months, before moving back into the licensed group. Such status changes for "influential" subjects could produce inverse

correlations at lags of two or three. Additionally, these autocorrelations were not only fairly common, but were usually quite obvious in the autocorrelation plots and highly significant when included in the ARIMA models. Occasional autocorrelations at other lags (such as 8 or 17) were of marginal significance singly, and had corresponding non-significant Box-Ljung statistics, so these were ignored, on the assumption that they were spurious. Their inclusion in the model produced very little change in the magnitude or significance of the models' other parameters.

ANALYSIS OF COVARIANCE

Because the group that has been caught driving while suspended (the DWS group) breaks into two sub-groups at the point of the law's implementation in Oregon, there is a possibility of intra-series incomparability before and after the intervention. This might occur if there is some selection bias or other non-random factor involved that would make the sub-group receiving Zebra Tags different from the sub-group not receiving them. When looking at the series of prior offenses for the DWS group, those not stickered appear to be comparable to the DWS group before the intervention. However, the priors for the Zebra-tagged sub-group are lower than the non-stickered sub-group. This is evidence that perhaps some non-random selection bias is involved in determining who gets a Zebra Tag, and threatens the validity of the time series intervention analysis for the Zebra-stickered sub-group.

In order to make some type of comparison between the driving offenses and accidents of the Zebra-stickered sub-group and the non-stickered DWS offenders in Oregon, an analysis of variance with covariate adjustment was undertaken. All subjects that had at least six months of exposure (i.e., remained suspended for at least six months after the DWS offense) were included in the study. For each of these two groups, priors were computed for each of the four measures (accidents, violations, etc.) over two year period before the subject's baseline DWS offense. Since both groups have the baseline offenses distributed over the full year, differences in seasonal effects should have been eliminated. Each subject then has four measures of "deterrence", represented as repeat offenses within the next six months of suspension exposure. The groups can then be contrasted as to proportion recidivating (i.e., not deterred) after the baseline DWS offense. The differences between the stickered and non-stickered DWS group can be controlled by using covariance procedures employing the data on prior offenses, age, and gender which are available from the DMV record. These covariate adjustments turn out to be slight, as the two groups do not differ much in terms of control variables. While this seems to contradict the observation made earlier regarding the differences of the Zebra-tagged group, there is a simple explanation. By standardizing the baseline period to 2 years and by selecting those subjects who remain suspended for at least six months following their baseline DWS offense, the groups become more comparable. Analysis of Covariance (ANCOVA) was used to reduce the remaining residual variance.

TABLE A-1

ARIMA MODEL PARAMETERS

OREGON	OREGON RATIO SERIES	WASHINGTON
Reinstated Group	Suspended Group	Reinstated Group
Moving Violations (differenced):	Moving Violations:	Moving Violations (differenced):
$\theta_1 = .529$	$\phi_2 = -.327$	$\theta_1 = .615$
$\theta_2 = .428$	constant = .17346	$\theta_{12} = -.335$
constant = -.00009		(no constant)
Accidents: (seasonally differenced)	Accidents:	Accidents (differenced):
$\phi_1 = .438$	constant = .26251	$\phi_1 = -.285$
$\phi_9 = .256$		(no constant)
$\phi_{12} = .841$	DUI's:	DUI's (differenced):
$\phi_{24} = .626$	$\phi_1 = .263$	$\phi_1 = -.679$
constant = -.9475	$\phi_9 = .323$	$\phi_3 = .211$
	constant = .37990	(no constant)
DUI's (differenced):	DWS Group	Suspended Group
$\phi_1 = -.498$	Moving Violations:	Moving Violations (differenced):
constant = -.00043	constant = .23650	$\theta_1 = .375$
		$\theta_{12} = -.409$
Suspended Group	Accidents:	Accidents (differenced):
Moving Violations:	$\phi_2 = .252$	$\theta_1 = .621$
$\theta_1 = -.546$	constant = .34861	(no constant)
$\theta_{12} = .333$		DUI's (differenced):
constant = .00258	DUI's (differenced):	$\theta_1 = .614$
Accidents:	$\phi_1 = -.482$	(no constant)
$\phi_1 = .621$	(no constant)	DWS's (differenced):
$\phi_2 = .413$		$\theta_1 = .439$
constant = .00220		$\phi_{12} = .313$
DUI's (differenced):		(no constant)
$\theta_1 = .479$		DWS Group
constant = -.00013		Moving Violations:
DWS's (differenced):		constant = .00738
$\theta_1 = .618$		Accidents:
constant = -.00012		constant = .00217
DWS Group		DUI's:
Moving Violations:		constant = .00657
constant = .00348		DWS's:
Accidents:		constant = .01566
$\theta_2 = .396$		
constant = .00293		
DUI's:		
constant = .01200		
DWS's (differenced):		
$\theta_1 = .545$		

TABLE A-2
Ratio Series Comparing Suspended Group and
Suspended -DWS Group with Reinstated Group for Washington

ANALYSES BASED ON RATIO TO REINSTATED GROUP (WASHINGTON)							
<u>Suspended Group</u>	% Change	t	p	<u>Suspended DWS Group</u>	% Change	t	p
Moving Violations	-10.82	.93	.357	Moving Violations	62.12	4.51	< .001**
Accidents	9.83	5.63	.575	Accidents	63.03	2.04	.045*
DUIs	28.03	1.38	.166	DUIs	37.69	1.53	.130

* Statistically significant at p value shown (.05 criterion).

**Bonferroni-adjusted criterion (.0045).

TABLE A-3
Time Series Analyses of Monthly Crash or Offense Rates
for DUI Offenders in Oregon

ANALYSES BASED ON RATIO TO REINSTATED GROUP (OREGON)							
<u>Suspended Group</u>	% Change	t	p	<u>Suspended DWS Group</u>	% Change	t	p
Moving Violations	-12.73	5.17	< .001**	Moving Violations	40.20	5.08	< .001**
Accidents	-10.93	2.26	.028*	Accidents	26.10	2.57	.013*
DUIs	5.26	1.29	.202	DUIs	29.10	2.12	.039*

* Statistically significant at p value shown (.05 criterion).

**Bonferroni-adjusted criterion (.0045).

Figure A-1
Oregon Monthly Accidents (Reinstated Group)

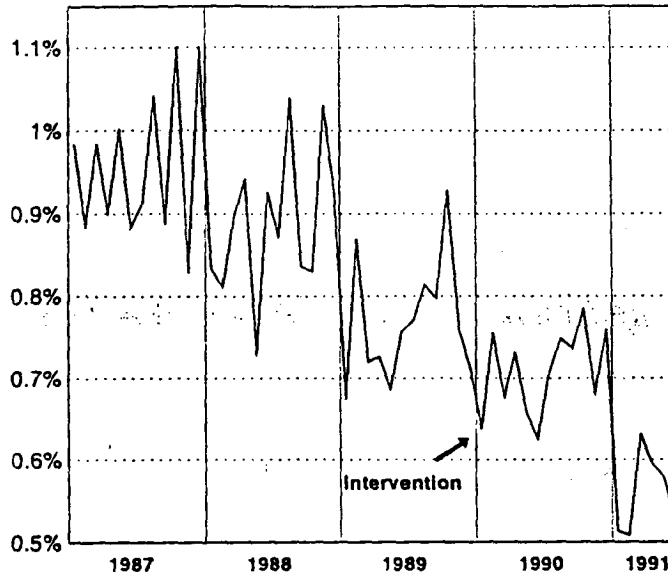


Figure A-2
Prior Offenses and Accidents (Reinstated Group)

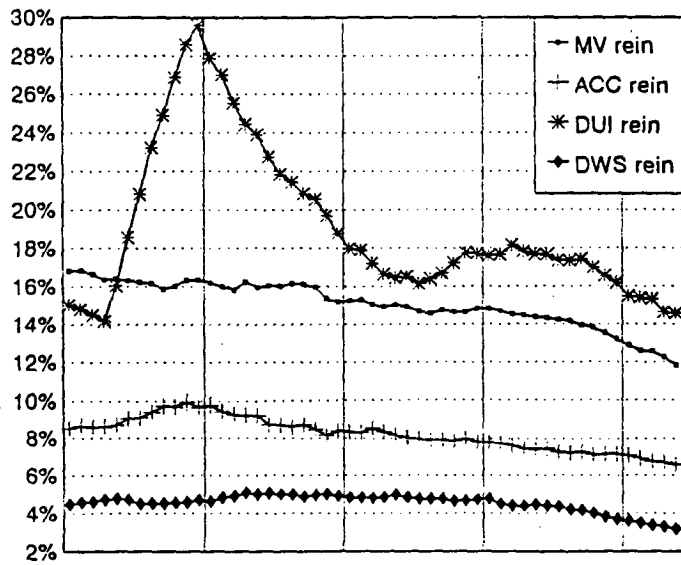
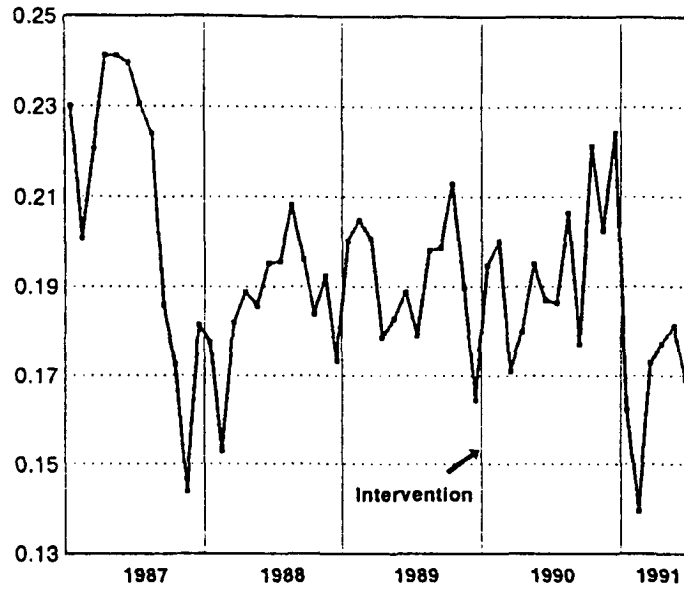


Figure A-3
Oregon Monthly Accidents (All Drivers)



APPENDIX B ENFORCEMENT OF THE LAW IN OREGON

The deterrence effectiveness of any program is a function of the intensity with which it is enforced. In an effort to determine the enforcement intensity, the Oregon State Police Department was contacted with a request that they provide information on the Zebra Sticker activity of the State Patrol. The Department responded by circulating a questionnaire to all (96) officers on the Highway Patrol regarding their implementation of the law during the first six months of its implementation in 1990.

For these 96 officers, the citation actions ranged from zero to a maximum of 125 citations with a mean of 11 citations for the six-month period. One-third of these officers indicated that they "always" placed a Zebra Tag on the plate of a vehicle if they found the driver to be unlicensed, while two out of three officers agreed that they did not. Some of the reasons given for this failure to apply the Zebra Sticker were appropriate under the law. For example, some involved unlicensed out-of-State drivers or drivers who had allowed their licenses to expire for less than a one-year period. Another factor not related to the unwillingness of the officer to implement the law was the availability of Zebra Stickers; apparently early in the enforcement period, there was a shortage. Only a few officers mentioned reasons for failure to apply a Zebra Sticker which might be viewed as "inappropriate" such as the driver was not the owner of the vehicle, and therefore apparently it was not worth the effort to apply a Zebra Sticker, or because the officer forgot. It appeared, therefore, that these officers were active in using the Zebra Sticker provision in those cases to which it applied. According at least to their self-reports, few instances were overlooked or missed to apply Zebra Stickers to the vehicle plates of offenders.

Of particular importance to creating deterrence among those drivers who were operating vehicles with the Zebra Sticker was the question of the extent to which the officers used the provision in the law which made the Zebra Sticker itself *probable cause* for stopping the motorists and checking the license. When asked how many vehicles with Zebra Stickers they had stopped and checked in the first six months of the law, the range of responses from the 96 officers varied from zero to 75 with a mean of 3.6. When the officers were probed regarding the reasons for not stopping a vehicle with a Zebra Sticker when they saw one, the general response was that they "always" stopped such a vehicle. Overall, it appeared that the State Police were relatively enthusiastic about the Zebra Sticker Law, over 80% of the officers reported that they felt the law was useful and effective. The 15% who had doubts about the law's effectiveness mentioned two primary factors: (1) physical problems with the Zebra Stickers which made it difficult to stick them on the license plates in the rain and made it likely that they would come off easily if applied to a wet plate; and (2) doubts in the minds of some of the group that the Zebra Sticker would be effective in deterring the offender. Part of this concern may have related to the fact that in Oregon, Zebra Stickers are placed on the plates of vehicles even

if the offender is not the owner. Therefore it is relatively easy for the owner with a valid license to clear the Zebra Sticker from the car.

As shown in Table B-1, approximately 1 in 5 of the Zebra Sticker actions were taken by the Oregon State Police. Another 20% by County Sheriff's offices, and 60% by law enforcement officers within the various city jurisdictions in Oregon. Thus, all three types of law enforcement agencies made use of the Zebra Sticker Law. To determine the reaction to the Zebra Sticker Program of a city police department, informal interviews were also conducted with the officers of the Portland Police Department who showed somewhat less enthusiasm than the State Police for the Zebra Sticker Program. This seemed to a great extent to be due to their enthusiasm for the Portland City Ordinance which permits the city to confiscate a vehicle driven by a suspended driver if the suspension was the result of a drunk driving offense. The officers naturally felt that taking physical possession of the vehicle was more likely to deter the driver than placing a Zebra Sticker on the vehicle license plate.

Table B-1
Proportion of Stickers Applied
by Different Police Agencies

	YEAR			
		1990	1991	1992
Oregon State Police	5,718	19%	19%	16%
Sheriff's Office	5,705	19%	21%	21%
City Police	19,252	62%	60%	63%
No Agency Entered	98	1%	1%	1%
Total	30,776	100%	100%	100%

The enforcement of the confiscation of the vehicle registration and the placing of a Zebra Sticker on the plate of a vehicle of an individual apprehended for DWS could act to encourage or discourage enforcement of the DWS offense. On the one hand, these actions could motivate officers by providing them with the satisfaction that some significant action was taken as a result of their enforcement effort even where the prosecutor might decide not to go forward with the case. On the other hand, the extra effort involved in obtaining and mailing the vehicle registration and affixing the Zebra Sticker on the license plate of a vehicle might discourage officers from enforcing the DWS offense.

One measure of the enthusiasm of officers for the new powers provided through the Zebra Sticker Law is the extent to which the total number of arrests increased for Driving

While Suspended in cases following the implementation of the law. If law enforcement officers are convinced that their enforcement efforts will be more effective in deterring illicit driving, they would be expected to be more active in seeking out suspended drivers or at least more active in checking the licenses of individuals whom they had occasion to stop for other offenses. Figure VI-2 and Figure VI-3 (in the main report) show the trend of citations for Driving While Suspended in the State of Washington and the State of Oregon for drivers with DUI citations from the database which was collected for the present research. As can be seen from Figure VI-2, there is no evidence that the total number of DUI charges increased in the State of Washington following the implementation of the Zebra Sticker Law. In contrast, in Oregon, as shown in Figure VI-3, there was an overall increase in DWS charges during the year-and-a-half period following the implementation of the law. This increase was greatest during the first year of the law. There is some evidence that the citation rate was returning to base line in the second year. Only about half of those DUIs apprehended for DWS in Oregon after the implementation of the Sticker Law had their vehicles stickered since DUIs receiving administrative (ALR) suspensions were not subject to being stickered.

APPENDIX C SPECIFIC DETERRENT EFFECT OF OREGON TAG LAW

The specific deterrent effect of the Zebra Stickers on illegal driving by DUI offenders occurs for those offenders who were apprehended driving while suspended and had Zebra Stickers placed on license plates of their vehicles. The specific deterrent effect should be reflected by a reduction in the probability of recidivism for this Zebra Sticker group compared to DUIs receiving a DWS conviction but no Zebra Sticker.

This comparison is complicated by the fact that DUIs who receive a DWS conviction and a Zebra Sticker will be subject to two contrary effects. On the one hand, there is the *deterrence* effect on the individual's decisions regarding driving which will be produced both by the punishment received for the DWS effect and by the fear of future discovery and apprehension due to the presence of the Zebra Sticker on his or her vehicle. This deterrence effect should result in less driving by the offender which in turn could reduce the numbers of violations and accidents on the offender's record.

Operating in the opposite direction will be the *sticker* effect which results from the presence of the Zebra Sticker on the vehicle attracting the attention of the officer and providing a reason for stopping the vehicle. Therefore, drivers of vehicles having Zebra Stickers on their plates should be more likely to receive moving traffic violations. Because these two effects work in opposite directions, it is difficult to interpret change or lack of change in the driving record of offenders who have Zebra Stickers applied to the plates of their vehicles.

Table C-1 illustrates the general factors producing the special deterrent effect for DWS offenders. The punishment effect is the results of fines paid, jail times served, and other sanctions received for conviction for the DWS offense. These sanctions should motivate the individual to avoid the offense in the future. The punishment effect applies to both groups; those with and without Zebra Stickers. The sticker deterrence effect is the fear produced in the offender that, because his vehicle can be identified by officers as belonging to a suspended driver, he or she may be more likely to be stopped and apprehended for DWS or other driving offenses. The sticker deterrence effect, of course, applies only to those DWS offenders who receive Zebra Stickers. The Zebra Sticker enforcement effect lies outside the particular driver offender and involves the increase in probability that the offender will be stopped and checked for a valid license or will be more likely to be ticketed if committing a driver infraction.

Table C-1
Specific Deterrent Effects of the DWS Offense and the Zebra Stickers

	Punishment Deterrence Effect	Sticker Deterrence Effect	Sticker Enforcement Effect
DWS offenders <i>without stickers</i>	Yes	No	No
DWS offenders <i>with stickers</i>	Yes	Yes	Yes

No fully satisfactory method exists for separating the Zebra Sticker from the deterrent effect for DWS drivers who receive these Zebra Stickers on the plates of their vehicles. One informative comparison is between drivers who receive a DWS but whose vehicles did not have Zebra Stickers applied to their plates before the implementation of the Washington and Oregon Sticker Laws with those who receive both the DWS conviction and the Zebra Sticker after implementation of the law. This is only partially satisfactory, of course, because DWS-only-offenders while suffering some of the same punishment as drivers with Zebra Stickers on the license plates of their vehicles do not have the deterrent effect of driving marked vehicles. Thus, the overall specific deterrent effect would be expected to be reduced for these drivers. The hypothesis to be tested is that DWS offenders who had Zebra Stickers applied to the license plates of their vehicles after the implementation of the Zebra Tag Law will demonstrate lower recidivism than DWS who did not receive stickers.

The results of the two-way analysis of co-variance comparing these two groups is shown in Table V-3 (of the main report) for each of the four dependent variables. During the six months following their index DWS offense, DUIs who received a Zebra Tag action had fewer violations and fewer accidents than did those who were not tagged.

APPENDIX D

PUBLIC KNOWLEDGE OF THE OREGON ZEBRA STICKER LAW

In order to be effective in creating general deterrence, laws must be known to the public. Some public knowledge results from the enforcement effort itself, particularly where high visibility techniques (such as sobriety checkpoints) are used. For those enforcement actions which are applied to a relatively small portion of the driving public, however, it may take some time before the public becomes generally aware of the threat presented by the law and the enforcement effort. Generally, the most rapid method of acquainting the public with a new law is through public information programs and news coverage. In an effort to determine the extent to which the Zebra Sticker Program received news coverage in Oregon, a search was made of the Portland daily paper, the "Oregonian" from January 1, 1989 to December 10, 1992, using a key-word computerized program. Over that entire period, no articles containing the key words "Zebra Sticker", "license plate sticker", or "plate sticker" were found. Twelve references to "plate impoundment" were found. Two of these were not related to driving. All ten of the remaining focused on the City of Portland's vehicle forfeiture law and did not discuss Oregon's Zebra Sticker Program. There were 37 references to "license" and "sticker" extracted. One article, dated Monday, December 18, 1989 related to the impending implementation of the Zebra Tag Law with the headline "New Law Aims at Unlicensed Drivers." Since this search covered the period January 1, 1989 to the present, and the Oregon Zebra Sticker Law went into effect on January 1, 1990, it appears that at least to the extent that the Oregonian is representative of press coverage, the Zebra Sticker Program received relatively little coverage in the print media.

A second approach to determining the extent of public knowledge regarding the Zebra Sticker Law was to engage the cooperation of the Oregon Department of Motor Vehicles to conduct a study of members of the general driving public entering their licensing centers to renew vehicle registrations or driver licenses. The Department of Motor Vehicles distributed a short questionnaire to 407 applicants at their centers — about equally divided between females (191) and males (205), and an unknown group (11) who did not fill in the gender category. The age of the respondents ranged from 16 to 84 years of age. Eleven percent of the respondents reported that they had had their drivers' licenses suspended some time in the past.

The first question on the survey asked the respondent to indicate the offense for which the Zebra Sticker could be applied to the license plate of a vehicle. Table D-1 shows the responses to this question. As can be seen, approximately four in ten replied that the Zebra Sticker would be placed on the vehicle's plate for Driving Under the Influence (DUI) while another 40% of the respondents reported that it would be applied for Driving While Suspended (DWS). Since the Zebra Sticker is placed on the license plate of a car only in the case of a driver who is operating a vehicle while suspended, those who indicated the Zebra Sticker was placed on the vehicle for DUI were in error. However,

this may be a natural association since (1) many of those who are suspended and therefore eligible for the Zebra Sticker have been suspended for a DUI, and (2) much of the newspaper coverage given to vehicle forfeiture in Portland and elsewhere in the State was in connection with DUIs who were driving while suspended.

Table D-1
Reason for Placing Sticker on Vehicle
as Reported by Drivers at a Local DMV Office

	Value	Frequency	Percent
Value Label			
DUI	1	183	45.0
Speeding 20 +	2	7	1.7
DWS	3	164	40.3
Racing	4	3	.7
More than one response	5	31	7.6
Missing	—	19	4.7
	TOTAL	407	100

When asked if the respondent knew anyone who had a vehicle with a Zebra Sticker applied to the license plate, 2.5% reported that they had once a Zebra Sticker applied to the plate of their vehicle. Another 4% reported that a family member or a friend had had a Zebra Sticker placed on the license plate of their vehicle. Thus, 6% had once owned a vehicle with a Zebra Sticker applied to the license plate, or had a friend or relative who had such a vehicle. When asked if they had seen a vehicle with a Zebra Tag applied to its plate, 15% of the respondents reported that they had.

In summary, it appears that the general driving public was not very familiar with the Zebra Sticker Law. Only one in six drivers reported having seen a Zebra Sticker on the license plate of a vehicle, and only about 1 in 18 knew someone who had one applied to the plate of their vehicle. Slightly over half of the respondents reported that the Zebra Sticker was placed on the plates of vehicles of convicted drinking drivers rather than DWS offenders. This was probably because they were not familiar with the Zebra Sticker Law. On the other hand, it may have been because they were confused by the news coverage of the concurrent Portland Forfeiture Ordinance. Additional information on the Oregon DUI control system and public information programs is provided in Appendix G.

APPENDIX E
ADMINISTRATION OF THE ZEBRA TAG PROGRAM IN OREGON

The Oregon Department of Motor Vehicles provides monthly reports on the numbers of stickers issued by officers within the State and the outcome of these actions. Complete data are now available for three years; 1990, 1991, and 1992. These data provide significant evidence that the administration of the law is working well. The data in Table E-1, for example, which are found in the three annual reports, shows that out of approximately 31,000 cases a year, less than 2% were judged to be errors based on the vehicle or the driver not being subject to the law, while another 1% failed to be processed within the required 15 days. Finally, less than 1% of drivers have requested a hearing, suggesting that the law is not being strongly contested by the offenders.

TABLE E-1**OREGON VEHICLE SERVICES BRANCH VEHICLE REPORTS FOR 1990, 1991, AND 1992**

	1990	1991	1992
CITATIONS OR ARRESTS	30,776	34,323	31,582
Driver Owner	18,121 (59%)	18,965 (55%)	16,959 (54%)
Driver Not Owner	12,655 (41%)	15,358 (45%)	14,625 (46%)
TYPES OF CITATIONS OR ARRESTS			
Felony	3,855 (12%)	3,580	3,060
Financial Responsibility	16,544 (54%)	15,300 (45%)	13,575 (43%)
Expired License	643 (2%)	1,732 (5%)	2,392 (7%)
No License/Other Reasons Under ORS 807.010	9,217 (30%)	13,500 (39%)	11,892 (38%)
Vehicle or Driver Not Subject	507 (2%)	211 (> 1%)	649 (2%)
AGENCIES PARTICIPATING			
Oregon State Police	5,718 (19%)	6,386 (19%)	5,183 (16%)
Sheriff's Office	5,705 (19%)	7,133 (21%)	6,552 (21%)
City Police	19,252 (62%)	20,788 (60%)	19,826 (63%)
No Agency Entered	98 (> 1%)	16 (> 1%)	21 (> 1%)
CASES CLOSED	22,037	25,583	27,954
Due to Title Transfer	3,258 (15%)	4,183 (16%)	6,590 (24%)
Owner Obtaining a Valid License/Permit	3,480 (16%)	4,266 (17%)	4,480 (16%)
Notice Never Received Or Received After 15 Days	179 (1%)	0 (0%)	0 (0%)
Driver Not Owner	12,106 (55%)	11,737 (46%)	13,083 (46%)
Other	3,014 (14%)	4,221 (16%)	4,801 (14%)
HEARINGS			
New Cases	91	87	69
Closed Cases	72	54	55
Cases Pending	4	31	0
Extensions Due To Hearing	21 (23%)	11 (17%)	N/A

APPENDIX F

MANUAL FOR LAW ENFORCEMENT AGENCIES

STATE OF OREGON

Oregon's 'Zebra Sticker' Program



Manual for Law Enforcement Agencies

Motor Vehicles Division • Department of Transportation • Salem, Oregon 97314

BACKGROUND INFORMATION

Effective January 1, 1990, Chapter 891, Oregon Laws 1989, requires police officers to mark the Oregon plates of a vehicle with stickers and to confiscate any registration card in the vehicle if the driver of the vehicle is arrested or cited for certain traffic offenses. This is a four-year pilot program. DMV will make reports on the status of the program to the Oregon Legislature.

The new law is printed in ORS 809 (right after ORS 809.110) in the Motor Vehicle Code. There are no statute numbers assigned because it is a pilot program.

WHO CAN MARK THE VEHICLES

Only police officers are authorized to mark vehicles. A "police officer," as defined in ORS 801.395, includes a member of the Oregon State Police, a sheriff, a deputy sheriff or a city police officer.

WHEN TO MARK PLATES

Plates should be marked when a vehicle is displaying Oregon plates and the driver is cited or arrested for:

- Driving while suspended or revoked for a Class C felony under ORS 811.182 (3) (suspension or revocation resulting from a DUII, any degree of murder, manslaughter, criminally negligent homicide or assault resulting from the operation of a vehicle); or
- Driving while suspended or revoked if the suspension or revocation was for any violation of the financial responsibility laws; or
- Driving a vehicle without driving privileges in violation of ORS 807.010. This applies to drivers who are operating a vehicle without an appropriate grant of driving privileges. This includes operating a vehicle without the proper license or endorsement or operating a vehicle with an instruction permit without an authorized licensed driver.

This section does not apply to a vehicle driven by a person whose license has been expired for one year or less.

Note: You cannot use "operating without driving privileges" to mark vehicles when the driver is suspended or revoked. Section (3) of ORS 807.010 specifically excludes suspensions or revocations under ORS 811.175 or 811.182. However,

if a person's driving privilege was suspended for *any* reason and the person is eligible to have their license reinstated, but they have not done so, ORS 807.010 would apply.

VEHICLES TO MARK

The black and white sticker may only be placed on vehicles *displaying Oregon registration plates*. This applies whether the plates are current, or whether a temporary registration permit or trip permit is displayed along with the Oregon plates.

VEHICLES NOT TO MARK

Do *not* place sticker(s) on the following plates:

- Oregon prorate plates (interstate trucks and buses — “Y” prefix on plate).
- Oregon PUC plates — The law only applies to registration plates issued by DMV. The sticker may be placed on an Oregon registration plate (e.g., “T” plate) displayed along with a PUC plate.
- Plates issued by another state or jurisdiction.
- Vehicles with temporary registration and displaying out-of-state plates.
- Vehicles with no plates (e.g., vehicles displaying no plates at all, or off-road vehicles such as Class I or Class III ATVs displaying decals, or vehicles displaying no plates and operating on a trip permit or temporary registration).
- Plates issued to dealers and transporters (e.g., “DA,” “DM” and “TR”).

HOW TO DETERMINE STATUS OF DRIVER

The LEDS driving record will sometimes show a new message to help you decide if the driver is subject to this new law. “STICKER VEH LIC” will display in the same way the DWS message now displays (see Example 1). You still must determine if the person is driving while suspended.

“STICKER VEH LIC” will appear if the driving record has:

- Any suspension or revocation that would result in a felony driving while suspended offense;

- Any suspension or revocation for any violation of the financial responsibility laws that would result in an infraction driving while suspended offense; or
- A partially reinstated suspension or revocation that would result in either of the above if you determine the person is driving outside the license restrictions.

```

DO9 , 1234567 , 100369 , ,001 , 051490%
SMITH , JOHN ALLEN
3245 MAIN ST

PORTLAND          OR      97266-0000
NO : 1234567      TYPE : ID          END :
EXP : 00-00-00    ISS : 00-00-00    DOB : 10-03-69    CDL : NO
SEX : M  HEIGHT : 5-09  WEIGHT : 150
STOPS : 01        RES:
      * * * * STATUS ON 05/14/90 * * * *
CDL : SUSPENDED
DL : SUSPENDED      DR UNINSUR          REFER TO DL
                                          DWS INFRACTION
                                          STICKER VEH LIC

```

Example 1

“STICKER VEH LIC” *will not display* when the driver is operating a vehicle without driving privileges in violation of ORS 807.010 such as:

- No appropriate license type or endorsement (e.g., a Class 5 license holder operating a passenger vehicle; no motorcycle endorsement; or instruction permit violation);
- No Oregon driver license;
- Oregon driver license expired more than one year;
- Canceled license/driving privileges, regardless of expiration date; or
- Suspensions eligible for reinstatement, regardless of the license expiration date.

In the above situations, you still need to mark the plates.

“STICKER VEH LIC” will not display when the driver’s commercial driving (CDL) privileges are suspended and his or her regular driver license is still valid. If his or her Commercial Driver License has any suspension or revocation that would result in a felony driving while suspended offense and the vehicle being operated is a Commercial Motor Vehicle (not prorate or PUC plated), the plates should be marked.

If the notice is delivered personally or sent by mail, this must be to the division's headquarters office at:

Motor Vehicles Division
Attn: Vehicle Cancellation Unit
1905 Lana Avenue NE
Salem, Oregon 97314-2620

A copy of the notice and any registration card may be sent by FAX to (503) 378-6112.

If a copy of Form 150 and any card were sent by FAX to notify DMV within 24 hours of the action taken, do not send the original copy of the notice and the registration card. *Please avoid sending two copies of the notice.*

DMV ACTION

Once DMV is notified that a vehicle is marked under the provisions of this law, the vehicle and driver information on Form 150 will be verified to determine if the driver of the vehicle was the owner of the vehicle at the time of citation or arrest.

If the driver of the vehicle is not the owner of the vehicle and the driver was cited or arrested for any of the offenses, the vehicle will be issued new registration upon payment of the replacement registration fee and a special restoration fee.

If the driver is the owner of the vehicle, the vehicle registration will be canceled 60 days from the date of arrest or citation, unless the driver obtains valid driving privileges (license or permit), a hearing is pending, the driver who was cited or arrested no longer has an interest in the vehicle, or the action is invalidated.

The form will be invalid and the cancellation process ended if:

- DMV receives the Vehicle Registration Cancellation Notice (Form 150) 16 days or later from the date of arrest or citation of the driver; or
- The person cited or arrested was not subject to the provisions of this law at the time of citation or arrest.

PROCEDURE AT A HEARING

The operator of the vehicle who is the owner of the vehicle at the time of arrest or citation has a right to request a hearing to contest the cancellation of the vehicle registration. This request must be received by DMV Hearings Branch within 15 days of the arrest or citation of the driver.

Any co-owner of a vehicle also has a right to request a hearing. The co-owner of the vehicle will be notified in writing by the Motor Vehicles Division of the pending action. The scope of the hearing will be limited to whether the cancellation is valid. The only issues to be considered at a hearing are listed on the back of the Vehicle Registration Cancellation Notice, Form 150. These are:

- Was the driver driving without his or her driving privileges or was he or she suspended or revoked for reasons noted in Chapter 891, 1989 Oregon Laws?
- Was the driver the owner of the vehicle at the time of arrest or citation and is the driver still the owner of the vehicle at the time of the hearing?
- Was the driver provided adequate notice?

DMV will not subpoena police officers to appear at hearings on behalf of the state. However, DMV may choose to subpoena police officers at the request of petitioners.

COMPLETING THE COVER FLAP OF THE BOOK OF NOTICES

The cover flap of the book of Vehicle Registration Cancellation Notices contains instructions for completion and issuance of these notices. It also contains an area for police officers to provide DMV with more information about drivers stopped who are not subject to the law because the vehicle is not subject to the law. The categories include: vehicles with no Oregon plates operating on temporary permits indicating Oregon registration has been applied for; vehicles with no Oregon plates operating on a trip permit; out-of-state plated vehicles with current or expired registration; and other comments the officer chooses to include. Make a slash mark in the appropriate category for each incident that happens (see Example 10). If you complete the flap or have other comments, remove the flap and send it to:

Example 10

INSTRUCTIONS	
VEHICLE REGISTRATION CANCELLATION NOTICE	
<p>COMPLETE FORM 150 WHEN YOU CITE OR ARREST A DRIVER FOR:</p> <ul style="list-style-type: none"> - Felony driving while suspended or revoked under ORS 811.182(3). - Driving while suspended or revoked if the suspension or revocation is for any violation of the financial responsibility laws of this state. - Operating without driving privileges in violation of ORS 807.010. (These provisions do not apply if the citation is only because the license is expired for one year or less.) 	
<p>VEHICLES TO MARK - Oregon-plated motor vehicles (current or expired). EXCEPTION: Interstate trucks registered under permits (Y plates) and Oregon dealer plates ("DA" and "DM"). If the vehicle's registration is suspended, you may take the plates instead of putting stickers on the plates. If you take the plates, make a notation on the Form 150.</p>	
<p>LAW ENFORCEMENT OFFICER RESPONSIBILITY:</p>	
<p>1. MARK THE VEHICLE - Place black-and-white stickers over the "year" stickers on all registration plates. If the plate is permanent or otherwise does not have a "year" sticker, place the sticker in the lower right-hand corner of the plate.</p>	
<p>2. CONFISCATE THE REGISTRATION CARD (IF THERE IS ONE) IN THE VEHICLE.</p>	
<p>3. COMPLETE FORM 150 IN FULL - Please list the reason when citing or arresting for operating without driving privileges (e.g., no motorist's endorsement, has not renewed, etc.). Also mark the box provided if the person was operating a commercial motor vehicle.</p>	
<p>4. GIVE THE BLUE COPY OF THE NOTICE TO THE DRIVER.</p>	
<p>5. NOTIFY DMV OF THE ACTION TAKEN:</p>	
<p>A. Notify DMV within 24 hours that the action was taken. The notification must include the driver license number and the Oregon plate number and can be by teletype or by sending a copy of the completed Form 150 and any registration card by FAX to (503) 378-6112.</p>	
<p>B. Forward a copy of the notice and any registration card to DMV within 15 days of the arrest or citation date. (If you sent copies of the notice and registration card by FAX under 5A above, you will not need to forward additional copies.)</p>	
<ul style="list-style-type: none"> - Mail the copies to the Motor Vehicles Division, Attn: Vehicle Cancellation Unit, 1905 Lana Avenue NE, Salem, Oregon 97314; or - FAX copies to the Motor Vehicles Division at (503) 378-6112. 	
<p>OTHER INFORMATION ABOUT THIS PROGRAM - Please provide us with information about drivers you stop who are not subject to the law because the vehicle is not subject to the law. Make a slash mark in the appropriate category for each such incident that happens.</p>	
NO OREGON PLATES/NO TEMPORARY PERMIT	NO OREGON PLATES/NO TRIP PERMIT
OUT-OF-STATE PLATES/CURRENT OR EXPIRED	OTHER COMMENTS - LIST ON OTHER SIDE OF FLAP
<p>IF YOU COMPLETE ANY PART OF THE "OTHER INFORMATION ABOUT THIS PROGRAM" SECTION, OR MAKE OTHER COMMENTS, PLEASE TEAR OFF THIS COVER AND SEND IT TO THE MOTOR VEHICLES DIVISION, ATTN: VEHICLE CANCELLATION UNIT, 1905 LANA AVE., SALEM OR 97314.</p>	

APPENDIX G

DUI CONTROL SYSTEM FOR OREGON

DUI Control System Performance Measures for Oregon Counties



Oregon Traffic Safety Commission

**Revised by: Jill Vosper, DUI Program Representative
Production: Meriam Good**

**Second Edition
September 1990**

INTRODUCTION

DUII Control System Performance Measures for Oregon Counties has been compiled by the staff of the Oregon Traffic Safety Commission (OTSC) for your use. This is the second edition, and it is hoped that the document will aid you in assessing the severity of Driving Under the Influence of Intoxicants (DUII) related problems in your jurisdiction.

Accidents involving alcohol or other drugs account for nearly half of the fatal and serious injury accidents occurring in Oregon each year. Many of these accidents involve youth who are inexperienced both as drinkers and drivers. Each year, approximately half of the state's motorcycle fatalities involve the presence of alcohol or other drugs. Though these problems are not unique to the state of Oregon, Oregonians are taking a "hard-line" on alcohol or drug related fatal and injury traffic accidents.

Driving Under the Influence of Intoxicants (DUII) is a complex social problem that has origins in both internal and external system factors. Due to its complexity, Oregon communities and involved agencies must concentrate on addressing the negative reinforcing DUII variables. Chief among those variables are 1) system deficiencies in dealing with the intoxicated driver and 2) the public's knowledge, attitudes and behavior relating to impaired driving.

DUII Control System Performance Measures for Oregon Counties seeks to present data compiled from a number of state agency sources that may be used in conjunction with alternative sources, such as attitude and perception surveys, to analyze and identify DUII related problems. With this information, plus input received from involved agencies and groups, it is hoped that specific problems may be pinpointed that should be targets for special countermeasure efforts.

If you find this publication useful, please contact us at OTSC. We want to design future editions to meet your needs and would appreciate any and all comments concerning the utility of the publication.

Please return your comments to:

DUII Program Office
Oregon Traffic Safety Commission
400 State Library Building
Salem, OR 97301

USING THE DATA

The **DUII Control System Performance Measures for Oregon Counties** publication is designed to be used by persons familiar with the DUII control system in Oregon counties. The information presented in this document is intended to provide comparative data on Oregon counties for assessment of DUII related problems and countermeasure activities. It can also be useful in obtaining support for county traffic safety programs by providing a comparison of the severity of the major traffic safety problems from county to county and to the state as a whole.

The six DUII system areas considered are:

- Accidents
- Enforcement Activity
- Implied Consent Suspensions
- Diversion Program
- DUII Convictions
- Additional Court Activity

A series of data tables has been constructed to summarize data representative of the DUII system for each county in Oregon. Use the data cautiously and only after you have reviewed the "Document Citations and Notations" contained in the Appendix. Data from different sources and/or different time periods may not necessarily be comparable. In some instances, data tables are missing one or two system elements because the data elements were unknown, unreported, not applicable, or not available.

Data can be the basis for a complete analysis of the DUII control system in your county. It can be used to answer such questions as:

- Are fatal and injury accidents increasing or decreasing?
- Is the change significantly different than for other similar sized counties or the state as a whole?

Simple statistical techniques such as normalizing data from two different sized populations and performing chi square analysis can make such analysis more meaningful. Chi square analysis is used to determine if the difference between two different occurrences over time or between one area or another or two or more different data elements is significant. Other questions might call for relating two or more different kinds of data, such as arrests and convictions.

You will find that the data will not only help you answer questions about how the DUII system is operating in your county but will lead you to raise additional questions. It may encourage you to do additional research. If more detailed data is needed, contact either the source cited or the OTSC. The OTSC staff will try to help you secure additional information.

SYSTEM HIGHLIGHTS

- Fatal and injury traffic accidents have shown a general upward trend, increasing from 23,551 in 1983 to their highest point in 5 years in 1987 when 25,242 accidents occurred. The fatal and injury accident rate for Oregon (accidents per million vehicle miles traveled) has declined from 1.15 in 1983 to 0.92 in 1989.
- Nighttime fatal and injury accidents have declined by 22.3% from 4,934 in 1983 to 3,835 in 1988.
- The percentage of fatalities that were determined to be alcohol related has decreased from 50.9% in 1983 to 43.4% in 1989.
- DUII arrests have increased 27.8% from a low for the seven year period of 21,902 in 1987 to 27,997 in 1989. The DUII arrest rate for the state has declined from 1,052.74 per 100,000 population in 1984 to 1,003.12 in 1989.
- The percentage of breath test refusals dropped from 25.5% in 1983, just before the DUII laws were strengthened, to 18.7% in 1989. The lowest refusal rate was achieved in 1985 when 17.7% of the persons arrested for DUII refused the breath test.
- Minor in Possession (MIP) citations were at their high point for the seven year period in 1989 when 13,416 citations were issued. In 1989, 5,098 youths under age 18 were cited for MIP and 8,318 persons aged 18-20 were cited. In 1989, 1,356 of the 5,098 juveniles subject to the juvenile denial law were actually denied their license privileges. 82.3% were first denials.
- Since the implied consent law went into effect in mid-1984 the number of hearings conducted has been fairly constant at 3,000 per year. The percent of decisions affirming suspensions was 87% in 1988.
- The number of diversion agreements has declined from a high of 13,993 in 1984 to 12,770 in 1989. The percentage of enrollments that are Level II and II+ has risen steadily over the seven year period. Level II and II+ enrollments accounted for 65.6% of total enrollments in 1983 and for 83.1% in 1989.
- DUII convictions have fallen since 1984. In 1989, there were 10,115 convictions compared to 12,515 in 1984. The percent of convictions that were for a second or subsequent DUII has declined from 38.8% in 1983 to 28.0% in 1989.
- The number of treatment enrollments for persons convicted of DUII has risen from 1,648 in 1985, the first full year treatment was required by Oregon statute, to 5,526 in 1989. In 1989, 99.4% of the enrollments were in Level II or II+ treatment programs.

DUII CONTROL SYSTEM PERFORMANCE MEASURES FOR THE STATE OF OREGON, 1983-1989

	1983	1984	1985	1986	1987	1988	1989
1. Population Characteristics							
a. Population (in thousands)	2,635.0	2,660.0	2,675.8	2,661.5	2,690.0	2,739.0	2,791.0
b. Vehicle Miles Traveled (in millions)	20,558	21,298	21,809	23,052	23,332	24,312	25,975
2. Accidents							
a. Fatal and injury (F&I) accidents	23,551	23,108	24,117	25,130	25,242	23,111	23,791
b. Nighttime (F&I) accidents	4,934	4,387	4,278	4,698	4,632	3,835	--
c. Fatalities	550	572	559	619	619	677	626
d. Alcohol involved fatalities	280	284	269	278	271	307	272
3. Enforcement Activity							
a. DUII arrests	27,464	28,003	23,807	22,418	21,902	22,069	27,997
b. Breath test refused	7,016	5,940	4,212	4,071	4,339	4,248	5,241
c. MIP < 17 years of age	4,061	3,845	4,625	4,560	4,355	3,863	5,098
d. MIP 18-20 years of age	5,578	4,924	4,669	4,490	5,012	5,346	8,318
e. DWS/DWR (misdemeanor) arrests	--	--	--	--	16,978	4,593	6,271
f. DWS/DWR (felony) arrests	--	--	--	--	3,820	4,830	7,002
4. Implied Consent Suspensions							
a. Suspensions issued	n/a	11,655	22,149	21,856	20,778	20,451	21,913
b. Hearings requested	n/a	1,851	3,533	2,955	3,383	3,555	4,241
c. Hearings conducted	n/a	1,272	3,025	2,978	2,954	3,102	3,821
d. Decisions affirming suspensions	n/a	955	2,333	2,387	2,593	2,699	3,140
5. Diversion Program							
a. Diversion agreements	n/a	13,993	12,371	11,277	10,644	10,221	12,770
b. Diversion enrollments, level I	4,385	3,932	3,631	2,794	2,316	2,034	1,851
c. Diversion enrollments, level II	8,380	10,014	10,872	10,135	9,598	8,804	9,100
6. DUII Convictions							
a. All convictions	11,011	12,515	10,882	10,086	8,639	9,085	10,115
b. First DUII	6,739	8,032	7,275	7,036	5,988	6,457	7,282
c. Second DUII	3,242	3,454	2,837	2,442	2,075	2,029	2,191
d. Third or subsequent DUII	1,030	1,029	770	608	576	599	642
e. Convicted DUII enrollments, level I	n/a	n/a	56	37	63	27	32
f. Convicted DUII enrollments, level II	n/a	n/a	1,592	4,357	5,135	5,259	5,494
7. Additional Court Activity							
a. First Denial suspension	6	208	589	1,246	1,066	1,042	1,116
b. Second Denial suspension	0	9	96	208	278	240	240
c. DWS/DWR (infraction) conv.	n/a	n/a	n/a	n/a	1,442	13,862	20,277
d. DWS/DWR (misdemeanor) conv.	10,144	9,948	9,887	12,410	12,595	5,438	4,590
e. DWS/DWR (felony) conv.	1,045	1,319	1,021	1,388	1,675	1,619	1,194

Notations:

n/anot applicable

--not available

SUMMARY OF DUII COMMUNICATIONS, 1984-1990

Oregon Traffic Safety Commission

In an effort to deal more effectively with drinking and driving, Oregon passed new DUII laws in 1983. One lowered the legal blood alcohol content to .08%. Another, SB 710, required that people who fail the breath test automatically lose their license for at least 90 days. Those who refuse the test lose their license for at least a year. If convicted in court, they spend at least 48 hours in jail or 80 hours in community service. And they pay fines, fees, assessments, treatment costs, legal bills, and higher insurance rates that add up to thousands of dollars. These two laws have been the basis for much of OTSC communications summarized below. Additional themes have been intervention and communications regarding enhanced enforcement efforts.

- 1984 July to September - Public service announcements promoted the new law and introduced the theme, "The least you'll lose is your license. Guaranteed." TV, radio, newspaper, and outdoor messages were prepared along with posters, brochures, buttons and community action kits.
- September to November - Follow up TV PSAs referenced the above TV spot and informed the public that 5,000 people had already lost their licenses under the law. This was intended to alert the public that the law really was new and tough.
- December - A joint OTSC/Mothers Against Drunk Driving (MADD) PSA, "Holiday Dreams," was prepared that shifted emphasis to the victims of drinking drivers.
- 1985 March to July - TV and radio PSAs entitled "Problem" were distributed. These PSAs lauded public support of the new law and pointed out that the problem was not moderate drinking but was either having a drinking problem or drinking too much and driving.
- July to September - TV, radio, and outdoor PSAs were prepared to announce that 20,000 Oregonians had already "blown it" by blowing .08 or more on the Intoxilizer and losing their license. The intent was to sustain credibility in the law at the one year anniversary.
- September to June 1986 (except Dec. 1985) - a new campaign on intervention began with the theme, "Police aren't the only people who stop drinking drivers." TV, radio, newspaper, and outdoor PSAs were prepared along with news releases and a booklet on intervention. The public was encouraged to call an 800 number to receive the booklet.
- December - OTSC redistributed the OTSC/MADD "Holiday Dreams" PSA and prepared a holiday host guide, "Keep the holiday spirit alive."
- 1986 June - Summer hosting guide, "Stay Cool," distributed.
- August - A new campaign on intervention began which demonstrated ways people can intervene in a situation where someone is going to drive after drinking. One 30-second spot, "Wishes," and three 10-second spots.

"Coffin," "Keys," and "REDDI," were distributed. Outdoor advertising emphasizing the penalty of driver's license loss, and using the theme, "The least you'll lose is your license. Guaranteed." were prepared.

September - Two print ads emphasizing driver penalties were produced and distributed.

October - A rock style jingle targeted at youth and encouraging intervention was released to youth oriented radio stations.

November - A series of print ads emphasizing intervention were produced and distributed. They were combined as a brochure. The "Holiday Dreams" PSA was released for the 1986 holiday period. "Keep the holiday spirit alive" brochure was shortened to facilitate distribution.

1987

January - The first issue of a quarterly newsletter, **The DUII Memorandum**, was prepared and distributed.

February - A new program targeted at youth and their parents was implemented. Brochures entitled, "If you don't talk to your kids, some one else will" and "Drinking and driving is one way to get your own set of wheels," were produced and distributed. Posters and print ads for newspapers using the same theme as the youth brochure were distributed to high schools. A TV PSA "Roses" targeted to adults and emphasizing the tragic loss of lives due to DUII was produced. Three more 10-second PSAs were produced highlighting specific intervention behaviors, as in 1986. The 30-second "Roses" PSA was also produced for radio.

March - Outdoor advertising emphasizing the penalty of drivers license loss was prepared and distributed for use throughout the year.

April - A radio PSA targeted at youth was produced and distributed for airing during the spring high school graduation period.

June - "The Driver" TV PSA which encourages using a designated driver was adapted for use in Oregon. The rock style jingle released in October 1986 was re-released.

September - A TV PSA "It's Your Baby" was produced and distributed to coincide with tougher DUII laws taking effect. The spot emphasizes loss of license and other potential losses (wrecked car, life) of driving while intoxicated. A second radio PSA targeted at youth that emphasizes DUII laws and costs of a DUII arrest was released.

October - A poster and print ad targeted at college-aged youth were produced and distributed.

November - The "Holiday Dreams" PSA was re-released for use during the 1987 holiday season. A holiday print ad was produced and distributed. "Keep the holiday spirit alive" brochure was redistributed.

1988

The newsletter, **The DUII Memorandum**, was distributed to a mailing list of 1,000 each quarter.

January to April - TV stations were asked to continue to use spots distributed in 1988.

May - Two TV PSAs were distributed. One 30-second spot, "No Sympathy," targeted young males with potential drinking problems, and one 10-second spot, "Lights," targeted the general public and emphasized the immediate consequence of driving and driving. Stations were asked to air these spots throughout 1988.

May - A special graduation ad, "Beer Pressure," was distributed to high school newspaper editors. A general purpose poster, "Beer Pressure," was distributed to high schools and colleges. The "Beer Pressure" ad and an additional newspaper ad, "Drinking and driving lights up your life," were distributed to weekly and daily newspapers. A Spanish language version of "Lights" was distributed to Spanish language papers.

May- "Monologue," a 60-second radio PSA, was distributed to all radio stations. The spot is targeted to a general audience and emphasizes the likelihood of apprehension and the immediate consequences of drinking and driving.

June - Billboard and transit ads with the theme, "Drinking and driving lights up your life," were posted with additional posting scheduled for September and late November.

July - Posters with the theme, "Oregon. It's Breathtaking." were posted at eight Travel Infocentres statewide. They will stay up for at least a year. A brochure with the same theme was distributed starting in August through visitor information centers and hotels and motels.

July - "The Driver," a 30-second PSA targeted at youth, was redistributed.

July - A print PSA, "How to get home for the holidays," focusing on promoting of safe driving near the July 4th holiday, was distributed to newspapers.

September - High school newspaper editors were sent copies of the newspaper PSA, "Lights." Principals were sent a series of public address system messages and encouraged to order available posters.

November- "Holiday Dreams" radio and TV PSA was re-released for use during the 1988 holiday season. A holiday print ad was re-released to newspapers.

1989

February - A comprehensive program including TV and radio PSAs and a direct mail program designed to encourage citizens to report drinking drivers was released. A press conference to draw media attention to the new "SafeCall" program was held.

April - TV and radio spots emphasizing intervention were released. A billboard with the theme "Nobody took his keys" was distributed. A complementary print ad, "What to say to a drinking driver," was distributed to daily and weekly newspapers.

May - A poster, "Drunk drivers leave their mark," was distributed to high schools and colleges.

June-- The July 4th "Home for the holidays" print PSA and "The drinking drivers guide to great hotels" TV PSA were redistributed.

September - A transit ad with the theme "The heat is on" was distributed to emphasize that DUII enforcement is increasing.

November - The "Holiday Dreams" radio and TV PSAs were re-released for use during the 1989 holiday season. A holiday print ad was re-released to newspapers.

1990

January - TV PSAs with the theme "The heat is on" and "Out in the Cold" were released. Starting this month and continuing throughout the year a total of 41 billboards and 50 transit ads were posted, typically for one-month periods. An effort was made to post billboards in locations with increased enforcement efforts.

Newspaper ads with the theme "The heat is on" were released to complement the TV and billboard effort. Reference was made to the increased level of arrests and the new "zebra sticker" program.

To complement this effort, a press release was sent to news editors just prior to Superbowl Sunday. The press release included information that the traffic death toll had fallen by more than 8% and DUII arrests had increased by 26%.

"Oregon. It's breathtaking." posters are still up throughout the state at Travel Infocentres.

April-Two radio PSAs with the themes "The Blues" and "The Death Message" were released. The target audience for both was males age 16 to 35 who may drive after having too much to drink.

June - 30-second and 10-second TV PSA, "Stay Cool," were released. They are designed to reinforce the fact that DUII enforcement has increased and "the heat is on."

July - "Welcome to Oregon" fact sheet summarizing DUII and other motor vehicle laws unique to Oregon was prepared for distribution to new drivers.

September - A newspaper ad explaining alcohol equivalency was developed and sent to daily and weekly newspapers.

"Drinking and driving is one way to get your own set of wheels" youth brochure was revised and will be distributed to all Oregon high schools along with a new poster with the theme, "Gotcha." The OTSC parent brochure, "If you don't talk to your kids someone else will" has been revised by the Oregon Helath Division and now carries the title "Talk to your kids before peer pressure talks for you."

The above materials have been produced by Gard & Lesh under contract to OTSC. Gard & Lesh is known for its specialty of public issue communications.

A video with all television spots produced by OTSC since 1984 is available for loan. copies of all newspaper ads and most posters are available as well.

Since 1984 the Commission has budgeted approximately \$150,000 per year for its DUII communications program. This includes OTSC staff time, contracts for program development and evaluation, and printing and distribution costs. While difficult to know the amount of donated public service time received, it is estimated that OTSC receives about \$1,000,000 per year in donated TV, radio, newspaper, and outdoor advertising. This is based on a conservative tabulation of either confirmed or reported advertising in the July 1989 to June 1990 time period.

Other Communications

Other organizations including Mothers Against Drunk Driving, the Oregon Medical Association, Blue Cross/Blue Shield of Oregon, KATU Channel 2, KGW Channel 8, KOIN Channel 6, the Oregon Council on Alcoholism and Drug Abuse, the Motor Vehicles Division, the Office of Alcohol and Drug Abuse Programs, the Oregon Health Division, and Pledge America have produced TV PSAs and other materials that have contributed to increased awareness of the issues of alcohol and drug abuse and driving under the influence.

Starting in 1987 MADD worked with public agencies and private businesses to distribute red ribbons to be tied on the car door handle as a reminder not to drink and drive. In 1989 over 2 million ribbons were distributed throughout the state. MADD has cooperated with State Farm Insurance to produce an outdoor advertising program, with the Oregon Tow Truckers Association for a free ride home program, and with Volkswagen to promote the "Drive for Life" safe driving program over the Labor Day holiday.

Since 1982 special attention has been focused on the DUII issue during the month of December as Oregon has joined other states in recognizing National Drunk and Drugged Driving Awareness Week. In addition to TV, radio, and newspaper public service announcements there have been special readerboard projects, designated driver programs, and responsible hosting events.

The Office of Alcohol and Drug Abuse Programs (OADAP) has established the Oregon Prevention Resource Center (OPRC) which offers films and printed materials on alcohol and drug abuse prevention and the DUII issue.

Targeted educational/training programs that have been offered within the last several years or are available now are programs to reach youth, alcohol beverage servers, employers, and DUII system professionals. These programs are generally beyond the scope of this communications plan but are summarized below.

Youth

The importance of education to prevention of alcohol and drug misuse and prevention of driving under the influence is recognized. Many schools have assumed a responsibility to teach students about alcohol and other drugs. In some the commitment is limited; in some schools a full curriculum has been implemented. In a very few locations the school and community have worked together toward a complete program that includes prevention, intervention, treatment, and aftercare.

CRITERION No.20: Establishment of liability against any person who serves alcoholic beverages to an individual who is visibly intoxicated.

Oregon:

ORS 471.410
30.950
30.955

No person can sell, give or otherwise make available any alcoholic beverage to any person that is visibly intoxicated. This is a Class A Misdemeanor.

A licensee or permittee is liable for damages incurred or caused by an intoxicated patrons of the premises if he has served alcoholic beverages to the patron when he was visibly intoxicated or has allowed him to continue to consume alcohol after he has become intoxicated.

A private host is liable for damages incurred or caused by an intoxicated social guest if he served alcohol beverages to the guest when he was visibly intoxicated. SB 126 passed by the 1989 Legislature further strengthened Oregon's Dram Shop Law by allowing a visibly intoxicated person to continue to consume alcohol a Class A misdemeanor.

A 1988 Oregon 's Dram Shop law (Solber v. Johnson) 306 Or 484 tested the law. This decision clarified that a social host is a person who entertains guests, whether friends or business associates, in a social or commercial setting. An individual who bought drinks for someone who later injured another party in a motor vehicle accident was found to have liability.

CRITERION No.21: Use of innovative programs.

Oregon:

The following innovative programs have been initiated in Oregon:

DUII offenders in Linn County are serving time while staying at home. An in-house arrest system in which an electronic transmitter is strapped to a DUII offender's leg for monitoring by a computer is being pilot tested and early results are extremely positive. Persons are considered to be on monitored probation and if they violate probation are given a jail sentence. The cost is lower than providing jail sentence, and since the offender can still work, a fee can be charged and the system can be self-sustaining. The system offers an opportunity to monitor a larger number of probationers more closely without additional staff. DUII offenders are kept off the road at high risk times.

The 1989 Oregon Legislature established a pilot program requiring police officers to confiscate vehicle registration cards and place "zebra" striped stickers on license plates when citing drivers for driving while suspended (DWS). If a person is cited or arrested for DWS, and the suspension is a result of DUll, reckless driving, or attempting to elude a police officer, the vehicle registration will be confiscated and a zebra sticker will be placed on the license plates. Police officers tagged 240 vehicles during the first week of the new law. According to the Department of Motor Vehicles, 11,000 stickers were placed on license plates by law enforcement officers in the first four months of the law. The new program is popular with police officers and may be expanded to include other violations.

New procedures for processing DUll cases have been implemented in the Multnomah County District Court. A special Deputy District Attorney reviews all cases and tries to obtain guilty pleas prior to the trial date. By reducing the number of cases going to trial, there are not only savings in court, police, deputy district attorneys and witness costs, but the court is allowed to concentrate on backlogged cases. In those cases coming to trial there had been a 14% dismissal rate due to witnesses not showing, but by notifying witnesses early and following up on this, the rate is less than 5%.

The City of Portland has enacted an ordinance which declares certain vehicles to be nuisances and permits their forfeiture. Since December 1989 when the ordinance was implemented, both vehicles used for prostitution and vehicles driven by persons whose licenses have been suspended or revoked as a result of a DUll conviction may be forfeited under the ordinance. Police are currently seizing all vehicles covered by the ordinance and work with the Portland City Attorney's office to decide which vehicles to forfeit. As of March 15, 1990, 108 vehicles had been seized and 38 had been forfeited.

DUll offenders in Washington County are given an opportunity to contribute something to their community by serving on special work crews. The program has grown due to new sanctions imposed with SB 710 in mid-1984. In 1977, there were 133 cases handled by the program; in 1985, 1,612 offenders gave approximately 57,655 hours of service back to the community. Sixty-seven percent of these persons

completed community service successfully. Group projects have included restoring an historic home, litter pickup, park maintenance and projects to specifically improve traffic safety, including raking gravel on bike paths and filling potholes. Estimated value of the work accomplished in 1985 is \$252,000. Each offender not considered indigent pays \$20 for the privilege of doing community service. The program is working especially well due to good cooperation among the program manager, judges, and agencies utilizing services.

Four intensive probation supervision projects have been initiated. In Multnomah County it has been found that offenders receiving traditional sanctions (bench probation, limited jail sentences) are four times as likely to be re-arrested for DUII as those receiving intensive supervision. This project is viewed as being not only successful in reducing recidivism but also in reducing costs of managing offenders in the long run and will receive county funding starting July 1990 when the 402 funds grant ends.

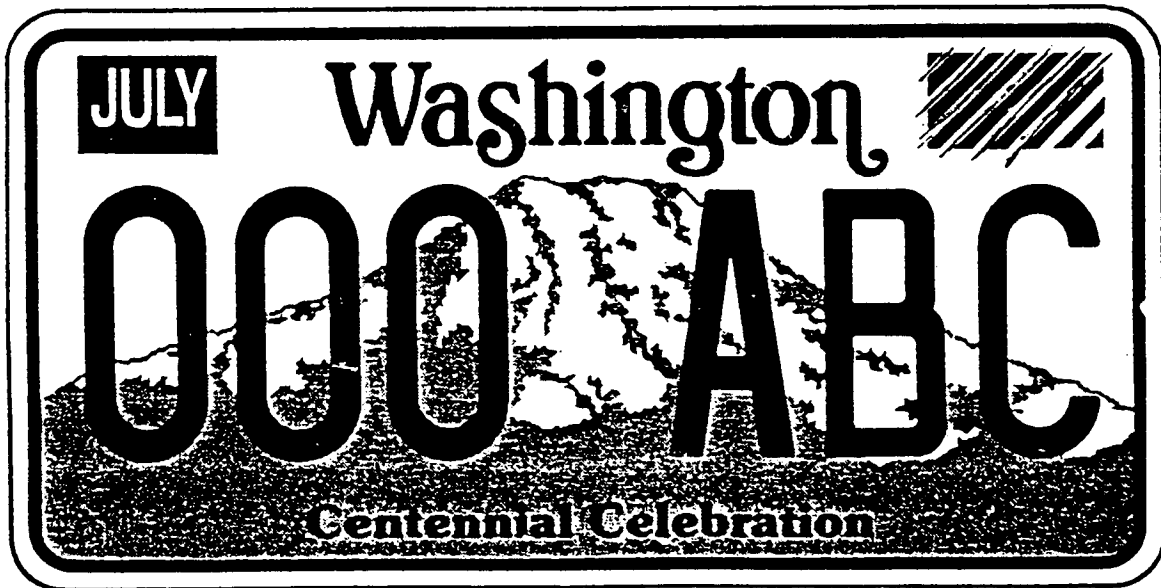
In 1988, an ignition interlock device program was established as a pilot program. This program is being extended for an additional four-year period in order to complete an evaluation. In this program, persons convicted of DUII must have an ignition interlock device installed in their vehicle if they wish to receive a hardship permit and must continue to have the device for the first six months after the end of their license suspension. The program will be determined to be successful if recidivism is reduced by 10%.

APPENDIX H

**ABSTRACT FROM MANUAL
FOR LAW ENFORCEMENT AGENCIES**

STATE OF WASHINGTON

Training Information



ESSHB 196

STATE OF WASHINGTON



ESSHB 196

LAW ENFORCEMENT PROCEDURAL OUTLINE

1. Officer stops driver.
2. Inquiry via ACCESS of driver/vehicle records.
3. Driver is suspended, revoked, or a habitual traffic offender.
 - a. HB 196 shall NOT be applied to persons driving without a license (NVOL 46.20.021).
 - b. HB 196 shall NOT be applied to persons suspended in other state(s) but not suspended in Washington.
 - c. If a persons driving privilege is suspended or revoked in WASHINGTON, and that person is the registered owner of a WASHINGTON licensed vehicle, but the person produces an out-of-state drivers license, HB 196 IS applied.
4. Cite driver under appropriate RCW, 46.20.342 or 46.65.090.
5. Determine if the driver is the registered owner, or a co-registered owner of the vehicle.
 - a. HB 196 shall NOT be applied if the vehicle is not a Washington licensed vehicle.
 - b. HB 196 shall only be applied if the arrested driver is the registered owner, or a co-registered owner of the Washington licensed vehicle.
 - c. HB 196 shall NOT be applied if the arrested driver recently purchased the vehicle but not yet transferred the registration into his/her own name. However, violators of RCW 46.12.101, transfer of ownership, should be cited.
 - d. If the arrested driver produces a registration indicating he/she is the registered owner, but DOL does not yet have that person recorded on computer record as the new owner, HB 196 IS applied. When issuing the temporary registration, the officer shall check the new purchaser box located next to the drivers name.

6. Confiscate Washington registration and issue temporary registration.
 - a. Out of state registrations shall NOT be confiscated.
 - b. The temporary registration consists of four pages. Pages ONE AND TWO are supplied to the arrested driver. Page THREE is DOL'S copy (the confiscated registration shall be attached to this page), and page FOUR belongs to the issuing law enforcement agency.
 - c. The temporary registration provides the arrested driver with information regarding the cancellation of his/her license plates/registration, and administrative hearing information. Therefore, whenever HB 196 is applied, the temporary registration must be issued. If the arrested driver is unable to produce a registration for the officer to confiscate, a temporary registration shall still be issued. The issuing officer shall make a notation on DOL'S copy of the temporary as to why no permanent registration is attached.
 - d. If the arrested driver only has an expired registration, confiscate it and issue the temporary registration (If the vehicle license is expired when the stop is made, the officer may also write an infraction for expired vehicle license RCW 46.16.010).
 - e. On the temporary registration, in the box marked address of residence, the officer shall fill in the address on the drivers license or drivers license record. If there has been a change of address, the new address may be filled in and the change of address box marked. In the box marked mailing address, the officer shall fill in the address on the vehicle record.
7. Furnish hearing rights and request for hearing form to arrested driver.
 - a. The request for hearing form is on the back of page two of the temporary registration.
8. Mark Washington vehicle license by covering the year expiration tab location with the HB 196 sticker.
 - a. Whenever any law enforcement officer observes a vehicle being operated while displaying a Washington vehicle license marked with a HB 196 sticker, that officer has probable cause to stop that vehicle FOR THE SOLE PURPOSE OF ASCERTAINING WHETHER THE DRIVER OF THE VEHICLE IS IN VIOLATION OF RCW 46.20.342 or 46.65.090.

NOTE: arresting officer should place a HB 196 sticker on both the DOL temporary AND on the rear license plate (if one is present).

- b. If the arrested driver's vehicle has a DEALER permit (see example), HB 196 will NOT be implemented (no temporary registration is issued and the license is not marked).

DEALER 30 DAY TEMPORARY VEHICLE PERMIT

STATE OF WASHINGTON
30 DAY
TEMPORARY VEHICLE PERMIT

USE THIS SPACE ONLY FOR THE NUMBER OF THE VEHICLE

→ D 6 310973

NOTE: HB 196 IS implemented when a vehicle has a DOL temporary and IS NOT implemented when a vehicle has a DEALER temporary.

10. Attach confiscated registration to DOL'S copy (page 3) of the temporary registration and forward within 72 hours to:

Department of Licensing
Driver Services
Attention: ESSHB 196
Olympia, WA 98504

Please ensure that the temporary registrations are filled out COMPLETELY. Incomplete forms will be returned to the issuing law enforcement officer for more information which must be returned within 72 hours.

NOTE: Direct law enforcement related questions to:
Trooper Brian A. Ursino
Washington State Patrol
(206) 753-4453-

QUESTIONS AND ANSWERS

1. What is a Department Temporary Permit?

When there is a private sale between two persons of an unlicensed vehicle and additional documents or action are required, the purchaser can apply to a county auditor or license agent for a 30-day department temporary permit. Full transfer and license fees and taxes are required. This temporary permit allows the purchaser to drive the vehicle for 30 days prior to the transfer of ownership being completed. The permit to drive is valid only for 30 days; however, the individual can complete the application process within one year from date of issue. The fees and taxes are not refundable.

2. In the law enforcement procedure provided to you in the June issue of LED, you were asked to record the validation date and stamp number from the department temporary to the 60-day temporary registration. The validation information is located in the upper right corner of the application in a box marked "AUDITOR'S STAMP." On the sample application and permit, the validation number is 40-01-07 and the date is May 10, 1988.

3. If an officer stops a vehicle that has suspended license plates displayed, can the plates be confiscated and can the violator be cited?

Yes. The proper charge would be RCW 46.29.605. The confiscated license plates do not need to be sent to DOL. They can be destroyed by the law enforcement agency.

4. Is there a penalty for scraping the ESSHB 196 sticker off a marked license plate?

No. However, if the ESSHB 196 sticker has been removed, it is also likely that the license is without an expiration tab which should attract attention to the vehicle. If it has been more than 60 days since the plate was marked, a registration check will reveal the cancelled status of the vehicle registration and license plates.

5. Does this law apply to commercial vehicles?

Only in an owner-operator situation. If the driver is the registered owner of the vehicle, owns the company, and is driving while his/her driving privilege is suspended, ESSHB 196 applies (e.g., John Doe is stopped, John Doe is suspended, and the truck is registered to John Doe Company). ESSHB 196 shall NOT be applied in any other situation involving a commercial vehicle.

6. When the vehicle has co-owners (one suspended, one not), can the owner whose driving privilege is not suspended register the vehicle in his/her own name only and have the license cancellation removed?

Yes, unless there are extenuating circumstances that would prevent it, i.e., bank lien, insurance restrictions, etc.

7. Since a person can transfer registration to a spouse who is not suspended, can the registered owner be cited for allowing the suspended driver to drive the vehicle?

Yes. The proper charge would be RCW 46.16.011.

8. Can stickers be placed on the front AND rear license plates?

No. When a person gets their license reinstated, they receive replacement tabs for only one license plate, therefore, DOL has asked law enforcement to mark only the rear license plate.

9. If an officer stops someone who has already been issued a temporary registration, does that officer issue another one?

No. Once a temporary has been issued, the license of that vehicle will be cancelled 60 days from the date of arrest (or sooner if an administrative hearing is requested). Therefore, additional temporary registrations should not be issued.

10. What if the hearing is scheduled and they request a continuance of the scheduled hearing date. Such action shall constitute a waiver of the sixty day rule. This is based on advice from the Attorney General's Office; a WAC rule will cover this issue.

11. After a hearing, what will be the lag time in putting the information into the computer system?

Two - four days.

12. What information will be available on ACCESS?

During the 60-day period, ACCESS will show "Plate Cancel Pending" on the driver record. On the 61st day (or if the hearing officer rules in favor of the department) the vehicle record on ACCESS will show "Plate/Reg Cancelled Driver License Susp"

13. Will ESSHB 196 only apply to a suspended/revoked Washington driver in a Washington vehicle?

The driver must be suspended/revoked in Washington state and be a Washington registered owner. Driver may possess an out-of-state license.

14. When will the field receive notification of the plate cancellation?

Immediate access via video terminal or law enforcement access. Auditors/agents without videos need to verify with vehicle records prior to issuance.

15. What if an individual comes from another State and is suspended/revoked in this State but has an out-of-state registration?

ESSHB 196 doesn't apply. The driver must be a Washington registered owner or new purchaser as well as suspended/revoked in this state.

16. What if the husband is driving a co-owned car and his wife transfers the title?

Husband would have to release his interest on the certificate of title for wife to transfer. After the transfer, RCW 46.16.011 would apply.

17. Can plates of cars belonging to minors be cancelled when they are registered in their parent's name?

Washington law requires you to be 18 before registering a vehicle. If driver is not registered owner, ESSHB 196 would not apply.

18. If a person is stopped who has expired tabs and is suspended or revoked, is a temporary registration issued?

Yes. The temporary registration will allow the person 60 days to drive. When the driving privilege is reinstated, license fees will be paid for the entire license period. The expiration date will remain not change. Title and Registration Control is writing a WAC rule to cover this situation.

19. Will new plates be issued at any time?

New plates will only be issued after a cancellation has been placed on record.

20. How does Title and Registration Control determine that a person is owner of a car when it's not on the computer?

When the person presents a pink registration, the validation information will determine where the work is. It will be pulled and updated on computer upon receipt of TR report and registration if the officer determines the driver is a new purchaser.

21. When the TR report is received by DOL, who will change the address on the vehicle and driver records?

Driver Responsibility staff on the ESSHB 196 desk.

Questions on the law enforcement picture should be directed to:

Trooper Brian A. Ursino
Washington State Patrol
Research & Development
(206) 753-4453

Questions on the ESSHB 196 license plate and registration cancellation should be directed to:

Department of Licensing
Title and Registration Control
(206) 586-6226

Questions on Driver Suspensions/Revocations should be directed to:

Department of Licensing
Suspensions and Reinstatements
(206) 586-2638