

Identifying Drivers Who May Be “At Risk” of Becoming Involved in a Collision: MVR Analysis

by Paul Farrell

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Who drives your company vehicles? How are they qualified? Are you certain that their license is valid and not suspended? Many states do not physically “take back” the license—seeing it doesn’t mean it is valid!

To protect your interests and help ensure a crash-free workplace, you must take steps to keep “at-risk” drivers from getting behind the wheel. Most firms (and their insurance carriers) have adopted a process of reviewing the Motor Vehicle Reports (MVR) (aka “Driving Abstracts”) of their drivers.

According to current National Safety Council data, during 2003, motor vehicle collisions resulted in:

- 44,800 deaths and
- 2.4 million nonfatal injuries

In fact, the most costly lost-time workers compensation claims by cause of injury, according to NCCI data, continue to be those resulting from motor vehicle crashes. These injuries averaged more than \$27,500 per workers compensation claim filed in 2001 and 2002. Your investment in screening is vital to safety results!

MVR Analysis Overview

Along with licensing drivers, each state has a mechanism to enable employers and insurance carriers to obtain the history of that driver’s tickets, violations, suspensions, and collisions (that have been reported by the police).

A great way to verify the validity of an employee’s license, and to identify “at-risk” drivers is to look at their MVR. The MVR will let you know if the license is valid or under suspension, and the history of tickets and police-reported collisions.

- There are firms that enable you to order these reports centrally, instead of dealing with each state’s own department of motor vehicles. The cost per MVR report ranges from \$3 to \$20 depending on various factors.
- Most companies that conduct MVR reviews do so at the time of hire for all new employees, and again, annually to see if there have been any changes to the records.
- Most companies use a “point system” to rate each driver’s MVR—good, average, clean, and beyond reason (ie. “terrible” or “unacceptable”). If a driver accrues too many crashes or tickets, they are removed from driving duties, and in many cases this equates to dismissal if no other position is available.
- MVRs are widely regarded as accurate, despite studies that challenge their completeness, and the ability of drivers to mask, hide, remove, or challenge items on these reports.

Benefits and Challenges of MVR Analysis

MVR analysis is a vital tool for fleet managers and insurance carriers. We advocate this type of process and its value, as one element of a screening program is not in question. However, we do want to point out some of the possible “gaps” in MVR review programs so that you might consider additional mechanisms to help spot “at-risk” drivers.

Benefit: This screening mechanism helps spot “at-risk” drivers who have a history of tickets and violations—hopefully before they have been offered a job.

Challenge: It makes sense that a “bad driver” usually continues to be a “bad driver;” however, a clear MVR (no historical data on crashes or tickets) does not necessarily equate to a “safe driver.” Each year, drivers with “clean” MVRs are, tragically, killed or injured in collisions.

Is there a way to spot improper behavior of drivers without tickets or police-reported crash records? Safety hotlines provide this input.

Benefit: States encourage drivers to get education on how to drive safely. As an incentive to commit their time and money (often to contracted vendors who are not affiliated with the state), guarantees of “point removal” are made. In simple terms, take the class and get your MVR “sanitized” for better insurance rates.

Challenge: The practice of ticket/point removal for attending traffic school is that many “false negatives” are created—drivers who routinely get points removed, but continue to drive aggressively and continue to be “at-risk” drivers.

Companies that routinely use “defensive driving” programs to reduce points on their driver’s MVRs may be masking an underlying program with dispatch, pressure to speed, or other concerns that



could lead to an increased incidence of collisions despite a good MVR review.

“Real-time” reporting of actual behaviors witnessed on the road may provide a clearer picture of day-to-day activity that is dangerous, but does not result in a collision or a police-issued citation. Safety hotlines provide this input.

Benefit: The program has a predictable cost based on your employee turnover rate and the average number of prospects who are discarded prior to selecting the final candidate. The benefits include spotting “troubled” drivers who need help from management.

Challenge: The program provides this benefit at a high cost to both your company and to your employees. The cost of a ticket, paid for by the employee, has additional costs in increased insurance rates for your employee’s family and often your own company, too. The cost of collisions similarly affects the employee in a highly personal way when there are injuries or fatalities.

Wouldn’t it be great if you could get this type of “indicator of behavior” information without incurring crashes or points on licenses?

Benefit: By updating existing drivers’ MVRs annually (or more frequently), management can notice changes in behavior as time progresses.

Challenge: The program only provides a snapshot in time—it is not dynamically updated (except in certain states such as California). In other words, the day after you order the MVR, the affected driver may get a ticket and you may not know about it until you update his or her MVR a year later.

Wouldn’t it be great if you could get this information delivered by e-mail, direct to your desk as it happens throughout the year, regardless of what state is involved (and without the paperwork and fees of “pull programs”)?

“False Negative” Issues In Depth

A “false negative” is a driver who may be “at risk,” but has a clear or mostly clear MVR. These drivers may have had tickets or may drive unprofessionally, but their MVR doesn’t indicate their relative risk factor. How does this occur?

1. **Purging**—According to a report issued by the National Conference of State Legislatures, “States also purge records to clear files and create additional storage space. When a state deletes prior serious violations

from the record, however, the state risks losing valuable information about a driver. Moreover, if a driver transfers to a different licensing state, the new state may not be aware of the driver’s previous record even if the new state is required to keep records about serious violations over a longer period of time. Ultimately, inconsistent purging practices could affect driver record accuracy, although no study substantiates this concern.”¹

2. Diversion, Deferral, and

Plea Bargains—According to the same report mentioned above, “Statutes in 33 states specifically authorize diversion, deferral, masking, probation, or point or conviction removal for traffic offenders. These programs allow drivers to postpone prosecution or sentencing for traffic offenses, hide convictions posted to their records, or remove points or convictions from their records. According to the NCSL survey, 22 states use point removal, six states mask convictions, 20 states use traffic schools, 14 states use diversion, seven states defer sentences, and four states remove convictions. Additionally, diversion programs in at least seven states allow eligibility only for drug and alcohol cases.”²

3. Driving School Participation—

Other research, published by the Insurance Research Council (IRC) examined “. . . more than 50,000 traffic convictions in four states to determine the accuracy of MVRs.”³ Additionally, the report notes “. . . traffic schools and other conviction avoidance methods across the United States . . . further reduce the appearance of traffic violations on MVRs.”⁴

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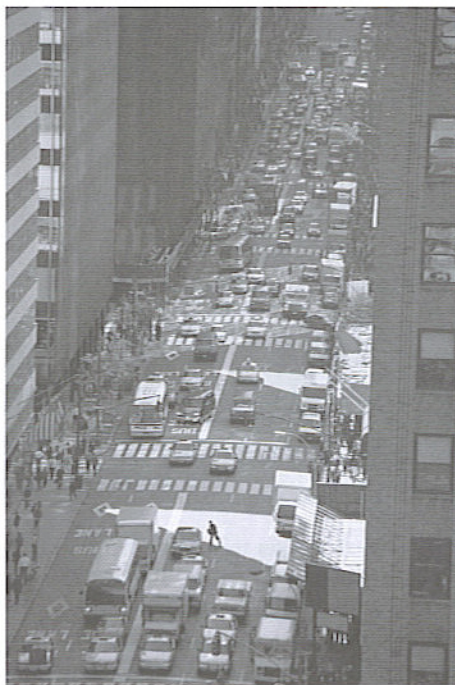
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4. **“Out of State Drivers”**—The IRC report also details a situation where drivers who receive tickets outside of their “home jurisdiction” may never see the conviction appear on their MVR: “. . . convictions for traffic violations issued to out-of-state drivers appeared even less frequently on motorists’ driving histories. Nearly half (47 percent) of a sample of convictions were missing from MVRs in a separate analysis of Florida drivers who were convicted of traffic violations while in Connecticut.”⁵

5. **Common Mistakes**—The IRC report also detailed that there are many instances where convictions simply do not make it onto MVRs for no apparent reason. “Twenty-two percent of convictions sampled in Connecticut and 21 percent of convictions sampled in Florida were not found on the respective drivers’ MVRs. Also, 14 percent of traffic convictions from a sample in Ohio and 10 percent of sampled convictions from the state of Washington were missing from MVRs. The analysis was limited to those traffic citations that resulted in convictions, either from fines paid without contesting the charges or from guilty findings in court. It did not include any tickets dismissed through traffic school, court supervision, or any other legal methods that prevent traffic violations from appearing on MVRs.”⁶

6. **Legal Tactics**—Although there have always been attorneys who will represent motorists in court to get tickets dismissed (DUI/DWI and excessive speed being common violations of concern), there has been an explosion of “self-help” strategies published freely across the Internet, which pledge to “prevent points on your driving record” (ie www.beatmytrafficticket.com, www.paynoticket.com).



Safety Hotlines as an Enhancement to MVR Analysis

Many companies use “safety hotline” (aka “How’s My Driving?”) data to uncover:

- behaviors that may lead to tickets and crashes, delivered “live” (as it happens) so that coaching may be offered in a timely fashion (to help improve behavior)
- issues with both newly hired drivers **and** existing drivers whose habits may be changing over time
- behaviors of drivers, hopefully before tickets and accidents occur, which have a high personal cost (family insurance rates, injuries, etc.) to the affected drivers
- “false negatives”—drivers who had prior tickets removed by participating in a traffic school, but still drive poorly/aggressively
- unreported drivers who only “occasionally” drive company vehicles

- drivers who were intentionally left off of the drivers’ list by a location that knew about adverse history, but wanted to keep it from the corporate management team

Summary

MVR analysis is very helpful and necessary; however, to ignore the potential shortcomings may leave a gap in your risk management efforts.

- “False negative” reports represent drivers who may be “at risk,” but may not be recognized as needing help.
- Safety hotline programs provide additional, timely insights into driver behaviors.
- Safety hotline programs do not replace MVR review, but enhance its results by dealing with some of the timeliness of reporting and “false negative” issues. ■

Endnotes

1. “Driver History Records for Commercial Drivers,” December 2001—National Conference of State Legislatures.
2. Ibid.
3. Accuracy of Motor Vehicle Records: An Analysis of Traffic Convictions, Summer 2002—Insurance Research Council.
4. Ibid.
5. Ibid.
6. Ibid.