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Drivers Who Delay License Reinstatement After Suspension Are Often High Risk

Driver's license suspension has become the most widely used as well as effective method for incapacitating individuals who have been convicted of Driving Under the Influence (DUI). A new study has found that encouraging license reinstatement with continued controls, such as interlocks as a condition of reinstatement, may be effective as long as they do not extend delays.

Results will be published in the July 2010 issue of *Alcoholism: Clinical & Experimental Research* and are currently available at Early View.

"Suspension of driving privileges is the major standard sanction for an impaired driving offense in the western world," explained Robert B. Voas, Senior Scientist and Director of the Impaired Driving Center at the Pacific Institute for Research and Evaluation (PIRE). "Jail is used in most countries for multiple offenders and problem cases such as involvement in a crash causing injuries. But jail terms are generally too short to significantly reduce the risk the driver presents to the driving public. Research clearly shows that suspension reduces recidivism when compared to not suspending the offender, but it is far from a perfect system since studies show that up to 75 percent of offenders report illicit driving."

"The value of the sanction partly depends on drivers regarding a proper driving license as having great value," observed Paul R. Marques, senior research scientist with the Impaired Driving Center at PIRE. "Unfortunately it seems in recent years there are many more drivers who find the benefit of driving unlicensed to be an acceptable low-risk thing to do, probably because the perceived risk of consequences is small. This becomes a public danger for several reasons, not least of which is that an unlicensed driver is usually an uninsured driver. If we cannot adequately enforce license suspension, and if drivers do not feel threatened by loss of their licenses, then suspension cannot serve its intended purpose of restricting road use to those who abide by the laws."

Researchers analyzed the driving records of 40 million drivers -- three million of whom were convicted of DUI -- from seven of the largest U.S. states during a seven-to-14-year period of time.

"We found that 50 percent of second offenders delay reinstating for more than a year," said Voas. "Those that delay have higher recidivism rates after they are reinstated, suggesting -- but not demonstrated in this study -- that they will have higher crash rates. Additionally, one third of second offenders will never reinstate."

"Maybe the single most interesting finding from this study is the relationship between risk indicators of impaired driving and the longer time delay in reinstatement after becoming eligible to reinstate," said Marques. "Drivers with more alcohol citations are less likely to reinstate promptly when eligible. What can we do to reduce the risk these drivers pose to the average road user? We need to either substantially increase monitoring and enforcement, and/or use other ways to control alcohol-involved driving."

Who are the DUI offenders who delay reinstatement after they become eligible? "It is probable that those who delay may do so because they have not satisfied other requirements such as attending and completing treatment, paying their fine, or meeting with their probation officer," said Voas. "Research suggests that failure to meet these responsibilities is an indication that they are more likely to resist conforming to rules and regulations generally, including traffic laws. They may also have more serious drinking problems which make it less likely that they can separate their drinking from their driving."

"The delay in reinstatement is also correlated with having had more prior DUI convictions -- multiple offenders are more likely to delay than first-time offenders -- and those with more prior convictions generally have more future convictions," added Marques. "But also, there are usually more conditions placed on reinstatement for those perceived as having higher risk. There may be a break point where some offenders just do not want to bother with the burden of proper relicensing. We should not be making the relicensing process so onerous that we force people out of compliance with the laws."

Conversely, who are the DUI offenders who do reinstate? "Conforming to the requirements imposed by the courts and motor vehicle departments in a timely manner suggest that these individuals have taken advantage of treatment and other intervention programs provided by the state and have better control over their own behavior," said Voas. "The fact that first offenders, who have fewer drinking problems, are less likely than multiple offenders to delay suggests that the level of the offenders' drinking problem plays a role."

People have different reasons to conform, observed Marques. "If you have a certain satisfaction with your life and want to retain privileges, conveniences, and fulfill

responsibilities, then meeting the administrative and legal expectations around reinstatement is a no-brainer," he said. "Simply enough, those more invested in social norms are more apt to do things that are normative. For those who are more marginalized, whether through choice, income or opportunity, the risk-benefit ratio of either not relicensing, or choosing to drive while suspended, will be different."

"Our findings suggest that more attention should be given to DUI sanctions that maintain contact with the offender following reinstatement such as vehicle alcohol interlocks," said Voas. "The results also suggest that offenders who have delayed several months beyond their nominal reinstatement date might be reminded of the importance of reinstating, and of the sanctions for illicit driving."

"Our roadways are the national commons," added Marques. "It is silly to imagine that we can bring DUI behavior under control just by making laws that are more punitive or restrictive. The evidence developed by Voas and colleagues provides an estimate of problem magnitude and should ideally form the basis for policy innovations."

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