

Date of Hearing: April 24, 2017

ASSEMBLY COMMITTEE ON TRANSPORTATION

Jim Frazier, Chair

AB 1684 (Bloom) – As Amended April 6, 2017

SUBJECT: Vehicles: traffic violator schools

SUMMARY: Requires the Department of Motor Vehicles (DMV) to study the impact of traffic violator schools on reducing subsequent traffic offenses by a violator. Specifically, **this bill:**

- 1) Requires DMV to submit a report on the impact of traffic violator schools on reducing subsequent traffic offenses by a violator by July 1, 2020, as specified.
- 2) Requires DMV to annually collect from all traffic violator schools licensed in the state, the following:
 - a) The number of persons who registered for the school in the previous year;
 - b) The number of persons who attended or participated in the course and the number of persons who successfully completed the course in the previous year;
 - c) The amount of money charged by the traffic violator school for the course in the previous year; and,
 - d) The total revenue collected from participants by the traffic violator school in the previous year.
- 2) Requires DMV to submit a report to the Legislature containing the above-specified data annually beginning January 1, 2019, as specified.

EXISTING LAW:

- 1) Authorizes DMV to refuse to issue or renew a person's driver's license if the department determines that the applicant is a negligent or incompetent operator of a motor vehicle.
- 2) Requires DMV to presume a person whose driving record shows a specified number of violation points in a specified period of time to be a negligent operator of a motor vehicle.
- 3) Requires DMV to license and administer traffic violator schools, operators, and instructors.
- 4) Authorizes a court adjudicating a traffic offense, after a deposit of bail, a plea of guilty or no contest, or a conviction, to order or permit a person to attend a licensed traffic violator school.
- 5) Requires the court to continue a proceeding against a person in consideration of the successful completion of a course of instruction at a licensed traffic school and authorizes the court to order that the conviction be held confidential, as specified.
- 6) Prohibits a violation point from being assessed to a person's driving record if the conviction resulting in the point assessment is held confidential.

FISCAL EFFECT: Unknown

COMMENTS: When a court adjudicates a certain type of traffic offense, it may order or permit a person who has deposited bail, pled guilty or no contest, or been convicted to attend traffic violator school. A classroom program offered by a licensed traffic violator school must consist of just over 5.6 hours of instruction and an additional hour for the completion of a post-knowledge test, while an online program must exceed 42,500 words and offer an additional hour for the completion of a post-knowledge test.

If a person successfully completes a course of instruction at a traffic violator school, the record of the conviction may be ordered to be held confidential, except for DMV's statistical purposes, and a violation point will not be assessed on that person's driving record. Only the first conviction in an 18-month period may be ordered to be held confidential, and any subsequent conviction in that period will result in a point being assessed. A conviction cannot be held confidential if it is the result of certain types of violations, including driving under the influence of drugs or alcohol, leaving the scene of an accident, fleeing a peace officer, wrong-way driving, driving over 100 miles per hour, participating in a speed contest, transporting explosives, and driving with a suspended or revoked driving privilege. This bill would require DMV to study the impact of these traffic violator schools on reducing subsequent traffic offenses by a violator and would require DMV to report annually on basic statistics relating to traffic violator schools.

According to the author, without data on the traffic violator school program, DMV is unable to know if the program is successful and how to improve the program to make California streets, roads and highways more safe. With this bill, the author intends to ensure that traffic violator schools are curbing safety violations and to ensure that DMV has information on the participants and revenue each traffic violator school receives, to allow DMV and the Legislature to evaluate the traffic violator school program.

DMV was previously required to submit annual reports to the Legislature on traffic violator schools containing some similar information, but that requirement sunset in 2016.

Previous legislation: AB 902 (Bloom), Chapter 306, Statutes of 2015, removed the age limitation on the use of locally-adopted diversion programs for Vehicle Code infractions not involving a motor vehicle, allowing such programs to be offered to adults.

AB 2499 (Portantino) Chapter 599, Statutes of 2010, put online traffic violator schools under the purview of DMV, and required, until January 1, 2016, DMV to annually report to the Legislature on the status and progress of its efforts to implement the bill.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Justin Behrens / TRANS. /