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Rhode Island Administrative Adjudication Div., Providence

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**STATE OF RHODE ISLAND  
SPECIAL ADJUDICATION FOR ENFORCEMENT (SAFE)  
Volume III: Analysis of the Administrative  
Adjudication of Traffic Offenses**

**Robert G. Ulmer**

**Dunlap and Associates, Inc.  
One Parkland Drive  
Darien, Connecticut 06820**

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16. Abstract <p>The Special Adjudication for Enforcement (SAFE) demonstration in Rhode Island concluded its second operational year on June 30, 1977. After that date the Administrative Adjudication Division continued as a permanent state agency. In the two demonstration years, the project disposed of 137,316 traffic summonses, with 100,036 of these having been paid by mail and 37,280 adjudicated at administrative hearings.</p> <p>The present report contains an analysis of the administrative adjudication of traffic offenses during the SAFE demonstration period. Included are evaluations of the pay-by-mail and hearing processes, a description of the data system that supports the operation, a cost analysis, and a discussion of the effects of administrative adjudication on the courts and police departments in the state.</p>			
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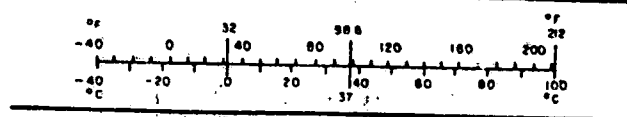
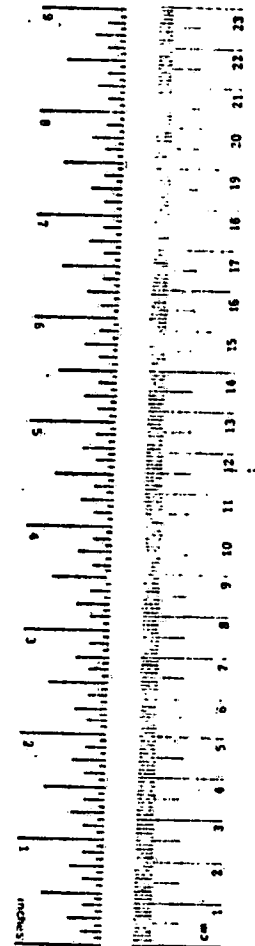
## METRIC CONVERSION FACTORS

### Approximate Conversions to Metric Measures

Symbol	When You Know	Multiply by	To Find	Symbol
<b>LENGTH</b>				
in	inches	2.5	centimeters	cm
ft	feet	30	centimeters	cm
yd	yards	0.9	meters	m
mi	miles	1.6	kilometers	km
<b>AREA</b>				
in <sup>2</sup>	square inches	6.5	square centimeters	cm <sup>2</sup>
ft <sup>2</sup>	square feet	0.09	square meters	m <sup>2</sup>
yd <sup>2</sup>	square yards	0.8	square meters	m <sup>2</sup>
mi <sup>2</sup>	square miles	2.6	square kilometers	km <sup>2</sup>
	acres	0.4	hectares	ha
<b>MASS (weight)</b>				
oz	ounces	28	grams	g
lb	pounds	0.45	kilograms	kg
	short tons (2000 lb)	0.9	tonnes	t
<b>VOLUME</b>				
tsp	teaspoons	5	milliliters	ml
tbsp	tablespoons	15	milliliters	ml
fl oz	fluid ounces	30	milliliters	ml
c	cups	0.24	liters	l
pt	pints	0.47	liters	l
qt	quarts	0.95	liters	l
gal	gallons	3.8	liters	l
ft <sup>3</sup>	cubic feet	0.02	cubic meters	m <sup>3</sup>
yd <sup>3</sup>	cubic yards	0.76	cubic meters	m <sup>3</sup>
<b>TEMPERATURE (exact)</b>				
	Fahrenheit temperature	5/9 (after subtracting 32)	Celsius temperature	°C

### Approximate Conversions from Metric Measures

Symbol	When You Know	Multiply by	To Find	Symbol
<b>LENGTH</b>				
mm	millimeters	0.04	inches	in
cm	centimeters	0.4	inches	in
m	meters	3.3	feet	ft
km	kilometers	0.6	miles	mi
<b>AREA</b>				
cm <sup>2</sup>	square centimeters	0.16	square inches	in <sup>2</sup>
m <sup>2</sup>	square meters	1.2	square yards	yd <sup>2</sup>
ha	square kilometers	0.4	square miles	mi <sup>2</sup>
	hectares (10,000 m <sup>2</sup> )	2.5	acres	
<b>MASS (weight)</b>				
g	grams	0.035	ounces	oz
kg	kilograms	2.2	pounds	lb
t	tonnes (1000 kg)	1.1	short tons	
<b>VOLUME</b>				
ml	milliliters	0.03	fluid ounces	fl oz
l	liters	2.1	pints	pt
l	liters	1.06	quarts	qt
l	liters	0.26	gallons	gal
m <sup>3</sup>	cubic meters	35	cubic feet	ft <sup>3</sup>
m <sup>3</sup>	cubic meters	1.3	cubic yards	yd <sup>3</sup>
<b>TEMPERATURE (exact)</b>				
	Celsius temperature	9/5 (then add 32)	Fahrenheit temperature	°F



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## FOREWORD

The present document is one of two analytic studies which are a part of the final report of the Special Adjudication for Enforcement (SAFE) demonstration project conducted in the State of Rhode Island during the period from July 1, 1975 to June 30, 1977. Funding for the project came from the Office of Driver and Pedestrian Programs of the National Highway Traffic Safety Administration and from the State of Rhode Island.

Mr. John Krause and Mr. Frank Hance of NHTSA served as Contract Technical Managers for the Rhode Island SAFE. We appreciate the advice and encouragement they have provided. We are also indebted to Messrs. George Brandt and Robert Stone of NHTSA for their inputs to the project. We also wish to thank the NHTSA Region I Administrator, Mr. James Williamson, and Mr. Arthur Fletcher, Highway Safety Management Specialist, for their support.

Within the state, numerous individuals have assisted in the development and operation of the Administrative Adjudication Division. We regret that space does not allow us to acknowledge all of these persons by name.

Our special thanks go to Governor J. Joseph Garrahy and to Mr. Wendall J. Flanders, Director of Transportation, for their support, and to former Governor Philip Noel and the former Director of Transportation, Mr. Robert Rahill for their interest in establishing administrative adjudication in the state. We also thank Mr. Joseph W. Walsh who was one of the prime movers in obtaining legislation to establish AAD, Chief Judge Henry E. Laliberte of the Rhode Island District Courts, and Mr. Edward J. Walsh, the Governor's Representative on Highway Safety.

The author of the present volume is a member of Dunlap and Associates, Inc., the subcontractor for project evaluation during the demonstration period. Other Dunlap staff who participated include Dr. David F. Preusser and Messrs. John W. Hamilton, Charles A. Goransson and Jack Henschel.

The SAFE demonstration was carried out by the Administrative Adjudication Division (AAD) of the Rhode Island Department of Transportation. The author is grateful for the support received from all of the staff of AAD, and especially from the late Victor S. Andreoizzi, the first AAD Director; Mr. A. Charles Moretti, Director; former Commissioner Leo P. McGowan and Commissioners Joseph D. Accardi and Paul F. Casey; Mr. Nicholas F. Giuliani, Chief of the Data System Section; Mr. Samuel Lapatin, Chief of the Violation Section and Mr. Charles W. Shields, Chief of the Driver Retraining Section.

## SUMMARY

On July 1, 1975 a state law went into effect in Rhode Island which changed most traffic offenses from misdemeanors to violations and established the Administrative Adjudication Division (AAD) to adjudicate these cases. AAD is composed of division management and four operating sections: the Violation Section, the Hearing Section, the Driver Retraining Section and the Data System Section.

During its first 24 months, AAD operated as a Special Adjudication for Enforcement (SAFE) demonstration project, with major funding coming from the National Highway Traffic Safety Administration. On July 1, 1977, AAD was transferred to a state supported basis and, thereby, became a permanent entity in state government.

In its first two years, AAD disposed of 137,316 traffic summonses, with 100,036 of these having been paid by mail and 37,280 adjudicated at hearings. The summonses paid by mail generated fines in the amount of \$2,069,000, while fines of \$853,578 were assessed at hearings.

Analysis of summonses paid by mail, indicates that speeding charges accounted for 78 percent of all summonses. Seven of the 51 violations which can be paid by mail (speeding, obedience to devices, conditions requiring reduced speed, obedience to stop signs, no inspection sticker, overtaking where prohibited, and operating left of center) accounted for 94 percent of the total pay-by-mail volume.

Examination of the characteristics of persons paying summonses by mail showed that 73 percent were state residents while the remainder held out-of-state licenses. Young drivers (under age 25) were overrepresented in summons paid in comparison to their numbers in the licensed driver population. Males accounted for over 77 percent of those paying by mail. Some differences were noted in the types of violations involved depending on residence, age and sex.

At the end of June, 1977 there were 6,602 persons who had received summonses and were eligible to pay by mail, who had not responded. These persons have had their driver licenses or rights to operate in the state, suspended. The compliance rate with the pay-by-mail process among state residents of 96 percent was significantly higher than that of 87 percent among those who lived outside the state.

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The AAD Hearing Section is composed of three full-time Commissioners, security and clerical personnel who sit at various sites around the state to adjudicate violations requiring a personal appearance. AAD hearings are required under several conditions. There are: 1) when a motorist is charged with an offense which under the law cannot be paid by mail (e.g., speeding 16 or more mph over the posted limit), 2) where the motorist has had another traffic offense (except parking) in the previous 12 months, 3) when motorists are charged with more than one violation on the same summons and 4) when the motorist is eligible to pay by mail but wishes a hearing in order to deny the charge or to admit the charge with explanation.

During the two years of operation, a total of 37,280 summonses containing 40,493 violations were adjudicated at AAD hearings, with this volume being an increase of some 70 percent in the number of personal appearances required compared to the 24 months prior to AAD.

Of the hearings held, approximately 52 percent were brought about in cases where the motorists were ineligible to pay by mail (i.e., had another traffic violation in the previous 12 months), 44 percent involved offenses that cannot be paid by mail, two percent involved multiple offenses on the same summons and two percent involved motorists who could have paid by mail but wished to deny the charge or admit with explanation.

Nine percent of the AAD hearings involved contested cases where the officer issuing the summons was to appear. This contested case rate is approximately the same as that experienced by the courts prior to AAD. However, the AAD contested rate increased from five percent in the first year to 12 percent in the second year.

The sustained rate in AAD contested cases was 62 percent, and was 85 percent in uncontested cases. Both of these rates are significantly higher than in the courts during the 24 months prior to AAD.

Variations were found to exist in the rate at which different types of violations were contested (especially those issued at accident sites), and in the sustained rates for the various violation types.

The average fine in AAD contested and sustained violations was \$26.26 and was \$26.46 in uncontested cases. The average fine in contested cases was about the same as in the courts (\$26.81) during the two years prior to AAD. The average fine in uncontested cases was considerably higher than the \$20.45 average for the courts.

Referrals to Driver Retraining were made in approximately 20 percent of the cases where one or more violations were sustained against an individual. Persons referred to retraining tended to have poorer driving records (prior violations) than others appearing at hearings.

Suspension of driver licenses was an infrequently imposed sanction at AAD hearings, occurring among eleven percent of the drivers having a violation sustained at a contested hearing and among four percent of the drivers having a violation sustained at an uncontested hearing. Neither retraining referrals nor license suspensions were sanctioning options available to the courts when they had jurisdiction over all traffic cases.

The median time from issuance of a summons to an AAD hearing was in excess of 45 days for uncontested cases and was approximately 90 days in contested cases. The time to disposition of uncontested AAD cases was considerably longer than for the courts in comparable cases. This is due to the AAD scheduling method which in essence conducts hearings by appointment and limits the number of cases heard each day. No data are available on the time to court disposition of contested cases.

Appeals of AAD cases may be taken first to an AAD Appeal Board and then to the courts. During the two years, only 154 appeals were filed. No substantial issues of law have been raised against the system.

Rhode Island residents made up 92 percent of those having cases disposed at AAD hearings, with this proportion being substantially higher than the 73 percent figure for summonses paid by mail. The difference is likely due to state residents being more apt to be ineligible to pay by mail (i.e., have a prior violation) and to be more frequently charged with violations that cannot be paid by mail. At the end of the second year, there were 4,533 persons who had been suspended for failure to appear. The no-show rate of almost 20 percent among out-of-state drivers was significantly higher than the eight percent rate for those who lived in Rhode Island.

Approximately 87 percent of the persons adjudicated at hearings were males, with this proportion being higher than the 78 percent figure for males who paid summonses by mail. The underlying reasons are the greater likelihood that males will be ineligible to pay by mail and to be issued summonses for violations requiring hearings.

Young drivers were found to be overrepresented among those disposed at hearings compared to their numbers in the licensed driver population and also with those who paid summonses by mail. Here again, the effect is likely due to young drivers



receiving more violations than their older counterparts and, therefore, to tend to be ineligible to pay by mail, and to the tendency for younger drivers to be charged with violations that cannot be paid by mail.

Samples of motorists leaving hearing sites showed generally positive attitudes, with 93 percent of the respondents saying they had been treated fairly. Approximately 41 percent of the motorists said there would have been a better time for the hearing. However, there was no unanimity of opinion about when that time would be.

The subsequent violation rate of persons adjudicated at hearings was found to be slightly less than among persons disposed in court when exposure is examined in the 12 months following the initial summons. Because of a variety of factors (differing calendar time periods following court and hearing appearances, changes in enforcement patterns, changes in the circumstances under which personal appearances are made, etc.) this finding cannot be considered definitive regarding a positive AAD effect. However, as a minimum, decriminalizing traffic offenses and employing less formal hearing procedures does not appear to lead to a worsening of recidivism.

The AAD data system has been implemented at the state's central data processing installation. Consisting of 26 functional sub-systems made up of 48 programs, the data system supports the major activities of AAD including summons and fine accounting and control, determination of eligibility to pay by mail, hearing scheduling, generation of suspension notices and the production of various reports. The basis of the system is driver by driver files of violations, accidents, suspensions and retraining. Typical monthly costs for data processing/keypunching were about \$7,500 or about \$1.27 per summons disposed.

Operational costs for AAD during the second year amounted to just under \$539,000, covering nine professional and 23 clerical positions, facilities, equipment, travel, supplies and data processing. It is estimated that the unit cost of disposing a summons paid by mail was \$1.86, while the cost of a hearing disposition was \$13.47.

Cost comparisons with the District Court disposition of traffic cases are difficult to make because of limited data. Salary costs for Commissioners are less than for judges. AAD, however, has added functions (e.g., the data system) not available to the courts. The courts maintained fixed facilities throughout the state; AAD utilizes donated space on a periodic basis, however, its travel costs are likely higher. At a gross level, the average District Court cost of disposing of a case

in 1974 was \$19.56. The AAD hearing cost of \$13.47 is competitive in this comparison.

AAD has had a major impact on the court system. Removal of most traffic cases from the court's jurisdiction brought about an almost immediate 17 percent reduction in the backlog of cases and has permitted the District Courts to take on several new functions. Thus, AAD has helped to alleviate court caseload build up and has permitted progress to be made toward a restructuring of the court system.

AAD has also provided savings to the police departments through the reduced need for police prosecutors at arraignment of traffic cases, because police spend less time at contested hearings than at contested court cases, because of reduced clerical tasks due to the elimination of warrants in most traffic cases and the elimination of the capias as the follow-up to defaulted cases.

AAD is believed to have earned the confidence of the criminal justice system. Most court personnel favored the decriminalization of traffic offenses and this step has not depressed traffic enforcement levels. As noted earlier, AAD has become a permanent entity within the state government and is continuing with the procedures and organizational structure essentially unchanged from those developed and tested under the SAFE demonstration.

## TABLE OF CONTENTS

	<u>Page</u>
I. INTRODUCTION	1
II. ANALYSIS OF SUMMONSES PAID BY MAIL	3
A. Description of Pay-by-Mail System	3
B. Baseline Data	6
C. Cited Violations	6
D. Characteristics of Violators	14
III. ANALYSIS OF ADMINISTRATIVE ADJUDICATION HEARINGS	20
A. Description of Operations	20
B. Results of Operations	24
C. Characteristics of Violators	47
D. Motorist Reactions	53
E. No-Shows	55
F. Recidivism	57
IV. DESCRIPTION AND ANALYSIS OF THE DATA SYSTEM	59
A. Programs	59
B. Reports Generated	63
C. File Organization	64
D. System Development	69
E. Personnel	71
F. Costs	71
V. COST ANALYSIS	74
A. Actual Costs	75
B. Personnel	78
C. Functional Costs	78
VI. EFFECTS OF AAD ON OTHER AGENCIES	82
A. The Courts	82
B. The Police	87
C. Registry of Motor Vehicles	89
APPENDIX A	90

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LIST OF TABLES

		<u>Page</u>
Table 1.	VIOLATIONS PAID BY MAIL	7
Table 2.	CATEGORIES OF VIOLATIONS PAID BY MAIL	13
Table 3.	MOTORIST RESIDENCE BY VIOLATION CATEGORY, PAY-BY-MAIL OFFENSES JULY, 1975-JUNE, 1977	15
Table 4.	MOTORIST SEX BY VIOLATION CATEGORY PAY-BY-MAIL OFFENSES JULY, 1975-JUNE, 1977	18
Table 5.	AGE DISTRIBUTION OF PERSONS PAYING SUMMONSES BY MAIL JULY, 1976-JUNE, 1977	19
Table 6.	NUMBER OF FINES BY VIOLATION TYPE IN UNCONTESTED AAD HEARINGS JULY, 1975-JUNE, 1977	38
Table 7.	NUMBER OF FINES BY VIOLATION TYPE IN CONTESTED AAD HEARINGS JULY, 1975-JUNE, 1977	39
Table 8.	NUMBER OF FINES BY VIOLATION TYPE IN UNCONTESTED DISTRICT COURT CASES JULY, 1973- JUNE, 1975	41
Table 9.	NUMBER OF FINES BY VIOLATION TYPE IN CONTESTED DISTRICT COURT CASES JULY, 1973-JUNE, 1975	42
Table 10.	MOTORIST SEX BY VIOLATION CATEGORY, SUMMONSES DISPOSED AT HEARINGS, JULY, 1975-June, 1977	50
Table 11.	AGE DISTRIBUTION OF PERSONS WITH SUMMONSES DISPOSED AT HEARINGS, JULY, 1976-JUNE 1977	52
Table 12.	DATA PROCESSING COSTS FOR MAJOR SYSTEM ACTIVITIES	72
Table 13.	ACTUAL AAD COSTS	76
Table 14.	ESTIMATED AAD FUNCTIONAL AND UNIT PROCESSING COSTS	79

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## I. INTRODUCTION

On July 1, 1975 a state law went into effect in Rhode Island which decriminalized most traffic offenses and established the Administrative Adjudication Division (AAD) to adjudicate these cases.\* Prior to AAD, the state for several years had permitted certain specified traffic offenses to be paid by mail subject to the condition that the motorist had not had another traffic offense in the previous 12-month period. The operation of the pay-by-mail process was in the hands of a Violations Bureau which was part of the District Court system.

Traffic violations which could not be paid by mail, or where the motorist admitted to having another violation in the past year, or wished to plead not guilty, were heard by the District Courts. Persons requesting jury trials or appealing the District Court findings were heard in the Superior Court.

In the implementation of AAD, the pay-by-mail process was retained. This was accomplished by transferring the Violations Bureau to AAD and integrating its activities into the other operational procedures of the system. To handle summonses which cannot be paid by mail, a Hearing Section was established to adjudicate these cases. The Hearing Section thus replaces the District Courts as the entity adjudicating most traffic offenses where the personal appearance of the motorist is required.

A new capability in the state for dealing with traffic law violators -- driver retraining schools -- was implemented as a part of the Administrative Adjudication Division. Management of these schools is in the hands of a Driver Retraining Section.

Supporting all aspects of the project is a data processing system operated by a Data System Section within AAD. Among the functions which are performed by this system are (1) maintenance of driver histories dealing with violations, accidents, suspensions and retraining school attendance; (2) recording and reporting all traffic summonses; (3) scheduling hearings; (4) issuing warning and suspension notices and (5) fine accounting.

During the period from July, 1975 to June, 1977, AAD operated as a Special Adjudication for Enforcement (SAFE) demonstration project sponsored by the National Highway Traffic Safety Administration. In July, 1977, AAD was transferred to a fully state supported basis. AAD, therefore, is now a permanent entity in the state.

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\* The text of the legislation may be found in Section VII of the basic Annual Report volume.

The Administrative Adjudication Division is organized into a management staff and the four sections just described -- the Violation Section, the Hearing Section, the Driver Retraining Section and the Data System Section. A subcontractor was employed to develop the Data System software and procedures. In addition, an evaluation subcontractor was employed to fulfill the evaluation requirements of the demonstration nature of the project.

The present report is one of two analytic studies which are a part of the final report of the Rhode Island SAFE demonstration project. The purpose of the report is to evaluate the adjudication of traffic offenses in the state during the two years of operation.

In addition to this introduction, the report contains the following major sections:

II. Analysis of Summonses Paid by Mail -- this section describes the pay-by-mail process as implemented by AAD and compares the results attained in the two demonstration years with the two years prior to the project.

III. Analysis of Administrative Adjudication Hearings -- this section describes the hearing process and analyzes the results attained in the July, 1975 to June, 1977 period. Among the topics addressed are hearing volume, charges heard and the reasons hearings were required; pleas, findings and sanctions imposed; characteristics of violators; motorist reactions to the hearings; appeals; driver histories and recidivism. As appropriate, comparisons are made among the AAD hearing sites and with the District Court adjudication of similar cases in the years prior to the project.

IV. Description and Analysis of the Data System -- this section describes the data processing operation which is an integral part of AAD. Included are the descriptions of the functional subsystems, reports generated, file organization and an analysis of the costs of operation.

V. Cost Analysis -- this section describes the costs of the AAD operation and analyzes these costs in terms of specific system activities.

VI. Effects of AAD on Other Agencies -- this section describes the effects the Administrative Adjudication Division has had on the District Courts and on the police departments in the state.

## II. ANALYSIS OF SUMMONSES PAID BY MAIL

During the two years of operation of the Administrative Adjudication Division, July, 1975 to June, 1977, the Violation Section processed just over 100,000 summonses which were paid by mail. The volume of summonses paid by mail during the first year was 49,626 and was 50,410 in year two. Total fines paid by mail in the two year period amounted to \$2,069,000.

At the close of June, 1977, there were 6,602 persons who had received summonses and were eligible to pay by mail, who had not responded. These persons have had their driver licenses, or rights to operate in the state, suspended.

The following material provides a descriptive summary of the summonses paid by mail and compares activity with that during the two twelve-month periods prior to Administrative Adjudication operation.

### A. Description of Pay-by-Mail System

The ability to pay fines for certain traffic offenses by mail has existed in the state for a number of years. Prior to the advent of the Administrative Adjudication Division, issuance of summons books to police departments and the receipt and recording of summonses paid by mail, was carried out by a Violations Bureau which was part of the District Court system.

The continuation of the pay-by-mail process under the Administrative Adjudication Division was accomplished by transferring the Violation Bureau to the project, where it became the Violation Section. The section issues summons books to all departments in the state and receives and records summonses paid by mail. The process is carried out as follows:

Summons books issued to police contain 10 serially numbered sets of tickets. Each set is made up of five copies. When a summons is issued, one copy is given to the motorist, two copies are retained by the issuing department and two copies are forwarded to the Administrative Adjudication Division.\*

The inside cover of each summons book lists the traffic offenses that can be paid by mail and the fine amount which can be paid. When a police officer issues a summons for one of these violations, he also enters the fine amount in an "amount due" block on the face of the summons.

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\* Copies of summonses, along with other Administrative Adjudication Division forms, can be found in Section VI of the basic annual report volume.

When the summonses are received at the Administrative Adjudication Division, they are checked for accuracy and completeness, and are then forwarded for keypunching. Once the keypunching has been completed, the summonses are returned to the Administrative Adjudication Division and kept in "aging bins" pending disposition.

The keypunched information is entered into the Administrative Adjudication Division data system. For summonses which contain violations that can be paid by mail, the data system checks the driving record to determine if the motorist has had another violation in the past 12 months. Where this is the case, these instances, along with summonses containing multiple violations, and/or violations which cannot be paid by mail undergo hearing scheduling (see Section III below).

In offenses which are eligible for mail payment, the data system punches a pay-by-mail card showing the summons number and amount due. These are transmitted to the Violation Section to await payment. The data system retains the facts of the summonses on an active summons file. When eligible summonses are paid by mail or in person by people who walk into the Providence site, the copies of the summonses are pulled from the aging bin and recorded as disposed. One copy is forwarded to the Registry of Motor Vehicles and one copy is retained by the Administrative Adjudication Division.

The appropriate data processing pay-by-mail card is receipted as paid and returned to the data system where the amount paid is keypunched. These cards are entered into the data system to record the fact of disposition (the record is removed from the active summons file and recorded in a disposed pay-by-mail file, a fine accounting file and a violation history file).

Two variations of this process exist. The first of these occurs when fines are paid by mail so quickly that the computer generated pay-by-mail card is not available. Such payments are held until the card is generated. This insures that only eligible persons can pay in this manner. That is, if the pay-by-mail card is not forthcoming, the data system has declared the individual to be ineligible because of a prior sustained violation. Any such payments are transferred to the Hearing Section and are available when the person is heard.

The second variation occurs when persons who are eligible do not pay within the 14 days allowed. The data system routinely checks the active summons file. When the system determines that mail payments are past due, warning/suspension notices are generated to the motorists involved. These notices inform the individuals that payment is late and that the drivers' licenses will be suspended some two weeks hence if payment is not received. System copies of warning/suspension notices are aged up to the suspension date, at which time the mechanics of the suspension are carried out.



The Administrative Adjudication Division began operation by issuing summons books containing summonses numbered G-00001 to G-99999. The "G" series replaced the existing "E" series tickets which had been in use. The Administrative Adjudication Division summonses contained only minor design changes from previous series. These included placing shaded areas on the face of the summons to designate the items which would be key-punched for computer entry. Also, instructions to motorists on the back of the copy given to violators were modified to reflect the Administrative Adjudication Division procedures regarding mail payment and hearings.

When ticket books are issued to police departments, a stub from the books is signed by the receiving department. The book number and department are entered into the data system active summons file. This is the first step in controlling and recording all summonses issued (i.e., the data system checks incoming summonses to verify that they are from validly issued books).

Summonses which have been spoiled or contain errors may be voided by the chiefs of the police departments in the state. To do this, a void letter identifying the ticket number and the reason for the voiding must be forwarded to the Administrative Adjudication Division. The fact of a void is recorded in the data system in a void summons file.

The status of Administrative Adjudication Division summonses, therefore can be: (1) issued and disposed, (2) issued pending disposition, (3) void, (4) unissued. This categorization forms the basis of a "no-fix" summons system. Its validity rests on the serial numbering of all summonses and the recording and reporting on a summons-by-summons basis in the Administrative Adjudication Division data system.

During the planning period for the Administrative Adjudication Division, the project was informed that there would be no need for tickets for the traffic offenses which were not decriminalized (reckless driving, etc.). The reasoning was that these felonies and misdemeanors would be handled by a separate complaint form completed by the police departments at the time of arrest. However, shortly prior to Administrative Adjudication Division start-up, objection to this approach was raised by several police departments, primarily on the grounds that the complaint forms were not controlled to the same degree as serially numbered summonses. That is, the "no-fix" control process would no longer be in effect.

To overcome this objection the decision was made to continue the use of the "E" series type tickets, provided and controlled by the courts, in felony and misdemeanor traffic arrests. Unfortunately, this approach requires police to carry two separate ticket books and has led to some errors, with violations being written on the wrong type of summons. This topic is discussed more fully in Section VI of this report.

## B. Baseline Data

In order to provide a basis of comparison of the activity levels of the Administrative Adjudication Division, analyses were conducted of the adjudication of traffic offenses in the state during the two twelve-month periods prior to AAD -- July, 1973 to June, 1974 and July, 1974 to June, 1975. These analyses were based on the records converted by AAD from hard copy to data processing form in the initial establishment of the Administrative Adjudication Division data base concerning driver traffic violations, accidents and license suspensions.

The AAD data base contains just over 127,000 records related to traffic summonses disposed during the two years prior to the project. Approximately 76 percent of these are summonses which were paid by mail, while the remainder were disposed at a court appearance. Details of these baseline data are presented, as appropriate, in the following sections dealing with mail and hearing adjudication of summonses during the two years of AAD operation.

## C. Cited Violations

In all, there are 51 traffic violations in Rhode Island that can be paid by mail.\* Table 1 shows the number of summonses paid in this manner in each of the two AAD years and during each of the two preceding years, as a function of the violations involved. The figures in the table show that speeding is by far the most frequently cited violation, accounting for more than three-quarters of the total violations paid by mail every year.

Other individual violations which occurred in some number during the second AAD year (July, 1976 - June, 1977) were:

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\* Recall the restriction that summonses containing multiple violations cannot be paid by mail; also, motorists who have had another violation in the previous twelve-months cannot pay by mail.

**TABLE 1**  
Violations Paid By Mail

VIOLATION TYPE	VIOLATION	NUMBER PAID BY MAIL			
		7/73-6/74	7/74-6/75	7/75-6/76	7/76-6/77
Speeding	Speeding	37,862	40,290	38,586	39,416
Speed Control	Conditions Requiring Reduced Speed	699	837	1216	1475
	Operating Below Minimum Speed	3	3	7	5
Traffic Devices	Obedience to Devices (Red Light)	2855	2955	3774	3236
	Flashing Signals	119	175	156	57
	Obedience to Yield Signs	2585	2290	967	151
	Obedience to Stop Signs	27	20	1148	1358
	Eluding a Traffic Light	0	1	35	16
Signals	Turn Signal Required	99	84	99	101
	Time of Signaling Turn	20	12	14	23

**TABLE I**  
**Violations Paid By Mail**  
**(Cont.)**

VIOLATION TYPE	VIOLATION	NUMBER PAID BY MAIL			
		7/73-6/74	7/74-6/75	7/75-6/76	7/76-6/77
Starting/Backing/Turning	Manner of Turning at Intersection	128	149	182	197
Rules of the Road	Overtaking on Left	138	137	154	149
	Overtaking on Right	249	226	254	377
	Clearance for Overtaking	16	22	25	20
	Overtaking Where Prohibited	505	548	547	611
	Driving Wrong Way on One Way Street	137	168	285	306
	Vehicle Turning Left	58	34	129	158
Vehicle Control	Operating Left of Center	446	492	563	568
School Bus	Failure to Stop for School Bus	85	125	43	38

**TABLE I**  
**Violations Paid By Mail**  
**(Cont.)**

VIOLATION TYPE	VIOLATION	NUMBER PAID BY MAIL			
		7/73-6/74	7/74-6/75	7/75-6/76	7/76-6/77
Documentation	No Inspection Sticker	1	2	315	803
	Violation of Inspection Laws	0	0	31	22
	Inspection of Motorcycle Required	0	0	0	1
Equipment	Mechanical Signal Devices Required	1	1	1	0
	Horn Required	0	0	1	0
	Muffler Violation	7	2	9	34
	No Rear View Mirror	117	50	37	44
	Time When Lights Required	108	110	139	134
	Head Lamps Required	4	2	1	3
	Tail Lamps Required	0	0	1	3
	Stop Lamps Required	0	0	1	0

**TABLE 1**  
**Violations Paid By Mail**  
**(Cont.)**

VIOLATION TYPE	VIOLATION	NUMBER PAID BY MAIL			
		7/73-6/74	7/74-6/75	7/75-6/76	7/76-6/77
Equipment (continued)	Fastening of Load or Covering	23	30	57	48
	Operating Motorcycle Without Helmet	107	70	89	130
	No Motorcycle Helmet (Passenger)	25	19	48	85
	Tire Treads-Defective Tires	2	1	1	9
	Metal Tires Prohibited	0	0	1	0
	Fenders Required	3	4	2	1
	Excessive Fumes or Smoke	1	2	0	1
	Protuberances on Tires	0	0	0	10
	Rear Wheel Flaps	0	0	0	2
	Display of Plates	1	1	0	1

**TABLE I**  
**Violations Paid By Mail**  
**(Cont.)**

VIOLATION TYPE	VIOLATION	NUMBER PAID BY MAIL			
		7/73-6/74	7/74-6/75	7/75-6/76	7/76-6/77
Equipment (continued)	Brake Equipment Required	4	2	0	0
	Windshield Wipers	0	1	0	0
	Sirens Prohibited	3	0	0	0
Local Ordinance	Local Ordinance	250	269	363	341
Miscellaneous	Places Where Parking or Stopping Prohibited	150	120	137	198
	Throwing Debris on Highway (Snow Removal)	10	16	8	8
	Littering	39	31	51	83

	<u>Number Paid</u>	<u>% of Total</u>
• Obedience to Devices (Red Light)	3,236	(6.4%)
• Conditions Requiring Reduced Speed	1,475	(2.9%)
• Obedience to Stop Signs	1,358	(2.7%)
• No Inspection Sticker	803	(1.6%)
• Overtaking Where Prohibited	611	(1.2%)
• Operating Left of Center	568	(1.1%)
• All Others	2,943	(5.8%)

This listing shows that speeding plus six other specific violations accounted for over 94 percent of the pay-by-mail summonses processed by AAD during its second operational year.

#### 1. Categories of Violations

In order to obtain a manageable basis for analysis, violations involving similar events or circumstances have been grouped into categories. The categories used, and the violations in each, have been shown in Table 1 for the pay-by-mail offenses. A similar categorization has been employed for violations adjudicated at hearings; details are in Section III.

Table 2 shows the total number of violations paid by mail and the proportion of offenses in each violation category during the two AAD years and during the two twelve-month periods immediately prior to beginning of the SAFE demonstration. The figures in the table show that the volume of summonses paid by mail has been increasing slowly over the years while the proportion of violations in each category has remained relatively stable.

#### 2. Fines

The monetary fine amounts for violations which can be paid by mail are set by the statute which authorizes the pay-by-mail process. During the first AAD year, total fines paid by mail amounted to \$1,089,682. This compares with \$915,904 collected from summonses issued during July, 1974 to June, 1975 and \$873,659 during July, 1973 to June, 1974.



TABLE 2  
CATEGORIES OF VIOLATIONS PAID BY MAIL

Violations Category	Percent of Total in Period*			
	7/73-6/74	7/74-6/75	7/75-6/76	7/76-6/77
Speeding	80.4	81.3	77.8	78.2
Traffic Devices	11.9	11.0	12.3	9.6
Rules of the Road	2.6	2.6	3.1	3.5
Speed Control	1.5	1.7	2.5	2.9
Vehicle Control	0.9	1.0	1.1	1.1
Equipment	0.9	0.6	0.8	1.0
Local Ordinances	0.5	0.5	0.7	0.7
Documentation	0	0	0.7	1.6
Starting/Backing/ Turning	0.3	0.3	0.4	0.4
Signals	0.3	0.2	0.2	0.2
School Bus	0.2	0.3	0.1	0.1
Miscellaneous	<u>0.7</u>	<u>0.6</u>	<u>0.4</u>	<u>0.6</u>
Total Paid by Mail	47,115	49,583	49,626	50,410

\*Here and in other Tables percentages may not total to exactly 100% because of rounding.

Following the first year of AAD operation, the fine schedule for pay-by-mail summonses was modified by the legislature. Basically, the changes involved making all fines whole dollar amounts rounded to the nearest multiple of five dollars. For example, the fine for Obedience to Stop Signs was \$13.50 and has been changed to \$15.00. During the second AAD year, fines paid by mail totaled \$979,322 or 10 percent less than in the first operational year. This drop was due to the just noted change in the fine schedule.

D. Characteristics of Violators

1. Residence

During AAD's second operational year, 73 percent of the persons paying fines by mail were Rhode Island residents, while 27 percent held out of state licenses. These figures are unchanged from the first operational year and essentially the same as the experience during the two years prior to AAD.

Table 3 shows the proportion of in-state and out-of-state residents in each violation category for summonses paid by mail during the two AAD years. It can be seen in the table that Rhode Island residents pay 85 percent or more of the violations in most of the categories shown. The exceptions are speeding summonses and those related to speed control (e.g., conditions requiring reduced speed). In these two cases, in-state residents pay about 70 percent of the summonses.

The fact that out-of-state drivers account for a larger percentage of speeding tickets than other types of violations is likely related to the nature of the travel involved. That is, it appears reasonable to suppose that out-of-state drivers are more likely to be traveling on limited access and other major highways where speeding is more apt to occur than other violations.

This notion is supported by comparing enforcement by the State and local police. During the two AAD years, the Rhode Island State Police issued 47 percent of the summonses which were paid by mail. Approximately 91 percent of these 46,629 summonses were for speeding violations. Among local departments, by contrast, 67 percent of the summonses issued and paid by mail were for speeding violations.

2. Sex

During the second AAD operational year, 77 percent of the pay-by-mail violations were paid by males. This figure

TABLE 3

MOTORIST RESIDENCE BY VIOLATION CATEGORY, PAY-BY-MAIL OFFENSES  
JULY, 1975-JUNE, 1977

Violations Category	N	Percent State Residents	Percent Out-of-State Residents
Speeding	78,002	68.8%	31.2%
Traffic Devices	10,898	89.0	11.0
Rules of the Road	3,304	86.1	13.9
Speed Control	2,703	72.3	27.7
Documentation	1,171	96.2	3.8
Vehicle Control	1,131	86.9	13.1
Equipment	892	89.9	10.1
Local Ordinances	703	91.2	8.8
Starting/Backing/ Turning	379	87.6	12.4
Signals	237	86.5	13.5
School Bus	81	93.8	6.2
Misc/Other	50	92.0	8.0
Total	100,036	72.7	27.3

compares with 78 percent in the first operational year, 79 percent a year earlier and 80 percent in the year prior to that. The proportion of males and females differs significantly when experience in the July, 1976 - June, 1977 period is compared with July, 1973 - June, 1974 ( $\chi^2=154.5, d.f.=1, P<.01$ ).

Over the same time span, the proportion of males in the group appearing personally to adjudicate a summons has gone from 78 percent to 87 percent. What appears to be happening, therefore, is that AAD's enforcement of the conditions regarding personal appearance is shifting those more likely to be repeat offenders (males) from the group paying summonses by mail.

Table 4 shows the proportion of males and females in each violation category who paid summonses by mail during the two AAD years. The figures indicate that males receive the majority of summonses in each category. Males, however, predominate in such categories as Local Ordinances and Equipment violations; females appear most frequently in the School Bus, Traffic Devices and Speeding categories.

Males account for approximately 55 percent of the 560,000 licensed drivers in the state. The fact that males receive more than 7 of each 10 traffic summonses issued, indicates that they are the overrepresented sex in this regard.

### 3. Age

Table 5 presents the age distribution of males and females who paid summonses by mail during the second AAD operational year. The figures indicate that the persons involved were generally young, with 43 percent of both the males and females being under the age of 25. By way of comparison, about 22 percent of the licensed drivers in the state are under this age.

Examination of the age distributions of the drivers involved in the various categories of violations shows these to be significantly different ( $\chi^2=106.69, d.f.=99, P<.01$ ). That is, the age distribution of drivers cited for a particular type of violation may differ from the age distribution of drivers cited for another type of violation. To illustrate, the following listing shows the percentage of drivers in each violation category:

<u>Category</u>	<u>Percent of Drivers in Category Under Age 25</u>
Speeding	40.9%
Traffic Devices	46.8
Rules of the Road	55.2
Speed Control	50.2
Vehicle Control	57.9
Equipment	70.0
Local Ordinances	74.2
Documentation	50.2
Starting/Backing/ Turning	49.2
Signals	46.8
School Bus	31.6

These figures indicate that younger drivers account for the large majority of Local Ordinance and Equipment violations. They are least represented in School Bus violations and speeding.

TABLE 4

MOTORIST SEX BY VIOLATION CATEGORY PAY-BY-MAIL OFFENSES  
JULY, 1975-JUNE, 1977

Violations Category	N	Percent Males	Percent Females
Speeding	77,892	76.5%	23.5%
Traffic Devices	10,871	75.9	24.1
Rules of the Road	3,298	84.2	15.8
Speed Control	2,697	80.8	19.2
Documentation	1,170	84.8	15.2
Vehicle Control	1,131	88.3	11.7
Equipment	892	91.5	8.5
Local Ordinance	701	95.7	4.3
Starting/Backing/ Turning	379	85.8	14.2
Signals	236	86.9	13.1
School Bus	81	72.8	27.2
Misc./Other	534	87.5	12.5
Total	99,882	77.4	22.6

154 cases where sex was unknown are excluded.

TABLE 5  
AGE DISTRIBUTION OF PERSONS PAYING SUMMONSES BY MAIL  
JULY, 1976-JUNE, 1977

Age Group	Males (N=38,709)	Females (N=11,601)
Under 20	23.5%	21.6%
20 - 24	20.0	21.5
25 - 29	16.9	17.4
30 - 34	11.1	11.6
35 - 39	7.1	7.7
40 - 44	5.3	5.6
45 - 49	5.0	4.6
50 - 54	4.5	4.1
55 - 59	3.2	3.1
60 - up	3.4	2.8

Table entries are percentages based on column totals.

### III. ANALYSIS OF ADMINISTRATIVE ADJUDICATION HEARINGS

Adjudication of the decriminalized traffic offenses where a personal appearance is required or requested, is carried out by the Hearing Section of the Administrative Adjudication Division. The following material describes and analyzes the operation of this section during the two years of the demonstration project.

#### A. Description of Operations

##### 1. Scheduling Cases

Appearance at a hearing rather than payment by mail is required in the following circumstances:

• The motorist has been charged with speeding more than 15 miles per hour above the posted speed limit.

• The motorist is charged with an offense that cannot be paid by mail. In Rhode Island there are a total of 126 offenses in the state's motor vehicle laws. 51 of these may be paid by mail, 11 have not been decriminalized and require a court appearance, while 64 must be adjudicated at an Administrative Adjudication Division hearing.\*

• The motorist is charged with more than one violation on the same summons

• The motorist is charged with a pay-by-mail offense but has had another traffic violation in the previous 12 months.\*\*

In addition, motorists who are eligible to pay a summons by mail who wish to deny the charge or admit with explanation may request a hearing.

Summons issued for decriminalized traffic offenses are five-part forms. One copy is given to the motorist involved, two copies are retained by the issuing department and two copies are transmitted to the Administrative Adjudication Division. Upon receipt at the Administrative Adjudication Division, summonses are checked for completeness

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\* See Appendix A for a listing of individual violations.

\*\* Specifically, the motorist has paid another summons by mail, had a charge sustained at an Administrative Adjudication Division hearing or has been convicted in court of a traffic misdemeanor or felony.



and then are forwarded to keypunching and entry into the Administrative Adjudication Division data system. This latter step involves loading the summons information into the computer-based active summons file and establishing its adjudication status. That is, summonses which will require a hearing under one of the circumstances just noted are so coded in the active summons file.

On a weekly basis, a scheduling program is run against the active summons file to list those cases requiring scheduling for a hearing. These listings show the summons number; driver's name, license number, and date of birth; violation(s) charged; and hearing site. This latter is based on the police department which issued the summons. That is, each department in the state has been assigned to a specific hearing location.

The listings in question are forwarded to a Data System Section clerk who completes the scheduling by entering the date and time period at which the hearing is to be held. This information is keypunched and entered into the data system which then prints hearing notices which are mailed to the motorists involved. In addition, at the appropriate times the data system prints hearing dockets and driver history abstracts.\*

In the original Administrative Adjudication Division design concept, it had been planned that the manual completion of the scheduling process would be an interim procedure to be replaced by completely automated scheduling. Actual experience with the scheduling procedure just described indicated that it provided a degree of flexibility which could not be attained in the fully automated approach. The use of a clerk to complete scheduling, therefore, has been adopted as the method to be followed, with plans for the fully automated approach being dropped.

## 2. Personnel

The Administrative Adjudication Division Hearing Section is staffed by three full-time Commissioners who are the hearing officers. These individuals are appointed by the Governor for a six-year term and by statute must be licensed to practice law in the State.

Other personnel in the section are:

Three security officers - assigned individually to the hearing sites to assist the Commissioner and provide security.

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\* Copies of the various forms employed by the Administrative Adjudication Division can be found in Section VI of the basic annual report volume.

• Six clerks - assigned two per hearing site to carry out clerical functions involved with the hearings.

• One secretary - assigned to the main office site (Providence) to handle office functions, case resceduling, requests for information and preparation of transcripts in appeals.

### 3. Conduct of Hearings

The three full time Commissioners normally each hold hearings four days per week, with the fifth day being devoted to office duties. Hearings are normally held on one or more days per week at nine sites located throughout the state. A typical weekly schedule is as follows:

<u>MONDAY</u>	<u>TUESDAY</u>	<u>WEDNESDAY</u>	<u>THURSDAY</u>	<u>FRIDAY</u>
Providence Woonsocket or Smithfield	Providence Pawtucket Woonsocket or Smithfield	Providence Kent Wakefield or Westerly	Warren Newport	Kent Newport

Nominal scheduling for each hearing site is up to 60 cases per day in three time periods: 9 A.M. - 30 cases, 11 A.M. - 15 cases, 2 P.M. - 15 cases.

As motorists appear for hearings, they report first to one of the hearing clerks who checks them in on a copy of the day's docket and receives the person's driver licenses. At the outset of each hearing session, the Commissioner makes opening remarks describing the hearing procedure, the rights of the motorist and the traffic safety objectives of the process. In addition, the pamphlet reproduced on the following page is available for each person attending a hearing.

Following the opening remarks, each person is called in turn in the order of appearance. For each case, the Commissioner has a copy of the summons being heard and the motorist's driving history. The Commissioner reads the charge(s) involved and asks for a plea. Three pleas are possible: (1) Admit the violation. The Commissioner will review the driver history and may query the motorist regarding the violation before imposing sanctions; (2) Admit with Explanation. The Commissioner will hear the explanation and review the driver history. He may then dismiss the charge or sustain it and impose sanctions; (3) Deny the violation. The Commissioner will reschedule the case for a future date at which time the police officer who issued the summons will appear and the case will be heard.

**1. Q What is Administrative Adjudication?**

**A** Effective July 1, 1975 the Rhode Island State Legislature decriminalized most traffic offenses and removed them from the jurisdiction of the courts. As a replacement, the legislature established the Administrative Adjudication Division to hear these traffic cases.

**2. Q Why am I here?**

**A** You were scheduled for a hearing today for one of four possible reasons: (1) you have had a previous traffic ticket (except parking) in the past 12 months and therefore are not eligible to pay the present ticket by mail; (2) the violation with which you are charged is not one of those the law says can be paid by mail (for example speeding more than 15 MPH above the posted limit); (3) you were charged with more than one violation on the same ticket; (4) you requested a hearing by checking the DENY or ADMIT WITH EXPLANATION box on the back of the ticket.

**3. Q What is going to happen?**

**A** You will be appearing before a Commissioner from the Administrative Adjudication Division. The Commissioner will explain in detail how the hearings are conducted. He will then call cases on an individual basis. He will read the charge, ask how you plead, hear the case and reach a decision.

**4. Q What pleas can I make?**

**A** There are three possible pleas: (1) ADMIT the violation. If you ADMIT, the Commissioner will then impose sanctions; (2) ADMIT WITH EXPLANATION. The Commissioner will ask you to explain the circumstances of your violation and will consider this in reaching a decision; (3) DENY. If you DENY the violation a future hearing date will be scheduled and the police officer who issued the ticket will appear. Your case will then be heard.

**5. Q Can I have an attorney present?**

**A** Yes. An attorney licensed to practice law in the State of Rhode Island may represent you.

**6. Q What about sanctions?**

**A** If the charge against you is sustained the Commissioner may impose a monetary fine, require you to attend a driver retraining program, suspend your driver's license or any combination of the three. In imposing sanctions the Commissioner will consider the nature of the violation and your previous driving record. His objective is to minimize the chances of you committing future traffic violations.

**7. Q If I'm fined, how can I pay?**

**A** You may pay fines by cash or check. If you cannot pay the entire fine today inform the Commissioner and he will authorize a partial payment. If you make a partial payment you will be issued a temporary license (your permanent license will be retained until payment is completed). If you make a partial payment you must complete payment by appearing at:

Violation Section  
Administrative Adjudication Division  
345 Harris Avenue  
Providence, Rhode Island

Your permanent license will be returned at this location.

**8. Q What is the Driver Retraining Program?**

**A** If the Commissioner so decides you will be required to attend a one-night, four-night or five-night class dealing with safe driving. You will be notified by mail as to where and when to appear.

**9. Q Can I appeal?**

**A** Yes, you may appeal the Commissioner's finding. An appeal form can be obtained from the clerk and must be filed within ten (10) days.

**10. Q Is all this necessary?**

**A** We think so. Each year in Rhode Island more than 25,000 motor vehicle accidents are reported and more than 100 persons are killed and 11,000 persons injured. The cause of the large majority of accidents are the drivers involved and their actions before the crash (speeding, following too closely, making improper turns, failing to yield, etc.) To have safe roads and prevent deaths and injuries we must have a sensible set of laws governing the operation of motor vehicles. Our objective is to reduce the number of times these laws are violated and thereby reduce the number of motor vehicle accidents which occur in our state.

Three types of sanctions, singly or in combination, may be imposed:

- . Monetary fines up to \$500. per offense.
- . License suspension up to one year duration.
- . Referral to a driver retraining school.\*

Following the hearing, the motorist again reports to the hearing site clerk, where any fines are paid. In the case of a partial fine payment or referral to driver retraining, a temporary license may be issued. Otherwise, the motorist's regular license is returned. (The temporary license is used to assure final payment or attendance at driver retraining.)

Results of each hearing day are recorded on the docket which, along with summonses, driver histories and any licenses retained, are returned to the central office (Providence). Fines, which may be paid by cash or check, are tabulated and deposited in the local bank branch.

Dockets returned from the hearing sites are keypunched and the information entered into the AAD data system. For disposed cases, this process removes the records from the active summons file and places them in a disposed hearing file. In addition, the driver history file is updated, as is the fine accounting file.

Persons on the docket who had requested to be rescheduled are noted and recycled through the scheduling technique described earlier. Persons who did not appear at the hearing and who had not requested to be rescheduled, are also noted in the data system, with a suspension notice being generated in these cases.

## B. Results of Operations

During the two years of operation of the Administrative Adjudication Division as a SAFE demonstration, hearings were held which adjudicated 37,280 summonses containing 40,493 violations. The purpose of this subsection is to review and analyze these administrative hearings as conducted during the July, 1975 - June, 1977 period.

### 1. Baseline Data

In order to provide a basis of comparison for the results of the AAD hearings, records contained in the AAD data base regarding District Court adjudication of traffic

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\* See the analytic study, Analysis of the Administrative Adjudication Division Driver Retraining Schools, for a description and evaluation of this activity.

offenses in the two 12-month periods prior to the project have been analyzed. The total number of these summonses recorded in the data base for the July, 1974 - June, 1975 period was 17,698, while the figure for July, 1973 - June, 1974 was 12,615. In these periods, however, over one-quarter of the cases heard involved an offense which was not decriminalized by the AAD legislation (driving under the influence, operating after suspension, etc.). Therefore, during July, 1974 - June, 1975 the District Courts heard 13,433 summonses involving violations now handled by AAD. The comparable figure for July, 1973 - June, 1974 was 8,488. Data regarding the characteristics and outcomes of these cases are presented as appropriate in the following subsections and compared with the AAD hearings. Discussion of the processing of the misdemeanor and felony traffic cases which were not decriminalized is presented later in this report.

## 2. Overall Hearing Levels

During the first year of AAD operation a total of 15,635 summonses were disposed at hearings; in the second year, the total was 21,645. Monthly hearing levels were as follows:

July, 1975	22	July, 1976	1,940
August	1,187	August	1,927
September	689	September	665
October	1,655	October	1,633
November	1,415	November	1,844
December	1,521	December	1,776
January, 1976	1,570	January, 1977	1,543
February	1,368	February	1,652
March	1,892	March	2,152
April	1,476	April	2,004
May	1,531	May	2,127
June	1,309	June	2,382
	<u>15,635</u>		<u>21,645</u>

These figures show that the monthly hearing levels have been increasing, but vary considerably month-by-month. In addition to the cases disposed, most of the approximately 3,800 persons who contested their summonses made an initial appearance in addition to the final appearance included in the figures above. Also, 4,533 persons scheduled to appear did not do so, had their licenses, or rights to operate in the State suspended.

In terms of scheduling, the system is designed to normally have 12 hearing days each week (three Commissioners sitting for four days each). General practice has been to schedule approximately 60 persons per day at each site. The nominal system capacity, therefore is 720 hearings per week, or more than 37,000 per year. This capacity, versus actual demand, has prevented any significant backlog of cases from accumulating. Scheduling has been carried out with a two to three week lead time, with this being stable throughout most of the project period.

The number of scheduled cases usually far exceeds the number of cases disposed. This is so primarily because of the substantial number of requests received to reschedule assigned hearings. To illustrate, during April - June, 1977 a total of 9,643 persons were scheduled to attend hearings. Of this number, 6,513 were disposed, 382 were suspended for non-appearance and 2,748 were rescheduled.

The rescheduling of cases at the request of motorists or after issuance of a suspension notice for non-appearance is a major workload for the Hearing Section staff. The system has adopted the procedure of routinely granting one reschedule request per individual, while additional requests must be approved by AAD management.

a) Hearings by Site

AAD holds hearings in seven areas of the state. For the two operational years, the percentage of hearings at the individual sites was as follows:

<u>Site</u>	<u>Percent of Hearings</u>
1. Warren	8.3%
2. Newport	11.6
3. Kent County	20.7
4. Wakefield/Westerly	12.9
5. Pawtucket	10.1
6. Providence	26.8
7. Smithfield/Woonsocket	9.5

These figures show the Providence site to have been the most active, accounting for one-fourth of the hearings. The second most active site was Kent County with 21 percent of the hearings; the remaining five sites each accounted for between eight and 13 percent of the hearing volume.

During the first few months of Administrative Adjudication Division operation, the project adopted an "Office Docket" to record and enter the results of summonses which were not being handled by the regular procedures established for tickets properly paid by mail or disposed at hearings. The Office Docket employed the same format as the dockets used to record the results of hearings for entry into the data processing system. The Office Docket was employed in the following situations:

- 1) Where persons eligible to pay by mail did so but were declared ineligible by the data processing system. This situation arose primarily during the early months of the project when various errors were being uncovered in the computer programs being developed to support the system. Following program corrections, the number of such instances has been minimal. Among the contributing circumstances encountered were the incorrect entry of driver license numbers by the officers issuing the summons and the discovery that the same license numbers had been issued to more than one driver in a small number of cases.
- 2) Payment by mail by ineligible out-of-state motorists. Because of the difficulties of an out-of-state motorist attending a hearing, initial policy was to accept mail payment, even though the person was not eligible under the condition of no more than one mail payment within a year. This policy has since been modified.
- 3) Recording walk-in cases. The AAD system does not routinely handle unscheduled (or walk-in) cases at hearings. This policy was adopted because of the role the driver history record plays in the hearing process and the fact that the data system is not a real time system. That is, driver histories can be obtained at best on an overnight basis and therefore cannot be made available at a hearing where an unanticipated motorist appears.

On the other hand, cases where a motorist has been scheduled for a hearing, fails to appear, and requests a new hearing are handled like walk-ins at the Providence

site. That is, the motorists involved are given the choice of being rescheduled at the original site, or walking into the Providence site within the next day or two. This latter is possible as all records related to the case, including the driver history, were prepared for the original hearing and are stored at the Providence site. The results of these walk-in hearings are recorded on the Office Docket.

4) Recording partial payments. As noted elsewhere in this report, motorists who are fined at hearings who cannot pay the entire amount, are allowed to make a partial payment and are issued a temporary license. Because of logistic considerations, final payment and return of the original license must be accomplished at the Providence site. Record of these completed payments are included in the Office Docket.

5) Management discretion. From time to time motorists have protested the need to attend a hearing to adjudicate an offense payable by mail because of a prior violation within a 12-month period. The most common circumstances are where the two offenses were almost 365 days apart or where one or both offenses were considered minor (e.g., places where parking or stopping prohibited). When such protests arose, management would review the matter, including the driver history, and if the facts warranted, would waive the requirement to attend a hearing. Instead, the motorist would be allowed to pay by mail and would be issued a warning letter. These cases would be recorded on the Office Docket.

During the first two years of operation, a total of 1,862 summonses were disposed in the Office Docket. All of the cases, except a small number of the walk-in hearings, were sustained and fines levied.

Entry of hearing disposition information into the data processing system is done separately for each site. To distinguish the Office Docket from the regular hearing site results, the Office Docket was given a separate identifying site code. Unfortunately, for evaluation purposes, the data system has pre-established a site code as part of its case scheduling procedure on the police department which issued the summonses. This original code is not overridden by the disposition input. The result is that the Office Docket cases are recorded as having been heard at the site originally scheduled to hear the case. Thus, it is not possible in the computer analyses conducted on hearing outcomes to separate the Office Docket cases from other hearings.



3. Reason for Hearing

The following is a breakdown of the reasons which led to the hearings held during the two operational years:

<u>Reason</u>	<u>Percent of Total Hearings</u>
Speeding 16 or more MPH over Posted Limit	16.7%
Other Violation Not Payable by Mail	26.8
Multiple Offenses on Same Summons	2.4
Motorist Request (Deny or Admit with Explanation for Violation that Could be Paid by Mail)	1.9
Ineligible to Pay by Mail Because of Previous Violation in Past 12 Months	52.2

It may be seen that ineligibility to pay by mail because of a previous violation in a 12-month period is the main reason for hearings being required (52 percent of the cases). At the other extreme, less than two percent of the hearings come from persons eligible to pay by mail, who request a hearing to deny the charge or admit with explanation. Note that the hearing reason categories are mutually exclusive and applied in descending order. That is, a person charged with speeding 16 MPH or more over the posted speed limit, who also had a previous violation in 12 months, is counted in the first rather than fifth category listed above.

During the 24 months prior to the Administrative Adjudication Division, the reasons for the court appearance among the summonses disposed (excluding offenses not decriminalized) were as follows:

<u>Reason</u>	
Speeding 16 or more MPH over Posted Limit	29.0%
Other Violation Not Payable by Mail	36.4
Multiple Offenses on Same Summons	2.1

Motorist Request (Not Guilty on Offense that Could be Paid by Mail) 0.5

Ineligible to Pay by Mail Because of Previous Violation in Past 12 Months 32.0

Comparing these figures with those related to AAD hearings, shows that, whereas approximately 52 percent of AAD hearings arose because of ineligibility to pay by mail because of a prior violation, the same condition brought about only 32 percent of court cases. This finding supports the view that the ability to enforce the condition through the AAD data system has increased the proportion of drivers who must make a personal appearance to adjudicate violations. During the two AAD years, approximately 27 percent of all disposed summonses containing non-criminal offenses were adjudicated at hearings. Over the 24 months prior to the project, the comparable figure was 18 percent.

a) Variations by AAD Hearing Site

The following shows the distribution of the reasons for hearings at each AAD site (recall that hearings are assigned to a site based on the police department issuing the summonses):

Reason	Site*						
	1 (N=2994)	2 (N=4213)	3 (N=7501)	4 (N=4676)	5 (N=3671)	6 (N=9644)	7 (N=3452)
Speeding more than 15 MPH over limit	23.9%	25.9%	12.4%	18.0%	8.6%	15.8%	22.1%
Violation not payable by mail	31.5	30.2	20.1	20.0	44.4	29.5	23.8
Multiple violations on same summons	4.1	2.8	2.0	2.7	1.6	2.0	3.4
Hearing requested	2.8	1.7	2.2	2.7	1.2	1.2	1.6
Prior record	37.7	39.4	63.4	56.7	44.2	51.5	49.1

\* In this and following material, site 1=Warren, 2=Newport, 3=Kent County, 4=Wakefield/Westerly, 5=Pawtucket, 6=Providence, 7=Smithfield/Woonsocket.

These data indicate substantial variations in the reasons for hearings at certain sites. For example, speeding 16 MPH or more over the limit as the reason for the hearing, ranges from 8.6 percent to 25.9 percent among the sites. Similarly, the range for violations not payable by mail is 20 percent to just over 44 percent.

These variations are likely due to differing enforcement patterns of the police departments whose cases are assigned to the AAD sites. For example, State Police summonses are more likely to be for speeding than are those of local departments. Thus, the sites hearing more State Police cases will have more of these offenses.

#### 4. Violations Heard

As with the pay-by-mail violations, the offenses disposed at hearings are divided into categories in order to provide meaningful analysis. Included in the categories, are the same ones as shown in Table 1, as well as violations that require a mandatory hearing. The assignment of violations to categories can be found in Appendix A.

The following is the distribution of the frequency of violations by category during the two AAD years, along with the comparable information for the courts during the 24-month period prior to AAD:

<u>Category of Violation</u>	<u>AAD Hearings July, 1975-June, 1977 (N=39,867)</u>	<u>District Court July, 1973-June, 1975 (N=23,659)</u>
Speeding	50.5%	41.0%
Documentation	14.0	22.4
Traffic Devices	8.0	6.2
Equipment	6.5	5.4
Rules of the Road	5.4	7.4
Vehicle Control	4.9	7.4
Speed Control	4.7	1.6
Local Ordinances	1.0	2.6
Leaving Scene of Accident	1.5	1.5
Backing/Starting/ Turning	1.0	0.9
Signaling	0.4	0.2
School Bus	0.2	0.1
Miscellaneous	1.8	3.3

The figures above indicate that speeding charges are a somewhat greater percentage of AAD hearings than they were among court cases. Conversely, documentation violations have dropped in their percentage of total cases in AAD compared to the Courts. The latter is likely due to AAD accepting mail payments for certain violations in this category which formerly required an appearance.

The reason for the increase in the proportion of speeding cases in hearings is not clear cut. For example, 71 percent of all (mail and hearings) violations processed by AAD in its first two years were for speeding, while the comparable figure in the 24 months prior to the project was 72 percent.

The following shows the distribution of the 91,229 speeding tickets written in the 24 months before AAD by miles over the speed limit, and the 98,134 speeding charges processed by AAD:

	Miles over speed limit			
	1-5	6-10	11-15	16 or more
AAD	15.9%	48.8%	29.0%	6.3%
Baseline	1.2	50.9	41.4	6.6

These figures indicate that just over six percent of the speeding cases in both periods involved excess speed of 16 MPH or more. Clearly, the upturn in the percentage of speeding cases going to a hearing is not due to changes in the 16 MPH or more category.

The figures above also show that less than two percent of the speeding tickets disposed in the 24 months before the project involved excess speed in the 1 to 5 MPH range, compared to almost 16 percent under AAD. Thus, it appears that speeding enforcement practices in the state have changed, perhaps in response to the national 55 MPH speed limit. These changes by themselves, however, would not have produced increased hearings. Rather, it appears that the ability to enforce the one summons paid by mail per year condition tends to require hearings of those charged with speeding more so than of those charged with other types of violations.

a) Variations by AAD Site

The following shows the distribution of violation types heard at each AAD site during the two operational years:

Violation Type	Site						
	1 (N=3409)	2 (N=4551)	3 (N=7981)	4 (N=5067)	5 (N=3916)	6 (N=10414)	7 (N=3764)
Traffic Devices	8.5%	7.8%	14.9%	7.6%	2.4%	5.0%	7.3%
Equipment	4.3	5.6	4.7	2.9	12.9	8.9	5.1
Documentation	17.8	11.7	10.7	12.6	17.2	16.3	14.7
Rules of the Road	8.5	8.0	4.8	7.2	4.1	3.3	5.4
Vehicle Control	8.6	7.5	3.3	3.7	8.2	3.2	4.9
Local Ordinances	2.8	0.5	1.5	1.2	0.5	0.6	0.8
Speeding	37.7	47.1	52.4	57.8	40.3	53.4	52.5
Speed Control	4.6	6.9	4.3	2.7	9.0	3.7	4.4
Backing/Starting/ Turning	1.0	1.5	0.7	1.0	1.0	0.8	1.6
Signals	0.3	0.4	0.3	0.3	0.2	0.9	0.1
School Bus	0.8	0.1	0.2	0.2	0.3	0.1	0.2
Leaving the Scene of Accident	1.3	1.2	1.0	1.0	2.0	2.2	1.4
Miscellaneous	3.7	1.7	1.3	1.8	1.8	1.6	1.6

The figures above show that there are some substantial variations in the percentages of different types of violations heard at the individual sites. For example, speeding cases ranged from a low of 38 percent of all cases in Warren (Site 1) to a high of 58 percent of all cases at Wakefield/Westerly (Site 4). Similarly, traffic device violations accounted for less than three percent of the Pawtucket (Site 5) cases and a high of 15 percent of the Kent County (Site 3) cases. As noted earlier, these variations are likely due to differing circumstances and traffic enforcement emphasis of the police departments whose cases are heard at the various AAD sites.

## 5. Pleas

Among the 40,493 violations disposed at AAD hearings during the two operational years, pleas Admitting the violation were entered in approximately 57 percent of the cases, the plea, Admit with Explanation, was entered in 33 percent of the cases, while an initial Deny plea was entered in 10 percent of the cases. However, of the 4,240 Deny pleas, 400 were withdrawn at the initial hearing appearance. Thus, just over nine percent of all violations adjudicated at hearings were contested cases.

It was seen earlier, that less than two percent of the AAD hearings were brought about by persons wishing to Deny or Admit with Explanation a violation that could be paid by mail. That is, most of the contested cases arose from persons required to attend a hearing in any event.

In the year before AAD, persons appearing in court plead guilty approximately 75 percent of the time, plead nolo contendere 16 percent of the time and not guilty nine percent of the time. The overall contested case rate of AAD, was approximately the same as that experienced by the courts. However, the AAD contested rate increased from five percent in the first year to 12 percent in the second year.

## 6. Findings

Of the 40,493 disposed violations, 33,498 (83 percent) were sustained and 17 percent were dismissed. Among the 37,280 summonses involved, 3,605 contained more than one violation. In 297 of these cases (8 percent), all of the charges were dismissed, while in the remaining 92 percent of the multiple violation summonses, at least one charge was sustained.

### a) Contested versus Uncontested Cases

In the 4,362 contested violations, the dismissal rate was 38 percent. As would be expected in uncontested cases, the dismissal rate was lower (15 percent).

### b) Judgment versus Violation Type

The following listing shows the percentage of violations sustained as a function of whether the charge was contested:

<u>Violation Type</u>	<u>N</u>	<u>Contested Percent Sustained</u>	<u>N</u>	<u>Uncontested Percent Sustained</u>
Traffic Devices	402	62.2%	2816	88.7%
Equipment	366	58.7	2279	70.0
Documentation	671	52.8	5396	66.9
Rules of the Road	336	56.2	2475	57.0
Vehicle Control	315	55.9	1656	77.7
Local Ordinances	51	54.9	366	83.6
Speeding	1643	73.4	18489	94.7
Speed Control	254	53.1	1633	83.4
Backing/Starting/ Turning	60	40.0	338	80.5
Signals	29	65.5	150	72.7
School Bus	28	75.0	65	81.5
Leaving the Scene of Accident	91	50.5	495	71.9
Miscellaneous	117	47.9	608	68.1

These figures show that the sustained rates varied considerably with violation type. For example, in contested cases the rate ranged from a high of 75 percent for passing a stopped school bus to a low of 40 percent for improper backing, starting and turning violations.

As an adjunct to the data just shown, the following indicates the percentage of violations in each category which were contested:

<u>Violation Type</u>	<u>Percent of Total Heard Which Were Contested</u>
Traffic Devices	12.5%
Equipment	13.8
Documentation	11.1
Rules of the Road	12.0
Vehicle Control	16.0
Local Ordinances	12.2
Speeding	8.2
Speed Control	13.5
Backing/Starting/ Turning	15.1
Signals	16.1
School Bus	30.1
Leaving the Scene of Accident	15.5
Miscellaneous	16.1

The listing indicates that the most frequent offense heard, speeding, had a lower contested rate than other violation types. Among the other violation types, only passing a stopped school bus stands out as having a higher than average contested rate.

Of the violations disposed at hearings, 10 percent were noted as having been issued at accident sites. The contested rate of these summonses was 17 percent compared with 10 percent of non-accident violations. (The underlying factor here may be related to matters of civil liability in the accidents.)

In contested cases the sustained rate for accident related violations was 47 percent compared with 65 percent for non-accident related violations. In uncontested cases, the comparable sustained rates were 72 percent in accident related violations and 86 percent in non-accident cases. Thus, violations associated with accidents were more likely to be dismissed in both contested and uncontested hearings.

c) Comparison with Court Findings

As noted earlier, in the 24 months prior to AAD, 21,921 summonses containing 23,659 violations were heard by the District Courts involving charges now decriminalized. Among violations where the disposition is known (N=18,925), it was found that the conviction rate in contested cases was 35 percent while the rate in uncontested cases was 79 percent; the comparable rates for AAD hearings were 62 percent and 85 percent respectively.



Comparing AAD hearings with the prior 24 months of court cases shows the following regarding violation findings:

	Contested Violations		Uncontested Violations	
	<u>Sustained</u>	<u>Not Sustained</u>	<u>Sustained</u>	<u>Not Sustained</u>
AAD	2,718	1,644	30,780	5,351
Court	611	1,159	13,598	3,557
	$\chi^2=391.9, d.f.=1, P<.01$		$\chi^2=293.2, d.f.=1, P<.01$	

The data indicate that the conviction rate for both contested and uncontested violations was significantly higher in AAD hearings than in comparable court cases.

#### 7. Sanctions - Fines

Total fines assessed at AAD hearings during the first year of operation amounted to \$352,625, while the figure was \$491,883 in year two. The average fine assessed in year one was \$27.45 and was \$25.53 in year two. The average fine in contested cases was \$26.26 and was \$26.46 in uncontested cases.

##### a) Fines by Violation Type

Table 6 shows the distribution of fines assessed in the various types of violations sustained in uncontested hearings. Comparable data for contested violations are in Table 7. The figures in the Tables show that the highest average fine was assessed in cases involving passing stopped school buses; speeding cases had the second highest average fine, while leaving the scene of an accident was third.

In about eight percent of the sustained contested violations and four percent of the uncontested violations no fine was levied. These are primarily situations where referral to the driver retraining was the only sanction applied.

##### b) Comparison with District Courts

During the 24 months prior to AAD, the District Courts sustained 13,598 uncontested violations. The average fine in these cases was \$20.45. In this same

TABLE 6

Number of Fines by Violation Type in Uncontested AAD Hearings :  
July, 1975 - June, 1977

Violation Type	Fine Amount (Dollars)										Total	Average Fine*
	None	1-9	10-19	20-29	30-39	40-49	50-59	60-69	70-79	80-up		
Traffic Devices	61	57	1498	769	70	17	17	1	3	2	2,495	\$18.41
Equipment	49	462	906	156	14	4	6	0	0	0	1,597	12.42
Documentation	145	616	1865	905	59	2	14	0	2	5	3,613	15.31
Rules of the Road	71	28	799	401	71	15	20	1	3	2	1,411	19.29
Vehicle Control	75	17	305	640	167	33	48	0	1	2	1,288	25.62
Local Ordinances	11	66	160	64	3	0	2	0	0	1	307	15.14
Speeding	627	10	1127	6057	6351	1739	1134	106	214	147	17,512	32.37
Speed Control	39	96	423	501	165	78	49	0	5	3	1,359	22.70
Backing/Starting/ Turning	43	4	146	59	11	7	2	0	0	0	272	23.07
Signals	8	16	69	15	2	0	0	0	1	0	111	14.34
School Bus	16	0	0	0	0	0	0	0	0	38	54	101.75
Leaving the Scene of Accident	28	5	79	149	52	15	27	0	0	2	357	26.99
Miscellaneous	30	6	222	76	10	0	55	0	0	5	404	21.27

\* Excluding cases where no fine was levied.

TABLE 7

Number of Fines by Violation Type in Contested AAD Hearings  
July, 1975 - June, 1977

Violation Type	Fine Amount (Dollars)										Total	Average Fine*
	None	1-9	10-19	20-29	30-39	40-49	50-59	60-69	70-79	80-up		
Traffic Devices	10	12	148	54	16	4	2	1	1	0	248	\$18.38
Equipment	15	109	73	12	2	1	1	0	0	1	214	11.82
Documentation	14	53	181	81	8	2	2	0	0	0	341	15.98
Rules of the Road	11	6	98	55	10	2	4	0	1	1	188	19.91
Vehicle Control	17	3	40	72	24	6	12	0	2	0	176	26.96
Local Ordinances	1	5	15	2	2	0	0	0	0	0	25	14.37
Speeding	109	0	76	384	343	116	120	9	28	17	1,202	34.10
Speed Control	17	7	40	37	9	7	21	0	4	2	144	28.60
Backing/Starting/ Turning	5	4	9	3	2	0	1	0	0	0	24	11.13
Signals	1	2	11	1	2	1	0	0	0	0	18	15.71
School Bus	5	0	0	0	0	0	1	0	0	23	29	61.44
Leaving the Scene of Accident	1	1	13	17	2	2	5	0	3	0	44	29.44
Miscellaneous	18	1	18	15	3	0	9	0	0	1	65	26.99

\* Excluding cases where no fine was levied.

time period, 664 contested violations were sustained. The average fine in these cases was \$26.81.

Table 8 shows the distribution of fines among the uncontested court cases while Table 9 shows the distribution for the contested cases.

Overall, the average AAD fine in uncontested cases (\$26.46) was higher than in the uncontested court cases (\$20.45). The average fines in contested cases was about the same in AAD (\$26.26) and in the courts (\$26.81).

Comparing the data in Table 6 and 8 regarding uncontested AAD and court cases shows, firstly, that instances where no fine was levied were greater in AAD cases. This is undoubtedly due to the driver retraining school option, which was not available to the courts. Average fines in AAD cases were higher in 10 of the 13 violation types listed. Thus, AAD has tended toward higher fine amounts compared to the courts in uncontested cases.

Comparison of AAD and court contested violations (Tables 7 and 9) again shows the situation of no fine being levied occurring more frequently in AAD cases. Average fines were higher in AAD hearings in seven of 13 violation categories.

#### 8. Referrals to Retraining

During the two operational years, the Hearing Commissioners made a total of 6,366 referrals to driver retraining as part of their case dispositions. This figure represents approximately 20 percent of the cases where one or more violations were sustained against an individual. The following shows the number of referrals and referral rate at each AAD site during the July, 1975 - June, 1977 period (cases where site was not recorded are excluded):

Site	Number of Persons with Violation(s) Sustained	Number of Referrals	Referral Rate
Warren	2,553	553	21.7%
Newport	3,722	606	16.3
Kent County	6,696	1,447	21.6
Wakefield/Westerly	4,122	726	17.6
Pawtucket	3,120	472	15.1
Providence	7,916	1,842	23.3
Smithfield/Woonsocket	3,059	634	20.7

TABLE 8

Number of Fines by Violation Type in Uncontested District Court Cases  
July, 1973 - June, 1975

Violation Type	Fine Amount (Dollars)										Total	Average Fine*
	None	1-9	10-19	20-29	30-39	40-49	50-59	60-69	70-79	80-up		
Traffic Devices	2	304	100	25	0	0	2	0	0	0	433	\$10.92
Equipment	3	161	236	41	2	1	0	0	0	3	447	14.13
Documentation	7	762	1122	270	14	4	18	0	2	4	2,203	14.85
Rules of the Road	3	295	242	95	10	1	19	0	1	4	670	15.38
Vehicle Control	8	109	212	217	29	0	43	1	11	11	641	24.13
Local Ordinances	0	56	130	34	0	0	1	0	0	1	222	14.93
Speeding	9	208	3959	3332	388	114	193	10	58	30	8,301	23.18
Speed Control	1	59	82	26	4	2	3	0	0	3	180	17.95
Backing/Starting Turning	1	15	46	16	0	2	3	0	0	0	82	17.66
Signals	0	6	3	2	0	0	0	0	0	1	12	20.58
School Bus	0	1	6	0	0	0	1	0	0	0	8	17.94
Leaving the Scene of Accident	1	17	19	39	10	0	19	0	1	3	109	30.29
Miscellaneous	1	72	117	32	3	0	6	0	0	4	235	17.20

\* Excluding cases where no fine was levied.

TABLE 9

Number of Fines by Violation Type in Contested District Court Cases  
July, 1973 - June, 1975

Violation Type	Fine Amount (Dollars)										Total	Average Fine*
	None	1-9	10-19	20-29	30-39	40-49	50-59	60-69	70-79	80-up		
Traffic Devices	0	15	7	6	0	0	0	0	0	0	28	\$13.35
Equipment	3	5	6	6	1	0	0	0	0	0	21	14.64
Documentation	11	21	38	20	3	1	3	0	1	0	98	18.35
Rules of the Road	6	13	6	4	2	1	0	0	0	0	32	21.50
Vehicle Control	3	14	18	15	1	2	4	0	3	8	68	34.20
Local Ordinances	1	3	0	1	0	0	0	0	0	0	5	12.25
Speeding	7	31	60	82	24	12	30	2	11	10	268	33.10
Speed Control	2	2	4	4	0	0	0	0	0	1	13	25.50
Backing/Starting/ Turning	0	0	2	1	0	0	0	0	0	0	3	18.50
Signals	0	0	0	0	0	0	0	0	0	0	0	0
School Bus	0	0	0	0	0	1	0	0	0	0	1	42.10
Leaving the Scene of Accident	4	15	4	6	1	0	2	0	0	2	34	20.95
Miscellaneous	4	6	6	6	0	0	0	0	0	3	25	42.14

\* Excluding cases where no fine was levied.

The figures indicate that referral rates ranged from a low of 15.1 percent at the Pawtucket site to a high of 23.3 percent for Providence. Testing the distributions of referral - no referral by site yielded a statistically significant result ( $\chi^2=161.08, d.f.=6, P<.01$ ).

There are several factors which are likely contributors to this outcome, viz:

- Variations in driving history. It was seen in Section B.3, pg. 29, that significant differences existed among the sites in the reasons which brought about the hearings. For example, 63 percent of the hearings at Kent County were required because of a prior violation within 12 months, compared with 38 percent in Warren. Therefore, insofar as driving history contributed to the decision to refer (c.f. subsection 8a pg. 44), the records confronting the Commissioners varied among the sites.

- Residence. Closely related to the question of variations in driving history is the residence (in-state or out-of-state) of the motorists being heard. Overall, 92 percent of the motorists heard were Rhode Island residents. However, substantial variations existed in the proportion of out-of-state residents appearing at the various hearing sites. That is, less than two percent of those heard at the Kent County site lived outside the state, whereas 16 percent of those heard at Newport were out-of-state residents. Thus, the "pool" from which referrals could be made varied from site to site.

- Commissioner's Judgment. The decision regarding referral to retraining rested solely in the hands of the Hearing Commissioners and was made at the time cases were adjudicated. Under AAD guidelines, the referral decision was to be based on the case at hand and on the driver history. However, no device such as a point system was established to make the referral decision wholly objective. It is possible, therefore, that individual differences existed among the Commissioners which contributed to differential referral rates.

a) Referrals and Driving History

The figures below show the distribution of the number of prior traffic violations appearing on the records of (1) a random sample of 700 persons attending a hearing during the first operational year, (2) persons assigned to the General Education Session (GES) schooling, and (3) persons assigned to the Defensive Driving Course:

<u>Number of Violations</u>	<u>Sample of Drivers Attending Hearing (N=700)</u>	<u>GES Attend Group (N=2062)</u>	<u>DDC Attend Group (N=1021)</u>
None or one	71.0%	50.0%	7.6%
Two	14.1	25.0	20.6
Three	5.7	14.2	28.0
Four	4.4	7.7	20.3
Five or more	4.7	3.1	23.3

The figures show that the drivers assigned to schooling tended to have more extensive records than did the overall pool of drivers attending hearings. For example, the figures underlying the distribution for the random sample group and the GES group are significantly different ( $\chi^2=129.59, d.f.=6, P<.01$ ). The figures also show that those assigned to DDC tended to have poorer records than those assigned to GES.

#### 9. License Suspension

Suspension of driver licenses was an infrequently imposed sanction at AAD hearings, occurring among eleven percent of the drivers having a violation sustained at a contested hearing and four percent of the drivers having a violation sustained at an uncontested hearing. This difference in suspension rates may be related to attempts to avoid a suspension. That is, it is likely that drivers with especially poor records, where suspension was a possibility, more frequently contested the case in an effort to avoid the suspension.

Neither referrals to retraining nor license suspensions were sanctioning options available to the courts. No comparative data exist for these topics, therefore.

#### 10. Time to Adjudication

The following shows the distribution of the number of days from the issuance of summonses to hearing adjudication for contested and uncontested cases (cases with a missing date are excluded):

<u>Days to Disposition</u>	<u>Contested Cases (N=3795)</u>	<u>Uncontested Cases (N=33100)</u>
1 - 15	0.1%	0.3%
16 - 30	0.3	4.5
31 - 45	7.9	28.6
46 - 60	26.0	29.0
61 - 90	16.7	23.3
91 or more	49.1	14.3



The figures indicate that contested cases took considerably longer to adjudicate than did uncontested cases. For instance, nearly one-half of the contested cases took at least three months to adjudicate, compared to 14 percent of the uncontested cases.

The primary factor operating here is that contested cases generally require two appearances; one to enter the Deny plea and the second at which the officer who issued the summons appears. This process adds several weeks elapsed time until the case is disposed.

a) Comparison with Courts

The following shows the time to disposition of AAD cases along with what is known for comparable court cases during the 24 months prior to AAD:

Days to Disposition	Uncontested Cases	
	AAD (N=33,100)	Court (N=10,693)
1 - 15	0.3%	60.6%
16 - 30	4.5	24.2
31 - 45	28.6	7.4
46 - 60	29.0	2.1
61 - 90	23.3	1.8
91 or more	14.3	3.9

The figures suggest that for uncontested summonses the courts disposed of its cases far more rapidly than AAD. In viewing the court data, it should be noted that there are over 9,000 records which did not contain a disposition date. The effect of these cases on the distribution shown is unknown. In any event it is likely that the courts did in fact dispose cases more quickly. This is so because of the scheduling methods employed.

Prior to AAD, traffic cases were given court dates by assigning regular court days to all police departments in the state. When an officer issued a traffic ticket, he indicated the next regular court date for the motorist to appear. This technique permitted rapid clearance of cases but, of course, did not consider the large crowds that could appear on given court days.

The AAD scheduling method employs a system invoked (rather than police invoked) scheduling method. That is, AAD first checks all summonses to determine if a hearing is required and then assigns individuals to the appropriate hearing site on the next available sitting which has not reached established capacity. Motorists are typically given at least two weeks of advanced notice of the hearing date and time so that they can arrange their appearance without undue hardship.

The AAD approach was adopted in order to (1) determine which motorists are ineligible to pay by mail and must personally appear, (2) to insure that driving histories have been generated and available when cases are heard, and (3) to control the number of cases heard in a particular session so that each motorist can be dealt with individually. The scheduling steps undertaken by AAD require time and have led to more time elapsing between issuance of summonses and the adjudication appearance.

Another issue which should be considered in comparing AAD and court adjudication, is that under AAD the motorist learns the full extent of the sanctions to be applied, at the time of the hearing. When the courts had jurisdiction over all traffic cases, this was not so. That is, the courts could recommend but not actually impose a license suspension--this function was vested solely in the Registry of Motor Vehicles. It was possible, therefore, for many months to pass after a court appearance before a motorist would learn that his license had been suspended.

Unfortunately, data are not available on the time to disposition of contested court cases. This is so because the creation process for the AAD data base captured only the initial court appearance date and not the date on which the trial was held.

## 11. Appeals

Appeals of the Administrative Adjudication Division hearing decisions can involve a two-step process. That is, the first appeal is to an AAD Appeal Board composed of the two Commissioners who did not hear the case originally and the attorney for the state Department of Transportation. Appeals from this board are to the courts (in the first year to the Superior Court; now to the District Court). Regulations require an appeal of a hearing to be filed within 10

days. Appeals to court must be filed within 30 days of the Appeal Board decision.

During the two AAD years, a total of 154 appeals of decisions were filed. Eleven of the appeals were not completed, however, as no transcript fee was paid. Of the 34 appeals heard by the Appeal Board, 27 were denied while seven were upheld. The fact that there are over 100 appeals pending indicates that a backlog has developed in this area.

Only three of the appealed cases are known to have been taken to the courts. The legal issues raised have been the right of a motorist to a jury trial and the right of AAD to charge an appeal fee. Neither of these issues has been decided on by the courts as yet.

#### C. Characteristics of Violators

It was seen in Section II that several relationships existed between certain characteristics of persons paying summonses by mail and the nature of the offenses involved. Among the findings were:

- Approximately 73 percent of the persons paying by mail held Rhode Island driver licenses. Out-of-state residents made up a greater proportion of the persons paying speeding summonses by mail than other violation types.
- Males accounted for 77 percent of the summonses paid by mail during the first two AAD years. Significant differences were found in the pattern of offenses charged against males and females.
- Young drivers were overrepresented in their proportion of violations paid in comparison to their numbers in the licensed driver population. In addition, drivers under the age of 25 were overrepresented in certain violation categories, being the majority of those who paid summonses related to local ordinances, equipment, vehicle control, rules of the road, documentation and speed control violations.

The purpose of the present section is to describe the characteristics of the persons adjudicated at AAD hearings and to examine whether case outcomes were related to these characteristics.

1. Residence

Of the 37,280 summonses disposed at AAD hearings during the two operational years, 92 percent were issued to persons holding Rhode Island driver licenses, with this figure being significantly higher than the 73 percent in state residents paying fines by mail. The difference is likely due to the fact that out-of-state motorists are more apt to commit violations that can be paid by mail (e.g., speeding) and are less likely to have a record of offenses in the state which would require a hearing.

Figures regarding the outcome of cases for in-state and out-of-state residents are as follows:

	Contested		Uncontested	
	In-State (N=4115)	Out-of-State (N=343)	In-State (N=33838)	Out-of-State (N=2859)
Sustained	61.8%	65.6%	84.8%	86.6%
Dismissed	38.2	34.4	15.2	13.4
	$\chi^2=1.92, d.f.=1, P>.10$		$\chi^2=6.62, d.f.=1, P<.05$	

The figures show slightly higher sustained rates for out-of-state residents in both contested and uncontested cases. Only the uncontested distribution is statistically significant however. The underlying effect here is likely due to the violation patterns involved. That is, out-of-state residents are more likely to be charged with speeding than with other violation types and speeding cases tend to have a higher sustained rate at hearings than other violation types.

2. Sex

Approximately 87 percent of the persons adjudicated at AAD hearings were males and 13 percent were females. These proportions are significantly different from the 77 percent male - 23 percent female division found among pay-by-mail offenses ( $\chi^2=1512.0, d.f.=1, P<.01$ ).

The main factor operating here is believed to be the higher violation experience of males. That is, males receive about 80 percent of the traffic summonses issued in the state each year and, therefore, are more likely to have violation histories which requires a hearing.

Males and females also differ somewhat in the types of violations received, with males predominating in certain violation categories which cannot be paid by mail.

Table 10 shows the proportion of males and females in each violation category for summonses disposed at AAD hearings. It can be seen in the table, that the proportion of females in any given category ranged from a high of 30 percent of school bus violations to a low of two percent of local ordinance violations. In the predominant category, speeding, females are somewhat overrepresented compared to their overall numbers.

Figures regarding the sustained and dismissed rates by sex at AAD hearings are as follows:

	Contested		Uncontested		
	Males (N=3786)	Females (N=562)	Males (N=31,538)	Females (N=4533)	
Sustained	63.5%	52.3%	86.0%	79.9%	
Dismissed	36.5	47.7	14.0	20.1	
		$\chi^2=26.25, d.f.=1, P<.01$		$\chi^2=116.82, d.f.=1, P<.01$	

The data show that the sustained rates are statistically different for males and females in both contested and uncontested hearings. When just the results for the unitary violation type, speeding, are analyzed, the results are:

	Contested		Uncontested		
	Males (N=1416)	Females (N=222)	Males (N=15,848)	Females (N=2607)	
Sustained	75.1%	62.6%	95.5%	90.1%	
Dismissed	24.9	37.4	4.5	9.9	
		$\chi^2=15.44, d.f.=1, P<.01$		$\chi^2=125.71, d.f.=1, P<.01$	

These figures show the same tendency as was found for all hearings held, and suggest that the outcome is not due to differences in the violations committed by males and females.

TABLE 10

Motorist Sex by Violation Category, Summonses  
 Disposed at Hearings, July, 1975 - June, 1977

Violation Category	N	Percent Males	Percent Females
Speeding	20,097	35.9%	14.1%
Traffic Devices	3,193	86.5	13.5
Rules of the Road	2,149	88.7	11.3
Speed Control	1,878	87.3	12.7
Documentation	5,585	89.8	10.2
Vehicle Control	1,944	88.0	12.0
Equipment	2,571	90.6	9.4
Local Ordinances	415	97.8	2.2
Starting/Backing/ Turning	397	87.7	12.3
Signals	177	92.1	7.9
School Bus	93	69.9	30.1
Leaving the Scene of Accident	583	88.3	11.7
Miscellaneous	714	87.1	12.9
Total	39,796	87.3	12.7

Cases where sex was unknown are excluded.

### 3. Age

Table 11 shows the age distribution of males and females who had summonses adjudicated at hearings during the second AAD year. Comparing the data with those in Table 5 regarding summonses paid by mail, indicates that persons adjudicated at hearings are generally younger. For example, 57 percent of the persons adjudicated at hearings were under the age of 25, compared with about 43 percent of those who paid summonses by mail. There are several possible factors contributing to this finding. These are:

- Young drivers receive traffic summonses at a higher rate than older drivers. On average, therefore, young drivers are more likely to have a previous violation within the past year.

- Data just noted regarding residence shows that out-of-state residents make up a smaller part of those attending hearings than those paying by mail. The out-of-state no-shows may be older than the group that attended hearings thereby shifting the age distribution.

- Younger drivers may be more likely to be cited for a violation which cannot be paid by mail. For example, in speeding offenses, 9.4 percent of drivers under the age of 25 were charged with exceeding the posted limit by 16 or more m.p.h. while only about 4 percent of older drivers were so charged.

Data on disposition rates for the various age groups suggest that young drivers were more likely to have violations sustained at hearings. For example, in uncontested violations the proportions of cases sustained and dismissed varied significantly ( $\chi^2=916.47, d.f.=9, P<.01$ ). A similar finding occurred for contested hearings ( $\chi^2=194.92, d.f.=9, P<.01$ ).

The following shows the sustained violation rate in each age group for contested and uncontested cases:

TABLE 11

Age Distribution of Persons with Summonses  
 Disposed at Hearings, July, 1976-June, 1977

Age Group	Males (N=18,753)	Females (N=2,806)
Under 20	32.0%	24.4%
20 - 24	26.3	26.2
25 - 29	16.6	17.1
30 - 34	9.1	11.0
35 - 39	5.0	6.5
40 - 44	3.4	4.1
45 - 49	2.8	4.0
50 - 54	2.0	2.9
55 - 59	1.3	1.9
60 - up	1.6	1.8

Excludes cases where age or sex was unknown.



Age Group	N	Contested Violations Percent Sustained	N	Uncontested Violations Percent Sustained
Under 20	1413	66.7%	11,445	86.9%
20 - 24	1003	69.3	9361	89.3
25 - 29	715	66.9	6126	86.5
30 - 34	417	60.2	3196	83.9
35 - 39	225	50.7	1809	82.3
40 - 44	161	46.0	1224	78.0
45 - 49	132	50.8	1036	76.4
50 - 54	115	38.3	757	71.3
55 - 59	85	34.1	483	65.8
60 or more	86	22.1	618	57.8

These figures show a declining sustained rate with increasing age for both contested and uncontested violations.

#### D. Motorist Reactions

In order to assess the reactions of motorists to Administrative Adjudication Division hearings, brief discussions were conducted with persons leaving hearing sites. These discussions were held at each Administrative Adjudication Division site during April, 1976. In all, 134 persons provided their reactions to the hearing process.

##### 1. Hearing Notification

The motorists leaving the hearings were asked approximately how long before the hearing date had they received the Administrative Adjudication Division notice scheduling the hearing. The responses were:

	(N=134)
1-5 days	0.7%
6-10 days	39.6%
11-15 days	37.3%
16 or more	22.4%

Ninety four percent of the motorists indicated that the receipt date of the notice had given them enough time to make arrangements to attend the hearing. Six percent said there was not sufficient time. Seventy eight percent of the motorists indicated that the hearing notice was clear in its instructions. Among the 22 percent who indicated the notice was unclear, the most frequent comment concerned uncertainty regarding the location of the hearing site.

A second comment heard regarding lack of clarity of the hearing notice, was that it indicates the summons number, but not the violation to be heard. For some reason this causes a problem among some motorists.

## 2. Scheduling

Sixty nine percent of the 134 motorists questioned indicated that the hearing time (9 a.m., 11 a.m., or 2 p.m.) was generally convenient to them, while 31 percent said the time was not convenient. When asked if there would have been a better time, 41 percent said yes and 59 percent said no. Those responding yes indicated the following as a better time:

	(N=50)
Night	22%
Earlier	16%
Later	42%
Saturday	20%

Generally, the impression was gained from those preferring another time, that times at the start or end of the typical work day are preferred to times during the middle of the work day.

The ability to serve persons at hearings on a walk-in basis would be a desirable solution to the scheduling question. In the case of the Rhode Island project, self-demand scheduling is not currently feasible, because of the important role the driver history record plays in the hearing. That is, the record must be available at the hearing site. Because of multiple hearing sites and the absence of an on-line data system with teleprocessing capability, there is no feasible way to make the records available in a way that would handle walk-ins. Locales considering multiple hearing sites with self-demand scheduling should attempt to examine the approach taken in New York State.

## 3. Hearing Process

Seventy six percent of the motorists indicated they heard the Commissioner's opening remarks while 24 percent did not. Of those hearing the remarks, 98 percent indicated they clearly described the hearing process. Ninety five percent of all the motorists said they were clear as to the pleas they could make while five percent were unclear.

Overall, 93 percent of the motorists felt they had been treated fairly, while seven percent felt unfairly treated.

Among the general comments received were that some sites were noisy and the Commissioner should speak louder, that the site location was hard to find and directions should be provided, and that more information should be provided about how to change a hearing time.

Overall, the results of the follow-up discussions with motorists completing hearings indicates that almost all feel they were treated fairly and that the mechanics of the process were generally sound. The main negative comment noted had to do with inconvenient hearing time. However, there was no clearly favored alternate time suggested.

#### E. No Shows

As noted earlier, at the end of the second operational year there were 6,602 persons who had received summonses, and were eligible to pay by mail, who had not responded. On the hearing side, as of June 30, 1977 there were 4,533 persons who had been suspended for failure to appear.

Prior to AAD, persons who failed to pay a summons by mail were summoned to a court appearance. A capias was issued in cases where a court appearance was defaulted, with the police following up on these to the extent possible. The decision by AAD to use license suspension as the mechanism to follow up on non-compliance was based on the reasoning that it was more in line with the non-criminal nature of the offenses, and more reliable and less costly than police follow up.

The key to the license suspension lies in the hold placed on license renewal. That is, persons suspended by AAD cannot renew their licenses. Thus, sometime within two years (the renewal cycle) of the non-compliance motorists who live in the state are forced to choose between complying with AAD or going without a license.

During the two operational years, 70.6 percent\* of the traffic summonses issued which were eligible for mail payment went to Rhode Island residents while the remainder went to persons living outside the state. The relevant figures for

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\* The figures in this subsection refer to summonses issued whether or not they were adjudicated. Earlier figures refer to summonses paid by mail or adjudicated at hearings.

compliance with the pay-by-mail process for the two groups are as follows:

<u>Residence</u>	<u>Complied</u>	<u>Did Not Comply</u>
Rhode Island	96.4%	3.6%
Out-of-State	86.6%	13.4%

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$$x^2=3515.4, d.f.=1, P<.01$$

The figures, based on over 106,600 summonses, show a significantly higher non-compliance rate for out-of-state residents than for in-state residents.

During the two AAD years, 90.8 percent of the summonses issued which required a hearing went to state residents. The compliance rates for in-state and out-of-state residents were as follows:

<u>Residence</u>	<u>Complied</u>	<u>Did Not Comply</u>
Rhode Island	92.0%	8.0%
Out-of-State	80.3%	19.7%

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$$x^2=667.7, d.f.=1, P<.01$$

These figures show the non-compliance rate for out-of-state motorists is higher than for state residents. The non-compliance rate of both groups with the hearing process is higher than the comparable non-compliance rates for summonses which could have been paid by mail.

The fact that state residents are more likely to comply with traffic summonses is likely to be due to the consequences of license suspension, as compared with the suspension of the right to operate in the state which is imposed on non-residents.

In an effort to improve the compliance rate of those living out of state, AAD has adopted the policy of adjudicating hearing cases by mail for those who do not appear. That is, the case is adjudicated and the out-of-state motorist notified by mail of the outcome. Also, follow-up letters are routinely sent to out-of-staters who have failed to pay by mail. A success rate of about seven percent has been achieved by this process.

Examination of the actual residence of those non-complying out-of-staters has shown the large majority to live in the neighboring states of Connecticut and Massachusetts. Thus, the bulk of the problem is a local one. However, in the absence of interstate compacts, further steps regarding non-residents are not practical.

In the years immediately prior to the Administrative Adjudication Division, Rhode Island did not employ a bonding system for persons receiving traffic summonses. An important point for locales that do use bonds and are considering administrative adjudication, is whether bonds could continue to be required in non-criminal charges or, if bonds are eliminated, what effect would occur on the compliance rate of non-residents.

F. Recidivism

The AAD Driver History data base as analyzed shortly after the end of the second operational year contained just over 295,500 violations received by 199,212 drivers and adjudicated between early 1973 and the middle of 1977. The distribution of the number of violations per driver in the data base is as follows:

<u>Number of Summonses Received</u>	<u>Percent of Drivers (N=199,212)</u>
One	73.1%
Two	15.6
Three	6.4
Four	2.4
Five	1.2
Six	0.6
Seven	0.3
Eight	0.2
Nine	0.1
Ten or More	0.1

These figures show that over the four plus years covered by the data base, the large majority of persons receiving a traffic summons had just the one offense. Of all of the drivers in the data base, only eleven percent had three or more violations.

In Rhode Island, there are approximately 560,000 licensed drivers. Given that about 24 percent of those in the data base live out of state, the number of Rhode Island residents in the data base is on the order of 152,000, or 27 percent of all drivers in the state. On an annualized basis, the chance of a state licensed motorist receiving a summons, therefore, are approximately 6 to 7 per 1,000 drivers. Thus, both the receipt of a traffic summons and traffic summons recidivism are relatively rare events.

The comparison of recidivism of those adjudicating traffic violations in court and at AAD hearings is difficult to make in

a meaningful manner. This is so because of the obvious differences in subsequent exposure periods for the two groups. Also, AAD's enforcement of the eligibility condition for mail payment may have changed somewhat the characteristics of persons making personal appearances.

During the two years prior to AAD, 21,921 persons made District Court appearances to adjudicate traffic summonses which have since been decriminalized. Of the group, approximately 42 percent received another traffic summons prior to mid 1977, but following the summons which brought about the court appearance.

During the period from July 1, 1975 to June 30, 1977 a total of 40,687 persons received summonses which were adjudicated at an AAD hearing (37,280 during the period and 3,407 thereafter). Approximately 21 percent of these persons have recidivated as of mid-1977.

The overall exposure of those having had cases adjudicated in court is, of course, much greater than for those attending AAD hearings. To control for this, the following shows the recidivism rates of the court group for six and 12 months of subsequent exposure and compares these with the rates for persons receiving summonses between July, 1975 and June, 1976 that were adjudicated at AAD hearings.

	<u>Court Group</u> (N=21,921)	<u>AAD Group</u> (N=19,456)
Recidivist within:		
6 months	13.1%	12.0%
12 months	21.7%	17.7%

The proportions of persons recidivating in the two groups are significantly different at both the six and 12 months time periods ( $\chi^2=11.33, d.f.=1, P<.01$  and  $\chi^2=104.00, d.f.=1, P<.01$ , respectively).

Given the relatively small magnitude of the differences in recidivism rates, and the fact that they occurred in different time periods, the above finding cannot be considered definitive regarding the effect of an administrative hearing versus a court appearance. On the other hand, the finding does not indicate that decriminalizing traffic offenses and adjudicating them at less formal hearings causes recidivism problems in comparison to court adjudication of like cases.

#### IV. DESCRIPTION AND ANALYSIS OF THE DATA SYSTEM

##### A. Programs

The Administrative Adjudication Division data processing system was implemented on an IBM 370-145 computer, which was part of the state's central data processing installation. The data system is composed of 26 functional sub-systems made up of 48 programs.\* The sub-systems, their run cycle and function performed are as follows:

<u>Subsystem</u>	<u>Cycle</u>	<u>Function</u>
AJSTUB	Weekly	Load summons number of those books issued to police departments into the "Outstanding-Summons" file. This is part of summons credibility accounting for valid summons number and unissued summons
AJLOAD	Mon/Wed/Fri	Edit and load those summons issued to violators into the "Outstanding Summons" file. Checks for valid summons number, hearing statute, previous history, and pay-by-mail statute
AJPAID	Weekly	Applies all valid mail in payments to the "Outstanding Summons" file and disposes those summons as paid summons, process voided summons (to void summons history) and partial payments cards for system accounting. All mail-ins are checked for payment status and proper register ring summons numbers
AJACT1	Weekly	Merges the accounting data from (AJPAID) and the mail-in/partial payment run with the current month-to-date accounting data to create an updated month-to-date accounting file
AJPAD1	Weekly	Merges the weekly paid summons from (AJPAID) and the mail-in/partial payment run with the year-to-date paid summons and generates a report of all paid summons to date in summons sequence. The input "weekly paid summons" is saved

\* All programs were written in COBOL or are job steps which invoke system utilities (e.g., sorts). The target computer has recently been upgraded to a model 145.

<u>Subsystem</u>	<u>Cycle</u>	<u>Function</u>
		for monthly police reports via AJMTH1. This file can be sorted into alternate sequence and printed by job control program (AJ9980)
AJVOD1	Weekly	Merges the voided summons from (AJPAID) and the mail-in/partial payment run with the year-to-date void summons to create an updated file
AJHEAR	Weekly	Records all hearing results on the "Outstanding Summons" file and records those summons disposed as "HEAR-DISP". Flags all reschedules (police required, no police, plea change) and generates suspension records for all commissioner-ordered and no-show suspensions. An accounting record and a disposed record are generated for each summons applicable.
AJACT2	Weekly	Merges the accounting data from (AJHEAR) and the hearing disposition run with the current month-to-date accounting data to create an updated month-to-date accounting file. The month-to-date accounting file contains data from both the (AJPAID) mail-in/partial payment run and the (AJHEAR) summons disposition run and is used monthly as the update to (AJACT) year-to-date accounting.
AJPAD2	Weekly	Merges the weekly disposed summons from (AJHEAR) the hearing disposition run with the year-to-date disposed summons and generates a report of all disposed summons to date in summons sequence. The input weekly disposed summons is saved for monthly police reports via AJMTH2. This file can be sorted into alternate sequence and printed by job control program (AJ9985)
AJOVER	Weekly	Select and print all pay-by-mail summons not paid within allotted time; a notice of pending suspension for non-payment. Selects all summons previously sent a suspension notice (for non-payment or non-appearance hearing) that have matured effective date of suspension for immediate suspension and prints a report of all



<u>Subsystem</u>	<u>Cycle</u>	<u>Function</u>
		summons on the Outstanding Summons file which have active suspensions.
AJNOTE	Weekly	Prints all suspension notices resulting from (AJHEAR) hearing dispositions. These notices are either immediate suspension by order of the Commissioner, or notice of pending suspension for non-appearance at a scheduled hearing
AJASGN	Weekly	Assigns hearing dates to specified summons contained within the Outstanding Summons file. Reads the (AJPREH) "Hearings Required" records and selects those that have been assigned a hearing schedule for further processing and notification via AJDOCK, AJMAIL, AJPOL, AJABST.
AJDOCK	Weekly	Reads the selected hearings required (from AJASGN) and generates a hearing docket by location, date, time and scheduled summons.
AJMAIL	Weekly	Reads the selected hearings required (from AJASGN) and generates a notice of hearing mailer for each violator assigned; with schedule information, summons number, and charges to be heard.
AJFOL	Weekly	Reads the selected hearings required from AJASGN and generates a report by police department indicating where, when and which police officers (by badge number) will be required present at a violator's hearing.
AJABST	Weekly	Reads the selected hearings required from AJASGN as a request file and produces a driving record for each violator.
AJPREH	Weekly	Reads the "Outstanding Summons" file and selects all summons that require a hearing and have not yet been assigned and generates a report of those selected for hearing scheduling.
AJEDUC	Weekly	Adds driver retraining to the Driver Education History file and produces weekly class rosters and name/address comparison rosters.

<u>Subsystem</u>	<u>Cycle</u>	<u>Function</u>
AJCORT	Weekly	Process court summons dispositions. Reports all court status activity of input and formats that input for loading into the violation history via AJHIST (AJ0230) for a complete driving history of motorist.
AJACCT	Monthly	Update the year-to-date accounting file and produce a cumulative accounting of all disposed and voided summons. This reporting reflects the number of and the dollar value of all pay-by-mail, partial payments, hearings disposed, voids by day and month.
AJMTH1	Monthly	Sorts those weekly paid summons tapes that represent the past month and generates the monthly supplement of paid summons for police by department.
AJMTH2	Monthly	Sorts those weekly hearing disposition tapes that represent the hearing activity for the past month and generates a monthly supplement of disposed summons for police by department.

<u>Subsystem</u>	<u>On Request Function</u>
AJNISS	Reads the Outstanding Summons file and generates a report of all unissued summons numbers currently on file.
AJEHST	Reads the Driver Education (History of Retraining) file and generates a report by class type and completion date. The range of this report's contents is controlled by the History Extract Control card.
AJPRNT	Reads the Outstanding Summons file and generates a status report of all issued summons numbers currently on file.
AJSREQ	Reads driver history request cards and produces a "Driving Record" for each request on stock paper with the same content and format as that generated for hearings by AJABST.

## B. Reports Generated

The data system provides 29 reports to document system activity. These are:

<u>Subsystem</u>	<u>RPT#</u>	<u>Reports - Monthly</u>
AJSTUB	1	Stub Edit List
AJLOAD	2	Summons - Edit
	3	Summons PBM and PBM Cards
	4	Summons Errors
AJPAID	5	Payment Edit List
AJPAD1	6	YTD Disposed Paid Summons
AJHEAR	7	Disposed Hearings Edit
AJPAD2	8	YTD Disposed Hearing Summons
AJOVER	9	Suspended List
	10	Suspension Notices -- Non-Payment
AJNOTE	11	Suspension Notices - Commissioner/ Hear - No-Show
AJASGN	12	Hearings Assigned
AJDOCK	13	Hearing Dockets
AJMAIL	14	Hearing Notices - Mailers
AJPOL	15	Police Required Notices
AJABST	16	Abstract of Operator Record
AJPREH	17	Site Schedule -- Load
	18	Pre-Hearing List (Unassigned)
AJCORT	19	Court Dispositions
AJEDUC	20	Class - Roster (Driver Retraining) Address - Roster (Driver Retraining)
AJACCT	M-1	Accounting - Register (YTD)
AJMTH1	M-2	Paid Disposed Summons - Police
AJMTH2	M-3	Hearing Disposed Summons - Police
AJNISS	AR-1	(GAP) Unissued Summons

<u>Subsystem</u>	<u>RPT#</u>	<u>Reports - Monthly</u>
AJEHST	AR-2	Class - Roster Extract (Driver Retraining)
AJPRNT	AR-3	Active Summons List
AJSREQ	AR-4	Abstract of Operator Record
AJMANT	AR-5	File Maintenance Trans (Before/After)

### C. File Organization

The Administrative Adjudication Division data base consists of 11 major files, some of which are disk resident and some of which are tape files. The following is a description of each of the files.

#### 1. Outstanding Summons File

The outstanding summons file is a disk resident ISAM\* file. The file is initially loaded with stub numbers of those summons books which have been issued to police departments. When issued summonses are received from police departments the information is keypunched and entered into the file. The file serves as the feeder for all other activity in the system. For example, the file is examined to determine cases where summonses have not been paid by mail and therefore require production of warning/suspension notices.

The file is composed of 200 character records containing 61 items of information. The following are the record contents (note that not all fields are necessarily used in the active summons file; however, as the record layout is identical with other files in the system, all fields are described here):

<u>Field Name</u>	<u>Description</u>
Driver Ident.	Rhode Island license number or system assigned code for out-of-state residents
Key Suffix	Internal system code used in random access of records
Summons Number	Letter denoting series and five digits 00001 - 99999

\* Index Sequential Access Method.

<u>Field Name</u>	<u>Description</u>
Violation Date	
Time	
Location	Digits 01-40 denoting towns and cities.
Sex	
Date of Birth	
Juvenile Code	A carry over from earlier summonses, not used by AAD
Zoned Speed	Posted speed limit.
Actual Speed	Noted vehicle speed in speeding violations.
Clocked/Radar Code	Method of timing in speeding violations
Accident Code	Y if summons was issued at an Accident.
Offense 1 Code	Internal system codes for the 126 motor vehicle violations possible in the state.
Offense 2 Code	
Offense 3 Code	
Police Department	Code numbers used to identify each department in the state and the 7 State Police troops.
Badge Number	Of the officer issuing the summons.
Amount Due or Paid	Pay-by-mail amount due, or paid.

(The above items are captured from issued summonses forwarded to AAD from the police. The following items are captured from adjudication records, which occur later.)

Date Paid	Date on which fine was paid.
Hearing Schedule Code	Used to designate summons status. Values vary depending on status and phase of data processing operation.

<u>Field Name</u>	<u>Description</u>
Hearing Schedule Date	If hearing required, the scheduled date.
Hearing Time Code	Hearing is scheduled at 9 AM, 11 AM and 2 PM.
Hearing Schedule Location	The AAD site at which the case will be or was heard.
1st Offense Tried Code	Internal code to designate the first violation on the summons.
1st Original Plea Date	Date original plea was entered.
1st Original Plea	Admit, Deny, or Admit with Explanation.
1st Plea Withdrawn Date	If plea is changed, the date in which this occurred.
1st New Plea	
1st Judgment	Sustained or Dismissed.
1st Fine Amount	

(The previous seven items are repeated twice to capture information on second and third violations which may be on the same summons.)

Length of Suspension	If the driver license is suspended at a hearing, the number of days involved.
Suspension Status	Driver is currently suspended, or not.
Driver Retraining	Denotes referral to driver retraining from an AAD hearing.
F.R. Required	Denotes whether driver must provide proof of Financial Responsibility.
Jail Days	For court cases, whether a jail sentence was imposed.
Probation Days	For court cases, whether the driver was placed on probation.

Field Name

Appeal Code (AAD)           Used to designate whether an appeal of an AAD hearing was taken to the AAD Appeal Board and to Superior Court.

Appeal Date (AAD)

Appeal Code (S.C.)

Appeal Date (S.C.)

Driver's Name and  
Address

2. Driver Master File

The Driver Master File is a disk resident ISAM file of 100 character records. The file contains personal data of individuals, and pointers to records in other files which contain information relating to violations, accidents, suspensions and driver retraining. At the end of the two operational years, the file contained approximately 250,000 records. The contents of each driver record are:

Driver Ident.               Rhode Island license number or assigned code for unlicensed operators and out-of-state residents.

Name

Date of Birth

Sex

Address

Date of Last Violation   Used to determine eligibility to pay by mail

Number of Violation  
Records

Number of Suspension  
Records

Number of Driver  
Retraining Records

Number of Accident  
Records

License Status                      Active of suspended

Last Charge Date

3. Violation History File

This disk resident ISAM file is identical in layout to the Active Summons File except that driver data (name, etc.) are excluded. The file contains all baseline pay-by-mail and court-disposed summonses, all AAD pay-by-mail and hearing dispositions and all court dispositions of non-decriminalized offenses. Ultimately the file will be purged to contain the latest three years of violations.

As of mid-September, 1977 the file contained over 295,500 violations by over 199,000 drivers. A total of 145,700 drivers had a single violation, while 53,500 drivers had two or more violations.

4. Suspension Master File

This disk resident ISAM file contains license suspension information for drivers suspended by AAD or the Registry of Motor Vehicles. In addition to driver identification number, the file records contain suspension and reinstatement dates, suspension period and reason codes. At any given time the file contains 30,000-40,000 records.

5. Accident Master File

This ISAM file contains driver accident records. Included are driver identification number, city or town location code, accident date and accident type. Volume is approximately 50,000 records per year.

6. Driver Education History Master File

This ISAM file contains records for those who attend an AAD driver retraining course or the state's DWI course, which is administered by AAD. The file contains driver identification number, class type and code number, starting and ending dates and whether scheduling was original or a rescheduling. Volume is about 3,500 per year.



7. Summons Accounting

This tape file contains the complete accounting record for each disposed summons. It also contains partial payment records for those disposed at hearings who could not make complete payment on the date heard.

8. Void Summons File

This tape file contains the details of each AAD summons voided by police departments.

9. Disposed Pay-by-Mail File

This tape file contains the details of all AAD summonses paid by mail. The record layout is identical to the Active Summons File.

10. Disposed Hearing File

This tape file contains the details of all AAD summonses disposed at hearings. The record layout is identical to the Active Summons File.

11. Name Cross Reference File

This disk resident ISAM file contains the system generated driver identification number for drivers who do not have a Rhode Island drivers license. The file contains the name and date of birth of each driver assigned a system generated identification number.

D. System Development

The Administrative Adjudication Division data system was developed by a subcontractor selected by a competitive procurement conducted by the state. The contractor bid against a Request for Proposal which called for three phases of work.\* These were:

1. System Design, including the preparation of relevant sections of the project's Detailed Plan, identification of system user needs, development of system design alternatives and identification of the tasks to be performed in the system development stage.

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\* The RFP solicited data system and evaluation contractors, with the option of bidding either or both efforts. Separate data system and evaluation contractors were selected.

2. System Development, including planning and designing the information storage and retrieval system required by AAD, converting historical violation and accident records to data processing form and developing an accounting system for the collection of fines and fees.

3. System Test and Operation, including complete testing and debugging, identification of areas for required modifications, and the provision of system documentation.

The successful contractor submitted a fixed-priced proposal in the amount of \$62,550. This quotation did not include computer time required for software development; this was borne by the project.

The firm selected to install the data system was a small systems and programming operation which had successfully performed for the state in the past and which was acquainted with the existing traffic records system. Midway through the data system development effort this company was acquired by a large accounting firm. The immediate effect of this was the resignation of several of the personnel involved in the AAD project. The actual development of the data system, therefore, proceeded in a manner that was far from ideal. Certain programming work was late in being completed and some remained unfinished for much of the second operational year. Also, a number of software and data errors were uncovered during the first year of activity.

The development of the AAD data system was an ambitious undertaking, considering that only five months were available from subcontractor selection to the required start date of July 1, 1975. Whether the data system contractor could have completed on schedule had all gone smoothly, is a moot question. The problems brought on by the acquisition and loss of personnel made it impossible to complete required work in a timely manner. The result was some errors, problems with the content of certain data base files and the retention of manual methods for longer than expected at the outset of the development period.

AAD began operation on July 1, 1975 and during the first year processed approximately 65,000 disposed summonses. With a few minor exceptions the difficulties experienced with the data system were invisible to the motorists being served. During the second year, the deficiencies in the data system were corrected and the system has been handed over to the state's Division of Information Processing for routine operation and support.

E. Personnel

The AAD data system is staffed by a Section Chief (Systems Analyst) and three clerks. In addition, during the conversion of baseline data several temporary personnel were employed. Not included in the data system staffing are keypunching personnel or computer system operators. These activities are provided by the Division of Information Processing.

F. Costs

The total cost for data processing from the inception of AAD through June 30, 1977 amounted to \$376,137. This figure is made up of the following components:

• Data System Section	\$ 95,664.
• System Development Sub-contract	62,550.
• Computer and Keypunch Charges	<u>217,923.</u>
	<u>\$376,137.</u>

These cost figures include the developmental work involved in the creation of the system, including a three-year history of driver accidents, violations and license suspensions, and two years of AAD operational activity. During the second AAD year, computer and keypunching costs for operational purposes averaged approximately \$7,500. per month while the Data System Section's personnel and related costs were \$39,645. Extrapolating the computer/keypunching figures to a 12-month basis yields \$90,000. Using these figures, it is estimated that data processing costs for two years of operation amounted to approximately \$258,000, while \$118,000 were devoted to system development and the creation of the data base.

a) Functional Costs

In order to examine data processing expenses for the major functions performed, the actual computer and keypunching costs for various activities during several months were compiled. This tabulation was used to determine the percentage a given activity was to total cost. The estimated \$90,000 annual cost for computer time and keypunching and the \$39,645 for personnel in the Data System Section were then allocated according to these percentages. The results are in Table 12.

The figures in the table indicate that the computer and keypunching cost of processing a pay-by-mail summons is \$0.97 (the sum of the unit costs for activities 1, 2, 5 and 8). Adding the personnel and related costs of the Data System Section raises this figure to \$1.40. Similarly, the computer and keypunching costs of a summons disposed at a

TABLE 12  
DATA PROCESSING COSTS FOR MAJOR SYSTEM ACTIVITIES

Activity	Computer and Keypunch Estimated Annual Cost	Data System Section Estimated Cost	Approximate Volume 7/76-6/77	Unit Costs DP*	Costs Total
1. Load summonses to computer, check if hearing required and generate pay-by-mail cards.	\$20,748.	\$9,139.	81,200	\$ 0.26	\$ 0.37
2. Process pay-by-mail card payment, generate related accounting transactions and dispositions and print related reports.	10,431.	4,595.	50,000	0.21	0.30
3. Select hearings, print notices, dockets, driver abstracts and notice of police required.	10,000.	4,405.	23,900	0.42	0.60
4. Process dockets and hearing fines collected, also accounting and hearing dispositions and print related reports.	7,182.	3,164.	21,600	0.33	0.48
5. Update data base and violations history.	19,352.	8,525.	71,000	0.27	0.39
6. Select and print suspension notices.	2,169.	955.	15,600	0.14	0.20
7. Weekly and monthly accounting reports.	1,233.	543.	64	19.27	27.75
8. File maintenance, system back-up and miscellaneous operations.	18,885.	8,319.	81,200	0.23	0.34

\* Unit cost for computer time and keypunching.

hearing is \$1.51 (the sum of activities 1, 3, 4, 5 and 8), while the cost including the Data System Section is \$2.18.

If all computer and keypunching costs (\$90,000) are assigned to summonses disposed (approximately 71,000), the cost per summons amounts to \$1.27. When the Data System Section costs are added in (\$39,645), the cost per summons disposed becomes \$1.83.

## V. COST ANALYSIS

Funding for the Administrative Adjudication Division, from the inception of the effort through June 30, 1977, came primarily from the National Highway Traffic Safety Administration, which had a Cooperative Agreement with the state to conduct the SAFE demonstration. Because the Violation Section was a pre-existing entity, funding for its operation continued to be borne by the state. Also, during the planning and early operational period, various unanticipated needs were identified. Foremost among these, was additional clerical personnel for the hearing sites and to carry out data reduction to build the license suspension file that is a part of the data base. State funds were provided to cover these needs. Finally, administration of schools for persons convicted of operating under the influence of alcohol was transferred into AAD. This activity was funded by the Governor's Office on Highway Safety (i.e., 402 funds).

The NHTSA Cooperative Agreement with the state called for a project planning period, twenty-four months of operation from July 1, 1975 to June 30, 1977, and several additional months of support for management and evaluation to prepare the final report. Total NHTSA (403) funding for this effort amounted to \$850,740.

A breakdown of the main components of the planned budget is as follows:

### 403 Funds (Including final reporting)

Personnel	\$535,945.
Data Processing	58,000.
Office Rental, Equipment, Supplies, etc.	89,116.
Evaluation Sub-contract	92,829.
Data System Sub-contract	62,550.
Travel	<u>12,300.</u>

\$850,740.

402 Funds

Temporary Personnel to  
Convert Driver Records \$ 83,686.

Keypunching Initial Data  
Base 57,423.

Data Processing to Build  
Initial Data Base 8,800.

\$149,909.

Other State Funds (Through 6/30/77)

Personnel (Violation  
Section) \$236,991.

Keypunching, Operational  
Records 30,006.

Facilities, Equipment  
and Supplies 44,425.

\$311,422.

In the above, personnel costs include a burden of 21.0462% on salaries up to \$14,100 and 15.1962% on salaries above this amount.

A. Actual Costs

Table 13 shows the actual costs incurred by the major components of AAD during the planning period and two years of operation. A summary of these figures is as follows:

	<u>Cost</u>	<u>Percent of Total</u>
Salaries	\$788,420.	61.0%
Equipment	16,608.	1.3
Materials	35,751.	2.8
Facilities	67,231.	5.2
Services	13,591.	1.0
Travel	15,829.	1.2
Evaluation Sub-contract	74,035.	5.7
Data System Sub-contract	62,550.	4.8
Computer/Keypunching	<u>217,923.</u>	<u>16.9</u>
Total	\$1,291,938.	100

TABLE 13  
ACTUAL AAD COSTS

Area	Planning Period	July 1, 1975- June 30, 1976	July 1, 1976- June 30, 1977	Total
<u>Management</u>				
Salaries	\$34,343.	\$64,274.	\$55,481.	\$154,098.
Equipment	801.	1,666.	-0-	2,467.
Materials	63.	3,351.	1,975.	5,389.
Facilities	-0-	6,074.	5,669.	11,743.
Services	147.	794.	2,149.	3,090.
Travel	1,758.	1,892.	656.	4,306.
Evaluation	12,892.	24,045.	37,098.	74,035.
Sub-contract				
TOTAL	\$50,004.	\$102,096.	\$103,028.	\$255,128.
<u>Data System Section</u>				
Salaries	\$15,756.	\$37,474.	\$ 37,078.	\$ 90,308.
Equipment	92.	91.	-0-	183.
Materials	16.	837.	493.	1,346.
Facilities	-0-	1,518.	1,417.	2,935.
Services	37.	198.	537.	772.
Travel	-0-	-0-	120.	120.
Data System				
Sub-contract	31,275.	31,275.	-0-	62,550.
Computer/Key punch	12,141.	97,154.	108,628.	217,923.
TOTAL	\$59,317.	\$168,547.	\$148,273.	\$376,137.
<u>Hearing Section</u>				
Salaries	\$5,686.	\$154,016.	\$167,489.	\$327,191.
Equipment	922.	2,799.	498.	4,219.
Materials	157.	8,378.	4,937.	13,472.
Facilities	-0-	15,186.	14,174.	29,360.
Services	368.	1,986.	5,374.	7,728.
Travel	164.	4,136.	5,788.	10,088.
TOTAL	\$7,297.	\$186,501.	\$198,260.	\$392,058.
<u>Violation Section</u>				
Salaries	-0-	\$55,636.	\$62,501.	\$118,137.
Equipment	-0-	110.	235.	8,050.
Materials	-0-	8,177.	4,674.	12,851.
Facilities	-0-	8,662.	8,662.	17,324.
Services	-0-	54.	240.	456.
Travel	-0-	395.	395.	790.
TOTAL	-0-	\$73,034.	\$76,707.	\$157,608.



TABLE 13(continued)

Area	Planning Period	July 1, 1975- June 30, 1976	July 1, 1976- June 30, 1977	Total
<b>Driver Retraining Section*</b>				
Salaries	\$11,909.	\$42,637.	\$44,140.	\$98,686.
Equipment	184.	1,504.	-0-	1,688.
Materials	31.	1,675.	987.	2,693.
Facilities	-0-	3,036.	2,833.	5,869.
Services	73.	397.	1,074.	1,544.
Travel	-0-	136.	389.	525.
TOTAL	\$12,197.	\$49,385.	\$49,423.	\$111,005.

\* Excludes DWI Coordinator

In the equipment category the major items are office equipment and the recorders used to tape hearings; the services category is primarily telephone and postage; the primary items of materials are the summonses and other forms used by AAD; the travel costs are primarily those associated with the movement of hearing personnel from site to site.

B. Personnel

The following is the current staffing of the Administrative Adjudication Division (excluding the DWI Coordinator):

<u>Activity</u>	<u>Professional</u>	<u>Clerical</u>
Management	2	3
Violation Section	1	5
Hearing Section	3	10
Driver Retraining	2	2
Data System	<u>1</u>	<u>3</u>
Total	9	23

C. Functional Costs

Table 14 presents the estimated annual cost and the unit cost (per summons) for performing the major functions carried out by AAD. In developing these estimates, actual costs and volumes for the period July 1, 1976 - June 30, 1977 have been employed. In the table, management costs (other than evaluation) have been pro-rated among the functions based on input costs. That is, if a function accounted for 10 percent of all costs less management, it was assigned 10 percent of management costs. Data System Section costs are allocated as described in Section IV.

Processing a pay-by-mail summons involves activities 1, 2 and 8 in Table 14. The sum of the unit costs for these functions is \$2.86. A disposed hearing involves activities 1, 3, 4, 5 and 8 and yield a total unit cost of \$13.47. If driver retraining is part of the hearing outcome, an additional \$16.19 is added to the unit cost.

The unit cost for processing a pay-by-mail summons is believed to be relatively insensitive to volume in the sense that unit cost would not be expected to change much if the volume increased significantly (total cost, of course, would increase). The same is not true, however, for disposed hearings, at least so long as the system is running at less than capacity.

Table 14

Estimated AAD Functional and Unit Processing Costs  
July 1, 1976 - June 30, 1977

Function	Approx. Volume	Management		Violation Section		Hearing Section		Driver Retraining		Data System Section		Total Cost	Unit Cost
		Pct of Total	Cost	Pct of Total	Cost	Pct of Total	Cost	Pct of Total	Cost	Pct of Total	Cost		
1. Handle incoming summonses	81,200	14	\$9230	45	\$34,518	-	-	-	-	23	\$29,887	\$73,635	\$0.91
2. Process pay by mail payments	50,000	11	7252	45	34,518	-	-	-	-	12	15,026	56,796	1.14
3. Select and schedule hearings	23,900	3	1978	-	-	-	-	-	-	11	14,405	16,383	0.69
4. Conduct hearings	21,600	44	29,009	-	-	100	198,260	-	-	-	-	227,269	10.52
5. Process hearing results	21,600	2	1319	-	-	-	-	-	-	8	10,346	11,665	0.54
6. Generate suspension notices	15,600	2	1319	10	7671	-	-	-	-	2	3124	12,114	0.78
7. Schedule driver retraining	3,500	11	7252	-	-	-	-	100	49,423	-	-	56,675	16.19
8. Maintain and report data base	81,200	13	8571	-	-	-	-	-	-	44	56,857	65,428	0.81

For example, during the first year of operation, the unit cost of the approximately 15,600 hearings was estimated at \$16.86. Thus, a 38 percent increase in the number of hearings in the second year led to a 20 percent decline in the unit cost of processing these cases.

It was seen in Section IV that the Data System Section, including computer changes, required \$1.40 for the processing of each summons paid by mail. For this cost, several new functions were obtained. These include checking for eligibility to pay by mail, automated accounting, statistical summaries, feedback to issuing departments and the maintenance of driver violation history files.

During the first year of operation the unit cost of generating a warning/suspension notice was \$1.07. In that year, such notices were issued in 8,940 cases of overdue mail payments and led to 5,198 responses with a dollar value of \$113,839, or an average of \$21.90 per summons. The figures in Table 14 show that the unit cost of this function was reduced in the second year. Unfortunately, because of some procedural difficulties, the return on this investment cannot be calculated. Nevertheless, the year one figures indicate that the suspension notice procedure was effective from a compliance and dollar return point of view. In addition, the AAD follow-up and suspension approach replaced a more complex process employed by the courts. That is, prior to AAD, when an individual failed to pay by mail he was summoned to a court appearance. If the court appearance was defaulted, a *capias* was issued which would be pursued by the police insofar as possible.

Statistics generated by the District Courts indicate that in calendar year 1974, the total volume of disposed cases, excluding traffic summonses paid by mail was 66,478. The breakdown was as follows:

Small claims hearings	4,188
Civil trials	1,306
Civil judgments after default	13,967
Motor vehicle cases at arraignment	25,461
Other misdemeanors at arraignment	6,675
Misdemeanor trials and change of pleas	10,701
Felonies probable cause hearings	4,180

As the total court budget, less the Violation Bureau, was approximately \$1,300,000, the average cost per case disposed would be \$19.56. However, discussions with court personnel revealed that traffic cases were considered to be less complex and time consuming than other cases. Thus, the average cost of a disposed case probably overrepresents the cost of a traffic case disposed in court.

As indicated earlier, the unit cost of an AAD hearing during the second year was \$13.47. Thus, with all factors considered, the cost of an AAD hearing was no more than, and likely less than the processing of a similar case by the courts. This, despite the fact that AAD added a variety of functions not performed by the courts.

## VI. EFFECTS OF AAD ON OTHER AGENCIES

### A. The Courts

The Rhode Island court system presently consists of a three-tier structure composed of the District, Superior and Supreme Courts. Historically, the District Courts were organized to provide a forum for the settlement of disputes among individuals. As such, the early courts were not courts of record, judges did not necessarily have to have legal training, and the principle was established that persons dissatisfied with the court's judgment could appeal and obtain a trial de novo.

Over the course of time, the jurisdiction of the District Courts came to include all traffic offenses, small claims and other civil cases, misdemeanor arraignments and trials (non-jury) and felony arraignments. Also, the requirement was imposed that judges in the District Courts be attorneys. However, the District Courts of today are still not full courts of record, with the appeal of judgment still possible, with a trial de novo then being obtained in the Superior Court.

During the 1960's it became apparent that the District Courts were being overwhelmed by traffic cases. The response to this was to establish in the early 1970's, the pay-by-mail system for certain motor vehicle violations.

Also, during the early 1970's, various commissions were established by the legislature to study the judicial system in the state. One of these commissions became aware of the administrative adjudication concept as it was then emerging in New York State. This concept was studied for applicability in Rhode Island, public hearings were held and legislation to decriminalize traffic offenses and adopt administrative adjudication procedures was introduced. This initial legislation was not successful, however, primarily on the grounds of financing.

In 1973, the National Highway Safety Advisory Committee recommended the approach to traffic violation adjudication would include classifying most offenses as infractions rather than misdemeanors or felonies, and would handle these infractions through simplified and informal administrative procedures. The 1973 Highway Act authorized the U.S. Department of Transportation to conduct demonstration projects in this area. The first Special Adjudication for Enforcement (SAFE) project was carried out in the City of Seattle. The second project is statewide in Rhode Island.

Policy makers in the state, working toward solutions of court problems, are generally supportive of administrative adjudication

in its specific objectives and in that removal of most traffic cases from the courts will provide time for other functions to be taken on by the courts. It is believed important to note that once the possibility of federal funding became known, there was little or no opposition to administrative adjudication in the legislature or from the criminal justice system.

In order to assess the qualitative impact of AAD on the courts, discussions were held with the sitting judges and court clerks at each of the District Courts. Overall, both judges and clerks were highly supportive of administrative adjudication. Among the points made were:

The removal of most traffic cases from the courts has saved significant amounts of time and clerical work. While traffic cases were not viewed as being as complex as more serious cases, by volume they required substantial effort.

Judges felt that removal of traffic cases has led to an upgrading of the court in that more time was now available to deal with more serious cases, backlog was being reduced and new functions were being added to the court's responsibilities.

Clerks indicated that the reduced caseload had brought clerical savings, although again it was noted that traffic cases were not as complex as more serious offenses. The clerks specifically liked the AAD system of license suspension of those failing to comply. This, as opposed to issuing a *capias* when a court case was defaulted. An inquiry was made by some clerks as to whether AAD could take over the follow up and license suspension of outstanding traffic summonses issued prior to the system. It has been determined that AAD has no jurisdiction over these cases and could not take on this responsibility.

Judges generally felt that the division between criminal and non-criminal traffic offenses was realistic. However, it was noted that the generic offense of leaving the scene of an accident actually has four parts. Two of these -- when there is an injury or death, or when an attended vehicle was struck -- remain in the jurisdiction of the courts, while two -- when the vehicle is unattended or there is damage to highway fixtures -- are heard by AAD. The suggestion was made that all four parts of the offense be handled either by the courts or AAD.\*

Two general problems arising since AAD were noted by the courts. The first of these was that while the concept of decriminalizing traffic offenses was valid in that it removed the stigma of a criminal charge, AAD had not gone far enough in separating itself from the courts. That is, some of the

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\* Legislation to accomplish this was introduced but defeated in the 1976 session.

AAD sites use court facilities to conduct hearings. For example, the sign at the entrance of the Providence site reads:

6th  
District Court  
Administrative  
Adjudication  
Division

While not intended, the appearance is that AAD is a part of the court system. The practical problem is that, with the exception of Providence, AAD must use donated facilities in public buildings. Thus, the appearance of association with other governmental elements cannot be completely avoided. Nevertheless, it is believed that the question of "appearance" be considered by other locales considering administrative adjudication.

The second problem area noted by the courts has to do with its handling of the remaining criminal traffic offenses. In the past (prior to AAD) one avenue which could be pursued with certain offenses was to consider plea bargaining to a charge that would not necessarily lead to license suspension or revocation. This, to avoid requests for jury trials and appeals and to modify charges such as reckless driving when the court felt these were incorrectly based.

Under AAD the possibility of plea bargaining is removed, as the courts no longer have jurisdiction over minor traffic offenses. Also, it is not possible for police to change multiple offenses to substantiate the main charge.

The positive result of this situation is that criminal traffic violations now stand alone (without collateral charges) and reach an adjudicated outcome without modification of the charge. The negative feature is the anticipation that motorists charged with a criminal traffic offense will mount more vigorous legal defenses, since plea bargaining is not possible. Some courts reported that they, in fact, are seeing more not guilty pleas, more requests for jury trials and more appeals in traffic cases. Thus, one negative consequence of AAD may be a shifting of some traffic cases to the Superior Courts. Unfortunately, data to examine this possibility are not presently available.

All of the courts contacted indicated that the removal of most traffic cases has freed significant blocks of time which has been invested in speeding up the disposition of other cases. For example, several of the courts were scheduling an additional day of civil cases, replacing the traffic cases previously heard.



It should also be noted that several new functions have been added to the court's responsibilities since AAD began. Included are bail hearings in criminal cases, mental health commitment reviews, and appeals from all administrative procedures.\* In addition, the District Courts are in the process of installing tape recording equipment to provide a record of their proceedings.

AAD, therefore, has served as an important step in the evolution of the adjudication system in the state. The concept that most traffic offenses are other than criminal matters is supported by the judicial system. AAD has freed the courts from a significant volume of cases. This has permitted other cases to be processed more quickly and has allowed new functions to be added to the responsibilities of the District Courts.

The following figures provided by the District Courts show the number of pending cases in the system as of December 31, 1974 and 1975.

	Pending Caseload					Total
	Months Pending					
	1 - 3	4 - 6	7 - 9	10 - 12	Over 1 Year	
12/31/1974	2,779	1,754	1,055	736	2,546	8,870
12/31/1975	2,192	1,419	637	710	2,418	7,376

The figures show that the backlog of cases at the end of 1975 had declined by 1,494 (17 percent) compared with a year earlier. By contrast, the backlog at the end of 1974 was 22 percent higher than it had been in 1973. The data suggest that after six months of AAD operation, there already had been a substantial reduction in the backlog of cases.

In 1974, the District Courts arraigned 51,396 criminal cases including traffic. In 1975, the comparable total was 43,267 and was 28,757 in 1976. The latter two figures reflect the effects of the removal of most traffic cases from the courts' jurisdiction.

In 1974, the District Courts disposed of 46,784 criminal cases and, therefore, increased their backlog in this category by some 4,612 cases. In 1975, 42,477 criminal cases were disposed yielding a backlog increase of 790 cases, while in 1976, 28,189 cases were disposed which increased the backlog by 568 cases. Thus, the

\* Including appeals from AAD which formerly were taken in Superior Court.

removal of traffic cases has allowed the courts to substantially reduce the build up in backlog of criminal cases. At the same time, the courts have nearly doubled the number of small claims hearings and civil trials held.

1. Disposition of Criminal Traffic Cases

During the 24 months prior to AAD, approximately 28 percent of the summonses disposed in the District Courts contained one or more violations which have not been decriminalized. These 8,392 summonses contained 8,802 charges distributed as follows:

Unlicensed operation	61%
Operating under the influence of alcohol	19%
Reckless driving	11%
Leaving scene of accident	8%
Reckless endangerment	0.3%
Possession of a stolen vehicle	0.3%

During the two AAD years, the number of misdemeanor violations disposed in court appears to have declined substantially. That is, during July, 1975 - June, 1976 a total of 1,514 of these cases have been recorded as disposed. The comparable figure for July, 1976 - June, 1977 was 1,573.

There are several possible explanations for this outcome. First, DWI schools have been established in the state which can be employed by the courts as an alternative to traditional conviction and sanction. The use of these schools has reduced the number of convictions recorded. Second, members of the criminal justice system have indicated that the charge of reckless driving is difficult to prove without collateral charges. As these cannot be brought in court under the AAD system, it is likely that reckless driving cases have become less frequent.

A third possible factor is that police in general have tended to press fewer misdemeanor charges, opting instead for one of the decriminalized charges. The possibility of such a discretionary factor is speculative, however.

## B. The Police

In order to assess the effects the Administrative Adjudication Division may have had on the police departments in the state, discussions were held with command personnel from the State Police and the 16 largest municipal departments.\* Two rounds of these open ended interviews were held; one during the first month of operation and the second during the summer of 1976.

### 1. Problems

The most frequent problem voiced by the departments had to do with the need for officers to carry separate summons books for violations under the jurisdiction of AAD and the courts. This is said to have caused some confusion and led to summonses being voided because of errors. It was also noted that the motorist's copy of a summons is the fifth carbon in the set and therefore can be hard to read unless the officer writes firmly.

Other problems were:

- The elapsed time from issuance of a summons to the hearing.
- Towns were reimbursed for witness fees when cases were heard in court. This is not the case with AAD (Two departments).
- Without collateral charges, offenses such as reckless driving are difficult to prove (one department).
- Since plea bargaining is no longer possible with misdemeanor and felony traffic cases more time is required to prosecute these cases (one department).
- The distribution of ticket books should not require sending an officer to Providence (one department).

### 2. Advantages

Most of the departments visited claimed significant manpower savings since AAD. This has occurred because the need for police prosecutors at arraignment of most traffic

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\* In all, there are 34 communities in the state which have their own police department. The 16 departments visited serve approximately 80 percent of the state's population.

cases has been eliminated; because officers spend less time at contested hearings than at contested court cases; because of reduced clerical tasks due to the elimination of warrants in most traffic cases and the elimination of the capias as the follow up to no-shows.

Prior to AAD, young persons less than age 18 were usually adjudicated for traffic cases in Family Court. Since AAD, juveniles are handled like adults when they receive a traffic violation, as there is no longer concern about creating a criminal record. Most of the police departments strongly favored this change, and several noted a reduction in Family Court cases. The majority of the departments also noted a speeding up of the disposition of other District Court cases.

### 3. Reactions to Hearings

Most of the departments had positive feedback from officers who had appeared at contested hearings. However, this topic also generated a negative reaction in several departments. Among the comments were that the Commissioners were being too technical in questioning officers about such topics as the location of signs, that motorists were frequently represented by attorneys while the officer was not, and that the minor nature of the offenses did not justify the officers time to attend the hearing.

There are several issues here which should be considered more fully. Prior to the start of AAD hearings, the Commissioners reviewed speeding enforcement procedures including radar calibration and operation. In contested speeding cases the Commissioners began to inquire about speedometer calibration and radar procedures. Where problems were noted, the charges were dismissed. This situation created an initial negative reaction in some departments. However, by the time of the follow up interviews this was no longer the case. Most departments said the topic had never been a problem, while some said they were carefully documenting speedometer calibrations and radar procedures, so that early problems no longer existed.

There are, on the other hand, some topics, such as the location of signs and the extent of interrogation by the Commissioners, which some departments feel are unwarranted at hearings. It is suspected that such feelings have led to situations where officers have failed to appear at hearings.

Initially AAD policy was to dismiss contested cases where an officer failed to appear and to reschedule cases

where the motorist failed to appear. This policy was subsequently changed so that a motorist failing to appear is adjudicated and follow up procedures employed.

The State Police have adopted strict procedures including administrative action against troopers who fail to appear at a hearing. For the most part, the departments visited noted no problems with the system of AAD notifying officers that a hearing appearance was required. However, some situations of late notification in cases undergoing "last minute" rescheduling are known to exist. This is a problem area requiring continual management attention.

#### 4. Other Comments

AAD provides computer-generated feedback on disposed summonses to all departments in the state on a monthly basis. The departments reacted positively to this feedback, noting only that some additional information would be desirable in the report.

Most of the departments felt that decriminalizing traffic offenses had had no effect on enforcement levels. Most of the departments concurred with the view that making most traffic offenses violations rather than misdemeanors, was desirable social policy.

#### C. Registry of Motor Vehicles

The ability of AAD to suspend driver licenses as a sanction imposed at hearings and in the event of non-compliance with a summons, has substantially increased the number of license suspensions issued in a year. This in turn has increased the workload of the Registry of Motor Vehicles, in that this agency is responsible for recording the suspension and placing a hold on the license renewal process.

To minimize the impact of the increased suspensions, AAD completes the paperwork that otherwise would be done in the Registry. It remains, however, for the Registry to implement the hold on license renewal and file the forms provided by AAD.

An area for a possible positive effect on the Registry is the AAD violation, accident and suspension file, which contains the same information as the Registry attempts to maintain in manual, hardcopy files. The adoption of AAD's automated system as the official record system of AAD and the Registry would substantially reduce the clerical workload of the latter agency. A move in this direction is under consideration by the state Department of Transportation.

APPENDIX A  
TRAFFIC VIOLATIONS

There are 125 specific traffic violations in the State of Rhode Island. These are summarized on the following pages. The information provided includes:

. System Number - these are the identifying codes used by the Administrative Adjudication Division data system.

. Generic Description - a short description of the violation.

. Statute/Ordinance - the section of the Rhode Island Motor Vehicle Code which defines the violation.

. Class - indicates the adjudication possible for the offense: P - may be paid by mail; E - Administrative Adjudication Division hearing required; C - court appearance required. These latter are the violations not decriminalized under the Administrative Adjudication Division legislation.

. Category - general categories used in the evaluation to group individual violations. The following are the categories:

- I - Speeding
- II - Traffic devices
- III - Rules of the road
- IV - Speed control
- V - Vehicle control
- VI - Equipment
- VII - Local ordinances
- VIII - Documentation
- IX - Starting/backing/turning
- X - Signals
- XI - Passing school bus
- XII - Miscellaneous violations
- XIII - Leaving scene of accident

<u>SYS. NO.</u>	<u>GENERIC DESCRIPTION</u>	<u>STATUTE/ ORDINANCE</u>	<u>CLASS</u>	<u>CATEGORY</u>
01	UNLAWFUL USE OF LICENSE	31-11-16	H	VIII
02	MAKING FALSE AFFIDAVIT	31-11-17	H	VIII
03	DRIVING AFTER DENIAL, SUSPENSION OR REVOCATION OF LICENSE	31-11-18	C	
04	PERMITTING MINOR TO DRIVE	31-11-19	H	XII
05	PERMITTING UNAUTHORIZED PERSON TO DRIVE	31-11-20	H	XII
06	OBEDIENCE TO LAWS	31-12-2	H	XII
07	FAILURE TO OBEY POLICE OFFICER	31-12-3	H	XII
08	OBEDIENCES TO DEVICES (RED LIGHT)	31-13-4	P	II
09	FLASHING SIGNALS	31-13-9	P	II
10	INJURY TO SIGNS OR DEVICES	31-13-11	H	XII
11	SPEEDING (P 1-15 / H 16-up)	31-14-2	P/H	I
12	FAILURE TO MAINTAIN PROPER CONTROL OF MOTOR VEHICLE	31-14-1	H	V
13	CONDITIONS REQUIRING REDUCED SPEED	31-14-3	P	IV
14	OPERATING BELOW MINIMUM SPEED	31-14-9	P	IV
15	LEAVING LANE OF TRAVEL	31-15-1	H	V
16	OPERATING LEFT OF CENTER	31-15-3	P	V
17	OVERTAKING ON LEFT	31-15-4	P	III
18	OVERTAKING ON RIGHT	31-15-5	P	III
19	CLEARANCE FOR OVERTAKING	31-15-6	P	III
20	OVERTAKING WHERE PROHIBITED	31-15-7	P	III
21	DRIVING WRONG WAY ON ONE WAY STREET	31-15-9	P	III
22	LANED ROADWAY VIOLATION	31-15-11	H	III
23	FOLLOWING TOO CLOSELY	31-15-12	P	III
24	CROSSING CENTER SECTION OF DIVIDED HIGHWAY	31-15-13	H	III
25	CARE IN STARTING FROM STOP	31-16-1	H	IX
26	MANNER OF TURNING AT INTERSECTION	31-16-2	P	IX
27	"U" TURN WHERE PROHIBITED	31-16-4	H	IX
28	TURN SIGNAL REQUIRED	31-16-5	P	X
29	TIME OF SIGNALING TURN	31-16-6	P	X
30	FAILURE TO GIVE STOP SIGNAL	31-16-7	H	X
31	MECHANICAL SIGNAL DEVICES REQUIRED	31-16-9	P	VI
32	FAILURE TO YIELD RIGHT OF WAY	31-17-1	H	III
33	VEHICLE TURNING LEFT	31-17-2	P	III
34	OBEDIENCE TO YIELD SIGNS	31-17-4	P	II
35	FAILURE TO YIELD RIGHT OF WAY TO EMERGENCY VEHICLE	31-17-6	H	III
36	FAILURE TO YIELD RIGHT OF WAY TO FIRE COMPANY	31-17-7	H	III
37	HITCHHIKING	31-18-12	H	XII
38	FAILURE TO STOP AT RAILROAD CROSSING	31-20-1	H	II
39	DRIVING THROUGH RAILROAD GATE	31-20-2	H	II

<u>SYS. NO.</u>	<u>GENERIC DESCRIPTION</u>	<u>STATUTE/ORDINANCE</u>	<u>CLASS</u>	<u>CATEGORY</u>
40	OBEDIENCE TO STOP SIGNS	31-20-9	P	II
41	FAILURE TO STOP FOR SCHOOL BUS	31-20-12	P	XI
42	STOPPING ON TRAVEL PORTION OF HIGHWAY	31-21-1	H	XII
43	PLACES WHERE PARKING OR STOPPING PROHIBITED	31-21-4	P	XII
44	IMPROPER BACKING	31-22-2	H	IX
45	OVERLOADING VEHICLE	31-22-4	H	XII
46	VIOLATION OF SAFETY ZONE	31-22-5	H	III
47	COASTING	31-22-6	H	V
48	FOLLOWING FIRE APPARATUS	31-22-7	H	XII
49	CROSSING FIRE HOSE	31-22-8	H	XII
50	THROWING DEBRIS ON HIGHWAY (SNOW REMOVAL)	31-22-9	P	XII
51	DRIVING UNSAFE VEHICLE	31-23-1	H	VI
52	HORN REQUIRED	31-23-8	P	VI
53	MUFFLER VIOLATION	31-23-13	P	VI
54	EXCESSIVE FUMES OR SMOKE	31-23-14	P	VI
55	NO REAR VIEW MIRROR	31-23-15	P	VI
56	TIMES WHEN LIGHTS REQUIRED	31-24-1	P	VI
57	HEAD LAMPS REQUIRED	31-24-4	P	VI
58	HEAD LAMP REQUIRED ON MOTORCYCLE	31-24-5	P	VI
59	TAIL LAMPS REQUIRED	31-24-6	P	VI
60	STOP LAMPS REQUIRED	31-24-12	P	VI
61	FASTENING OF LOAD OR COVERING	31-25-10	P	VI
62	LEAVING THE SCENE OF AN ACCIDENT- DEATH OR PERSONAL INJURY	31-26-1	C	
63	LEAVING THE SCENE - DAMAGE TO ATTENDED VEHICLE	31-26-2	C	
64	LEAVING THE SCENE - DAMAGE TO UNATTENDED VEHICLE	31-26-4	H	XIII
65	LEAVING THE SCENE - DAMAGE TO HIGHWAY FIXTURES	31-26-5	H	XIII
66	DRIVING TO ENDANGER - DEATH RESULTING	31-27-1	C	
67	DRIVING UNDER THE INFLUENCE	31-27-2	C	
68	RECKLESS DRIVING (INCLUDES DRAG RACING, ELUDING POLICE OFFICER)	31-27-4	C	
69	NO INSPECTION STICKER	31-38-3	P	VIII
70	LOCAL MOTOR VEHICLE ORDINANCE	31-41-1	P	VII
71	FAILURE TO REPORT ACCIDENT TO POLICE	31-26-3	H	VIII
72	LITTERING	37-15-2	P	XII
73	OPERATING UNREGISTERED MOTOR VEHICLE	31-3-1	H	VIII
74	OPERATING UNLICENSED TOW TRUCK	31-3-29	H	VIII
75	ACCIDENT CHASING BY TOW TRUCKS	31-3-30	H	XII
76	FAILURE TO NOTIFY REGISTRY OF CHANGE OF ADDRESS	31-3-34	H	VIII



<u>SYS. NO.</u>	<u>GENERIC DESCRIPTION</u>	<u>STATUTE/ ORDINANCE</u>	<u>CLASS</u>	<u>CATEGORY</u>
77	NOTICE OF CHANGE OF NAME	31-3-35	H	VIII
78	OPERATING WITHOUT EVIDENCE OF REGISTRATION	31-8-1	H	VIII
79	OPERATING WHEN REGISTRATION SUSPENDED, CANCELLED, REVOKED	31-8-2	H	VIII
80	IMPROPER USE OF REGISTRATION	31-8-3	H	VIII
81	DRIVING WITHOUT CONSENT OF OWNER	31-9-1	C	
82	POSSESSION OF STOLEN VEHICLE	31-9-2	C	
83	ALTERING IDENTIFICATION NUMBER	31-9-5	H	VIII
84	POSSESSION OF VEHICLE WITH ALTERED IDENTIFICATION NUMBER	31-9-6	H	VIII
85	OPERATING WITHOUT A LICENSE	31-10-1	C	
86	OPERATING ON RESTRICTED LICENSE	31-10-28	H	VIII
87	FAILURE TO GIVE NOTICE OF CHANGE OF ADDRESS OR NAME	31-10-32	H	VIII
88	OPERATING WITHOUT VALID MOTORCYCLE LICENSE	31-10.1-1	C	
89	OPERATING MOTORCYCLE (ALTERED/ WITHOUT) HELMET*	31-10.1-4		VI
90	MOTORCYCLE HANDLEBAR VIOLATION	31-10.1-5	P	VI
91	NO MOTORCYCLE HELMET (PASSENGER)	31-10.1-6	P	VI
92	OPERATING UNDER FOREIGN LICENSE WHILE SUSPENDED	31-11-12	C	
93	ELUDING A TRAFFIC LIGHT	31-13-6	P	II
94	NO PASSING ZONE	31-15-8	H	III
95	TIRE TREADS - DEFECTIVE TIRES	31-23-45	P	VI
96	REASONABLE AND PRUDENT SPEED	31-14-1	H	IV
97	YIELD RIGHT OF WAY (INTERSECTION)	31-17-3	H	III
98	BRAKE EQUIPMENT REQUIRED	31-23-4	P	VI
99	SIRENS PROHIBITED	31-23-10	P	VI
100	WINDSHIELD WIPERS	31-23-17	P	VI
101	METAL TIRES PROHIBITED	31-23-19	P	VI
102	PROTUBERANCES ON TIRES	31-23-20	P	VI
103	FENDERS REQUIRED	31-23-26	P	VI
104	REAR WHEEL FLAPS - BUS, TRUCK, TRAILER	31-23-27	P	VI
105	APPROVED SEAT BELTS	31-23-40	P	VI
106	SPECIAL MIRROR - SCHOOL BUS	31-23-42.1	P	VI
107	DISPLAY OF PLATES	31-3-18	H	VI
108	TRANSPORTATION OF ALCOHOL BY MINOR	03-8-9	H	XII
109	UNLAWFUL POSSESSION OF ALCOHOL BY MINOR	03-8-10	H	XII
110	FALSE CERTIFICATE OF INSPECTION	31-38-3	H	VIII

\* This statute has been repealed.

<u>SYS. NO.</u>	<u>GENERIC DESCRIPTION</u>	<u>STATUTE/ ORDINANCE</u>	<u>CLASS</u>	<u>CATEGORY</u>
111	NO LICENSE ON PERSON	31-10-27	H	VIII
112	RIGHT OF WAY IN CROSSWALK	31-18-3	H	III
113	INSTRUCTION PERMIT	31-10-6	H	VIII
114	INSPECTION OF MOTORCYCLE REQUIRED	31-10-17	H	VIII
115	VIOLATION OF INSPECTION LAWS	31-38-4	P	VIII
116	SPEED LIMIT ON BRIDGES AND STRUCTURES	31-14-12	H	IV
117	EVADING TOLL BOOTH	24-13-30	H	XII
118	ENTERING FROM PRIVATE ROAD OR DRIVEWAY	31-17-5	H	III
119	LEAKING LOAD	31-25-9	P	VI
120	UNATTENDED VEHICLE	31-22-1	H	XII
121	FAILURE TO DIM LIGHTS	31-24-34	H	XII
122	PARTIES TO OFFENSES	31-27-9	H	XII
123	REFUSING TO SHOW REGISTRATION	31-3-9	H	VIII
124	ROTARY TRAFFIC ISLANDS	31-15-10	H	III
125	DUE CARE BY DRIVERS	31-18-8	H	XII
126	TRUCK - NO WEIGHT PRINTED	31-25-17	H	VIII

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