

Driver's License Suspensions and the Impact on Young People in Pennsylvania



FREDERICK THIEMAN
Henry Buhl, Jr. Chair for Civic Leadership
The Buhl Foundation
Centre City Tower, Suite 2300
650 Smithfield Street
Pittsburgh, PA 15222

DRIVER'S LICENSING SUSPENSIONS AND THE IMPACT ON YOUNG PEOPLE IN PENNSYLVANIA

APRIL 2019

SUMMARY

In connection with a workforce development initiative being led by Frederick Thieman, Buhl Foundation Chair for Civic Leadership, former U.S. Attorney and Chair, Community College of Allegheny County, the Allegheny County Department of Human Services (DHS) conducted an analysis of driving violations and license suspensions¹ among Pennsylvania youth. That analysis, presented below, presents the scope of the issue, and then looks at the data by race, to determine whether racial disparities exist and, if so, how the data might point to potential interventions.

The analysis found that a large number of young people in Pennsylvania have their license suspended and that, similar to national trends, Pennsylvania is not exempt from racial disparities in driving violations and licensing suspensions. These data are then extrapolated to suggest hurdles in license attainment, hurdles that appear more formidable in areas that are predominately black.

Key Findings

- The violation rate for unlicensed driving is highest in zip codes in which the youth are predominately black, which suggests that licensing hurdles result in fewer black youth with a valid license.
- Although the violation rate for minor traffic offenses is much higher in zip codes that are predominately white, as is the violation rate for criminal and other violations, youth living in predominately black zip codes are more likely to receive a suspension for either driving without a license or committing a minor traffic violation than are their counterparts in predominately white zip codes.
- Each year, five percent of 16- through 24-year-old Pennsylvania drivers (one in 20) have their license suspended. That's an average of some 57,000 per year.
- The most common reason for license suspension was failure to pay a fine received as the result of a motor vehicle citation (36%), followed by failure to respond to a citation (17%); both reasons result in license suspension of indefinite length. From 2014 through 2017, 124,650 young people received an indefinite license suspension. The prominence of these two categories suggest that the suspensions are directly, or indirectly, connected to the ability to pay.
- In 2017, the length of suspension for other violations ("temporary" suspension) ranged from 156 days (for those who had only one suspension) to 231 days (for those with more than one suspension).

Background

A valid driver's license can be a key factor in the ability of young adults to pursue education, access healthcare or gain employment, yet nationally, black and Latino individuals of driving age are less likely

¹ For purposes of this analysis, driver's license suspensions will refer to both suspensions of current licenses and, for those who do not have a driver's license, delayed eligibility to obtain a license.

to have a license than their white counterparts. This disparity in licensing may be due to barriers faced by low income and minority youth, including a limited ability to pay for driver's education, lower rates of vehicle ownership and/or fewer licensed drivers available to provide instruction. A recent report by the American Association of Motor Vehicle Administration² summarized the issue as follows:

“Driving without a license may result in a fine or being ineligible to apply for a license for at least a year. In under resourced communities where demographics show greater numbers of single-parent households, with adults often working multiple jobs and where vehicle ownership may be a luxury, the barriers for a young person to fulfill the license requirements are greater than in more affluent areas. This is especially true because cutbacks and fiscal challenges in public school districts have made driver's training classes scarcer. These barriers appear to have a disproportionate impact based on race and income level. The University of Wisconsin–Milwaukee Employment and Training Institute found that 83% of black male teens (ages 16 to 17) in Milwaukee did not have a driver's license, but only 36% of white male teens in the Milwaukee county suburbs lacked a license. Nationally, a 2012 survey by the AAA Foundation for Traffic Safety found that the likelihood of having a license increased with income and that black and Latino respondents were less likely to have a license than white respondents.”

AAMVA Report p. 24

Worse, if a young person continues to drive without a license after an initial citation, with each subsequent violation, the fines and restrictions increase, presenting ever-escalating hurdles to obtaining a valid license. This vicious cycle can pose significant barriers to employment, education, and access to health care and other supports. The stories below of two young women highlight how these challenges can be particularly problematic for young people.

Diamond is a 19-year-old new mother who desperately wants her driver's license. She rides the bus from her home in the Hill District to go Downtown or to appointments at Mercy Hospital and isn't looking forward to carrying her infant on the bus during the winter. Diamond recently went to the downtown PennDOT service center to look into getting her license but found that she had a suspension that would prevent her from beginning the process for another three months. She suspects that the suspension is due to truancy – she didn't really like school and ended up completing her diploma at an alternative school – but doesn't recall ever being notified of the suspension. Had she known, she would have gone to PennDOT much sooner. Her daughter's father hasn't had time to get his driver's license either, since he is still in school and working two jobs. In the meantime, Diamond is getting around – with her 2-month-old daughter – by bus, which is particularly difficult when she is not offered a seat by other passengers. On one occasion, her daughter's father was kicked off of a bus for refusing to close a stroller in which he had placed some groceries. Sometimes, when she is not up to the challenges of riding a bus, Diamond will drive her grandmother's car to Giant Eagle, even though she knows the risks of being pulled over without a license. She's familiar with the potential pitfalls – her sister had her driver's license suspended for three years. In her experience, not too many people are able to pay the fines associated with suspensions.

² See “Reducing Suspended Drivers and Alternative Reinstatement,” AAMVA (2018)

17-year-old Madison's story is an example of how difficult it can be to get a driver's license in some situations. She lives with her grandmother who does not have a car, but she obtained her learner's permit and took two-hour bus rides each way to take advantage of driving lessons that were being offered for free from a social services agency. It's difficult to rely on bus transportation where Madison lives in Springdale, which is 18 miles Northeast of Pittsburgh. Luckily, she gets transportation to school (she is a high school senior), but getting to her job, buying groceries and helping her little sister get to doctor's appointments are all time-consuming trips on a bus line that sometimes runs only once an hour. Madison is on track to get her license but has hit a stumbling block. She was pulled over in June while driving her boyfriend's car – she thought she was complying with the rules of a learner's permit (driving with a licensed driver) but was surprised to learn that his driver's license had been suspended. As a result, she received a violation for driving without a license. Madison has a court date in October to deal with the violation and is trying to get her license before then. She failed her first driving test in August and will now need to pay to borrow a car to take the test again. Madison hopes that she can get her license, avoid the suspension and save up to buy a car, but the whole process has been challenging. Not having access to a car or to a licensed adult to help her practice driving has been a major barrier to getting her own license.

These vignettes are but two illustrations of the hurdles, and difficult decisions, that often confront young people. As the AAMVA report noted:

“Young drivers present a unique challenge to licensing authorities because of their immaturity and lack of experience in operating motor vehicles. In addition, many of these young drivers have not yet had financial management training or experience and have not developed a broader appreciation of the true costs and responsibilities required for motor vehicle ownership and responsible operation. Even with a good understanding of the financial requirements associated with obtaining a license and of vehicle ownership, young people have the added challenge of typically experiencing lower employment rates and lower paying jobs. Significantly, many states have eliminated subsidized driver education programs from public schools, leaving instruction primarily to the parents or legal guardians of these youth or to private driver instruction entities.

Another aspect common to most young drivers is the lack of sufficient financial resources caused by part-time employment, educational obligations, lack of professional qualifications, and other factors. Many of these drivers, because of their inexperience, commit traffic violations that result in driver license suspension and costs related to attaining full licensure.

National Highway Traffic Safety Administration (NHTSA) crash analysis consistently shows drivers under age 26 are overrepresented in crashes (high risk). However, when younger drivers are suspended for non-driving reasons, the suspensions have collateral consequences such as financial

-
- 1 Alan M. Voorhees Transportation Center. *Motor Vehicles Affordability and Fairness Task Force: Final Report*. Edward J. Bloustein School of Planning and Public Policy, Rutgers University and New Jersey Motor Vehicle Commission, 2006.
 - 2 Margy Waller. “High Cost or High Opportunity Cost? Transportation and Family Economic Success.” *The Brookings Institution Policy Brief*, Center on Children and Families, no. 35, December 2005.
 - 3 Alan M. Voorhees, Transportation Center, 2006.

responsibility filing requirements. The compounding effect of these consequences may have a long-term and substantial impact on a young person's ability to pursue educational opportunities and to secure and maintain future employment. In many jurisdictions, minors are subject to license suspension for truancy, underage drinking, alcohol or drug offenses, and a myriad of other offenses not involving motor vehicle operation or traffic safety offenses. This can inhibit a minor's ability to qualify for commercial motor vehicle credentials or employment as a driver for compensation. For a young person on the cusp of pursuing a career, this can be devastating."

AAMVA Report p. 7

Why this analysis?

While the inability to drive can have a significant impact at any age, a license suspension may be particularly impactful for young people struggling to complete school, find a job or build a résumé. Young people are also more susceptible to the vicious cycle of needing a license to get a job but needing a job to pay the costs associated with getting a license or paying the fines resulting from driving without a license. In order to ascertain the impact of license suspension on young people in Pennsylvania, DHS analyzed all PennDOT suspension records, with information on date and length of suspension, for all 16-through 24-year-olds in Pennsylvania from 2014 through 2017.

Methodology

The study utilized data from the Pennsylvania Department of Transportation (PennDOT) to identify motor vehicle violations, fines and license suspensions. Details about these data and the methodology used are available in Appendices A and B. Because PennDOT does not collect racial data, the second part of the analysis utilized census data to categorize zip codes according to percentage of black youth in the 16- through 18-year-old population for the three-year period of 2014 through 2016. Zip codes were classified as being predominantly white (with 51-100% white youth) and predominantly black (with 51-100% black youth); a map of zip codes by category is available in Appendix B.

Analysis

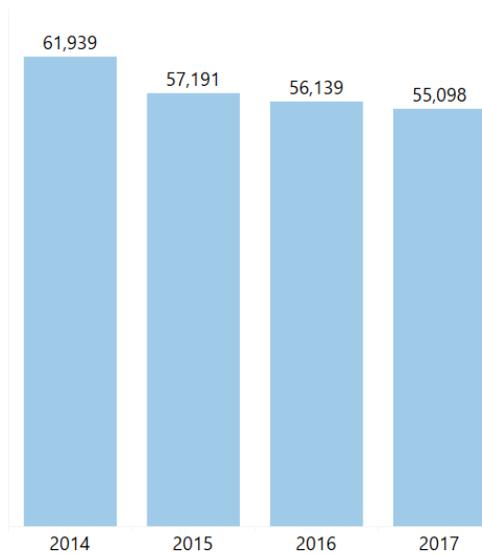
Figure 1 shows the number of drivers, ages 16 through 24, who had their driver's license suspended from 2014 through 2017 (172,006 young people in total). Annually, the number of suspensions represents about five percent of PA's driving population of that age group³ – one license suspension for every 20 drivers. Eighty-eight percent of these drivers were over 18; half were 22 through 24.

³ According to PennDOT, the number of licensed drivers in a year is about 9 million.

<http://www.dmv.pa.gov/Pages/Pennsylvania-Driver-Statistics.aspx>. The Federal Highway Administration estimates that 12% of the driving population is 16- through-24.

<https://www.fhwa.dot.gov/policyinformation/statistics/2015/dl20.cfm> Therefore, the estimated driving population in PA who are 16-through-24 is a little over 1 million.

Figure 1: Number of young drivers who had their license suspended, 2014-2017 (distinct count)



About one-third of these drivers had more than one suspension during a year and about 15 percent had three or more suspensions (Figure 2).

Figure 2: Percentage of Suspended Drivers by Number of Suspensions, by Year, 2014 through 2017

	2014	2015	2016	2017
1 suspension	68%	67%	66%	66%
2 suspensions	18%	18%	18%	18%
3 or more suspensions	14%	15%	16%	16%
Grand Total	100%	100%	100%	100%

The reason for these suspensions was documented for 89 percent of the records, shown in Figure 3.

Figure 3: Number of suspensions by suspension reason (excluding unknown reasons), 2014-2017

Rank	Reason for Suspension	Number of Records	% of Total
1	Failure to Make Payment	121,645	36%
2	Failure to Respond to a Citation	57,716	17%
3	Driving While License Suspended	39,040	11%
4	DUI	36,445	11%
5	Drug	30,880	9%
6	Driving without a license	21,588	6%
7	Other	12,236	4%
8	Truancy	7,900	2%
9	Speeding	6,364	2%
10	Medical (Competency)	4,075	1%
11	Failure to Pass the Exam	3,479	1%
	Grand Total	341,368	100%

Failure to pay and failure to respond to a citation accounted for 41% of all first time suspensions:

TOP REASONS FOR FIRST SUSPENSION

- 1.Failure to Make Payment (23%)
- 2.DUI (23%)
- 3.Failure to Respond to a Citation (18%)
- 4.Drug Violation (12%)
- 5.Truancy (5%)

Of those whose license was suspended more than once during the four-year period, failure to pay and failure to respond to a citation accounted for 59% of all of these subsequent suspensions:

TOP REASONS FOR MULTIPLE SUSPENSIONS

- 1.Failure to Make Payment (44%)
- 2.Driving While License Suspended (17%)
- 3.Failure to Respond to a Citation (15%)
- 4.Drug Violation (7%)

As one federal court in Virginia explained, the dilemma of a license suspension for failure to pay fines and cost can be devastating:

“Damian Stinnie owes fees, fines, and costs to Virginia’s courts. He cannot pay them, so Virginia law requires that his driver’s license be suspended until he pays. But the suspension makes it difficult to get and keep a job. In other words, because he cannot pay the fees, his license is suspended, but because his license is suspended, he cannot pay the fees.”

AAMVA Report p. 12

That conundrum addressed by the Virginia court, and faced by many Pennsylvania young people, can result in what the AAMVA report called the “multiplier effect”:

“If a suspended driver is cited and convicted of driving while suspended, the driver is subject to an additional period of suspension and additional reinstatement requirements. When a driver is suspended, substantial court and MVA resources are required to collect fees, generate notices of suspension, monitor reinstatement requirements, and maintain proof of insurance records. This process may also have a multiplier effect of successive suspensions for drivers, who, because of limited financial resources, cannot meet compounding reinstatement requirements. The multiplier effect not only impacts suspended drivers, but the entire system, including the MVA, law enforcement, and the courts.”

AAMVA Report p. 12

Violations in Pennsylvania can result in suspensions of differing lengths, but the suspensions for failure to respond and failure to make payment are particularly onerous; they result in indefinite suspensions (i.e., until compliance).

For instance, in Pennsylvania for 2017, 55,098 unique young drivers had their license suspended at least once. Of those:

1. Two-thirds (36,211) had only one suspension
 - a. Of these one-time suspensions, 46% received an indefinite suspension
 - b. The other 54% received a temporary suspension with an average length of 156 days
2. One-third (18,887) had more than one suspension
 - a. Of those, 76% received at least one indefinite suspension among these multiple suspensions
 - b. For those with temporary suspensions, the average suspension period was 231 days, almost 50% higher than individuals who had only one suspension during the year.

In summary, license suspension provides a significant hurdle to becoming a productive citizen for a substantial number of young Pennsylvanians. As the AAMVA report noted:

“Young drivers may also be disproportionately impacted by non-highway safety suspensions. Census data suggest that the economic condition of many young people has worsened. For example, in 2016, 41% of young men between the ages of 25 and 34 had incomes below \$30,000 (up from 25% in 1975). Likewise, the census reported in 2017 that one in three young people between the ages of 18 and 34 lived in their parents’ home, and of them, one in four were neither working nor attending school. Low income can make young people more vulnerable to suspension for economic reasons. It can also make it more difficult for these individuals to appear for a court case, resulting in a loss of driving privilege.”

AAMVA Report p. 11

Analysis by Race

In order to determine whether racial disproportionality was a factor in violations and suspensions, Pennsylvania zip codes were classified into two categories based on the percentage of black youth in the

16-to 18-year-old population: 1) Predominantly White – zip codes in which at least 51 percent of the youth population was white; and 2) Predominantly Black – zip codes in which at least half of the youth population was black. Figure 4 shows the number of youth in each category. The majority of zip codes in Pennsylvania are predominately white (see Appendix B for detail).

Figure 4: Total 16- through 18-Year-Old Population by Zip Code Group

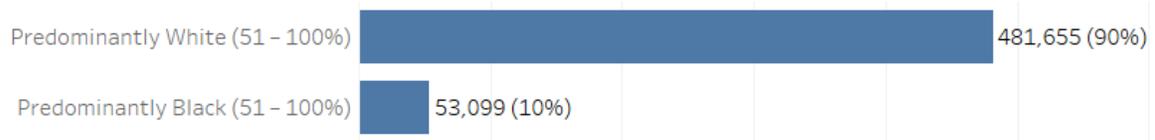
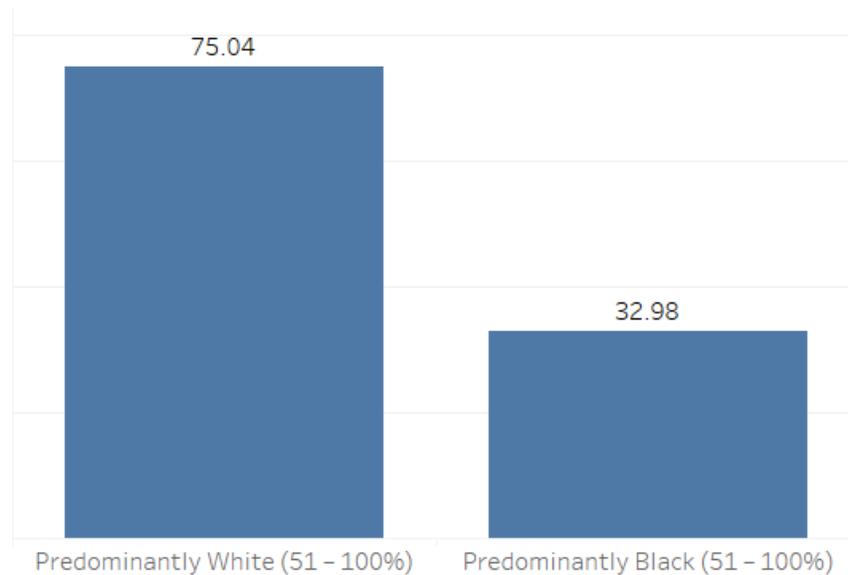


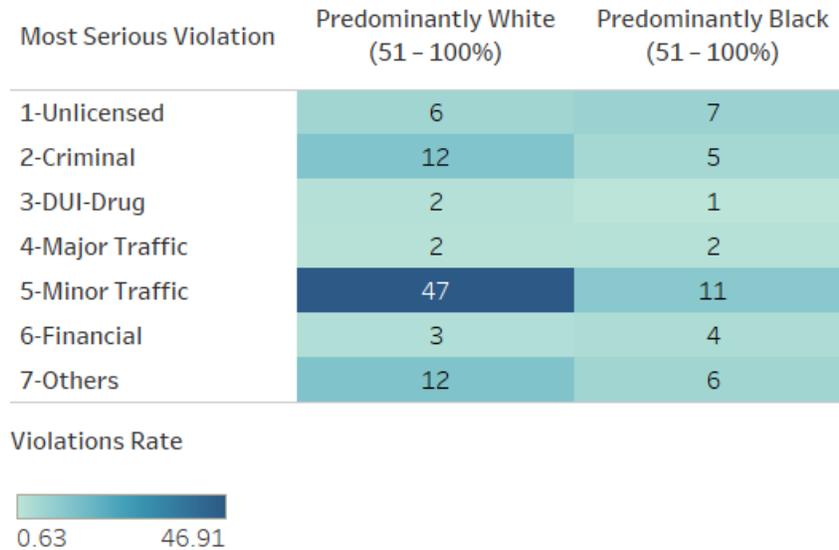
Figure 5 shows the rate of violations per 1,000 youth in each zip code group. Zip codes that are predominately white have a much higher rate of violations than zip codes that are predominately black. This difference may be explained by data that suggests a much higher percentage of young white people are obtaining licenses and are driving in these zip codes.

Figure 5: Violation Rate per 1,000 Population by Zip Code



But digging deeper into these violations shows more problematic differences. Figure 6 shows the violation rate per 1,000 youth in each zip code group by the violation groupings.

Figure 6: Violation Rate Per 1,000 Population by Zip Code Group and Most Serious Violation Type



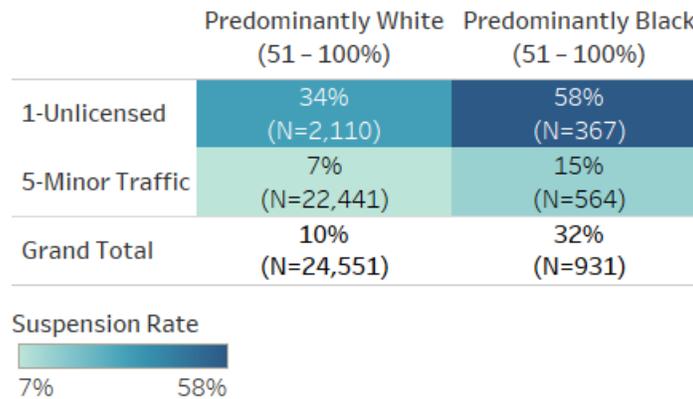
The violation rate for different types of violations differs by race. The violation rate for minor traffic offenses is much higher in zip codes that are predominately white, as is the violation rate for criminal and other violations. This suggest that whites are driving more frequently. The violation rate for unlicensed driving is highest among zip codes where the youth are predominately black, which suggests that fewer black youth have a valid license. It is also interesting to note that, presumably because more youth in predominately white zip codes are driving, violations in those areas are almost always equal to or higher than violation rates in predominately black zip codes. The only exceptions are unlicensed driving and financial violations, which are more frequent in predominately black zip codes, which further supports the inference that lack of resources in predominately black zip codes provides additional licensing hurdles for young people living there.⁴ As was noted in a 2018 Washington Post article, more than 7 million people nationwide may have had their driver’s license suspended for failure to pay court or administrative debt, a practice that advocates say unfairly punished the poor. (See AAMVA Report at p. 5)

⁴ It is more difficult to note a trend among violations for DUI, major traffic and financial violations, due to the smaller number of overall violations in those categories.

Disproportionate suspension rates

Depending on the violation, the judge hearing the violation case may have discretion in whether the violation will result in a license suspension. Figure 7 shows the suspension rate (percent of violation incidents that resulted in license suspension) for violations where there were disparate rates of suspension. (The suspension rates for criminal, major traffic, financial and other violations were about equal across different zip code groups.) Youth in predominately black zip codes were more likely to receive a suspension either for driving without a license or minor traffic violations than were youth in predominately white zip codes.⁵

Figure 7: Percent of Violations Resulting in Suspension, by Zip Code Group and Violation



The vicious cycle

As noted earlier, youth in black zip codes are more likely to receive a violation for driving without a license. Of the 4,877 16- through 24-year-olds who received a suspension for driving without a license in 2014, 11 percent received at least one additional suspension within the next three years for driving without a license, and 20 percent received at least one additional suspension within the next three years for driving while license suspended. Of the 8,057 16- through 24-year-olds who received a suspension in 2017 for driving with a suspended license, 16 percent had received at least one suspension in the previous three years for driving without a license.

CONCLUSION

On average the driver’s licenses of over 57,000 18- through-24-year-olds in Pennsylvania are suspended every year. Especially for young people, these suspensions pose significant barriers to employment, education, and access to health care and other supports. PennDOT data for 16- through 18-year-olds from 2014 through 2016 indicate that youth living in zip codes where the majority of youth are black have different driving experiences than youth in zip codes where the majority of youth are white. There is a much higher rate of overall driving violations in predominately white zip codes, but a higher rate of

⁵ A trend was not observed for DUI violations, because there were only 16 total DUI violations in predominantly black zip codes compared to 454 violations in predominantly white zip codes.

violations for driving without a license in predominantly black zip codes. This suggests that white youth are more likely to be driving and that black youth are less likely to have valid driver's licenses, which reflects the national trend. These data also show that youth living in predominately black zip codes are more likely to receive a license suspension for either driving without a license or committing a minor traffic violation than their counterparts in predominately white zip codes.

PROPOSED SOLUTION

Youth should have alternate options to satisfy suspensions or pay outstanding fines. Pennsylvania should consider implementing a program that allows qualifying young persons to work down or eliminate fines or suspension periods through public service in their communities. Pennsylvania can join a growing number of jurisdictions that have creatively addressed license suspension among people:

“Therefore, jurisdictions should explore alternatives to license suspension or restriction for younger drivers and pursue efforts to reduce or eliminate the long-term impact of various offenses and reinstatement requirements for this population. Some jurisdictions have instituted amnesty programs to permit suspended drivers to attain legal licensure by eliminating or mitigating certain reinstatement requirements. Courts in other areas offer community service or driver training requirements in lieu of reinstatement fees or expunge certain license actions unique to young drivers after a period of violation-free driving. Regardless of the approach, reducing the cost, complexity, and collateral consequences of license suspension for young drivers can produce dividends beyond safer drivers.”

AAMVA Report p. 8

With such creative public service programs, communities will benefit from the volunteered time and young people would have a path forward to become gainfully employed, an economic benefit for the individual, community and state. Such an enlightened approach would follow improvements in other jurisdictions that include Tennessee, Virginia, Washington, California, South Carolina and Kansas that permit community service or other creative safety valves to alleviate the burdens of a license suspension.

Appendix A

METHODOLOGY

Categorizing and ranking violation charges

Since there are many vehicle violation codes, the violation codes were separated into seven categories including: unlicensed violations, minor traffic violations, major traffic violations, financial violations, criminal violations, and other violations. These categories were ranked according to severity and applicability to the analysis. Rankings are as follows:

1. Unlicensed Violations

- Unlicensed violations are the result of a person driving without a license.

2. Criminal Violations

- Criminal violations include non-driving violations that resulted in a suspension. These violations included possession of a controlled substance, aggravated assault, theft, carrying a false ID card, or purchase, consumption, possession, or transportation of alcohol.

3. DUI Violations

- DUI violations involved being under the influence of drugs or alcohol while operating a vehicle. These violations included driving under the influence of alcohol or controlled substances, level of BAC at the time of violation, and homicide by vehicle while driving under the influence.

4. Major Traffic Violations

- Major traffic violations include careless driving causing an injury, fleeing or attempting to flee a police officer, aggravated assault by vehicle, and homicide by vehicle.

5. Minor Traffic Violations

- Minor traffic violations include exceeding the maximum speed limit, violating a red light, improper passing, and following too closely.

6. Financial Violations

- Financial violations include proof of financial responsibility, nonpayment of judgement, failure to pay child support, and failure to respond to a citation.

7. Other Violations

- Other violations include medical suspensions, terroristic threats, truancy violations, improper equipment, lending a license to another person to use, exhibiting another's driver's license as one's own, failing to surrender a canceled license, exhibiting a fraudulently altered driver's license, or driving while a license was previously suspended or revoked.

Creating distinct violation incidents

Some data reflected multiple charges that led to a license ultimately being suspended with each charge potentially being in separate violation categories. Therefore, each such data set was given a unique ID and evaluated for the most serious violation (1-7) shown above; the other violations data were not used. 1,034 sets of data did not have a violation date. These violations were license cancellations due to medical reasons or bad checks. Therefore, these violations were removed from the analysis. The total count of distinct incidents was 38,961.

Determining if a violation resulted in a suspension

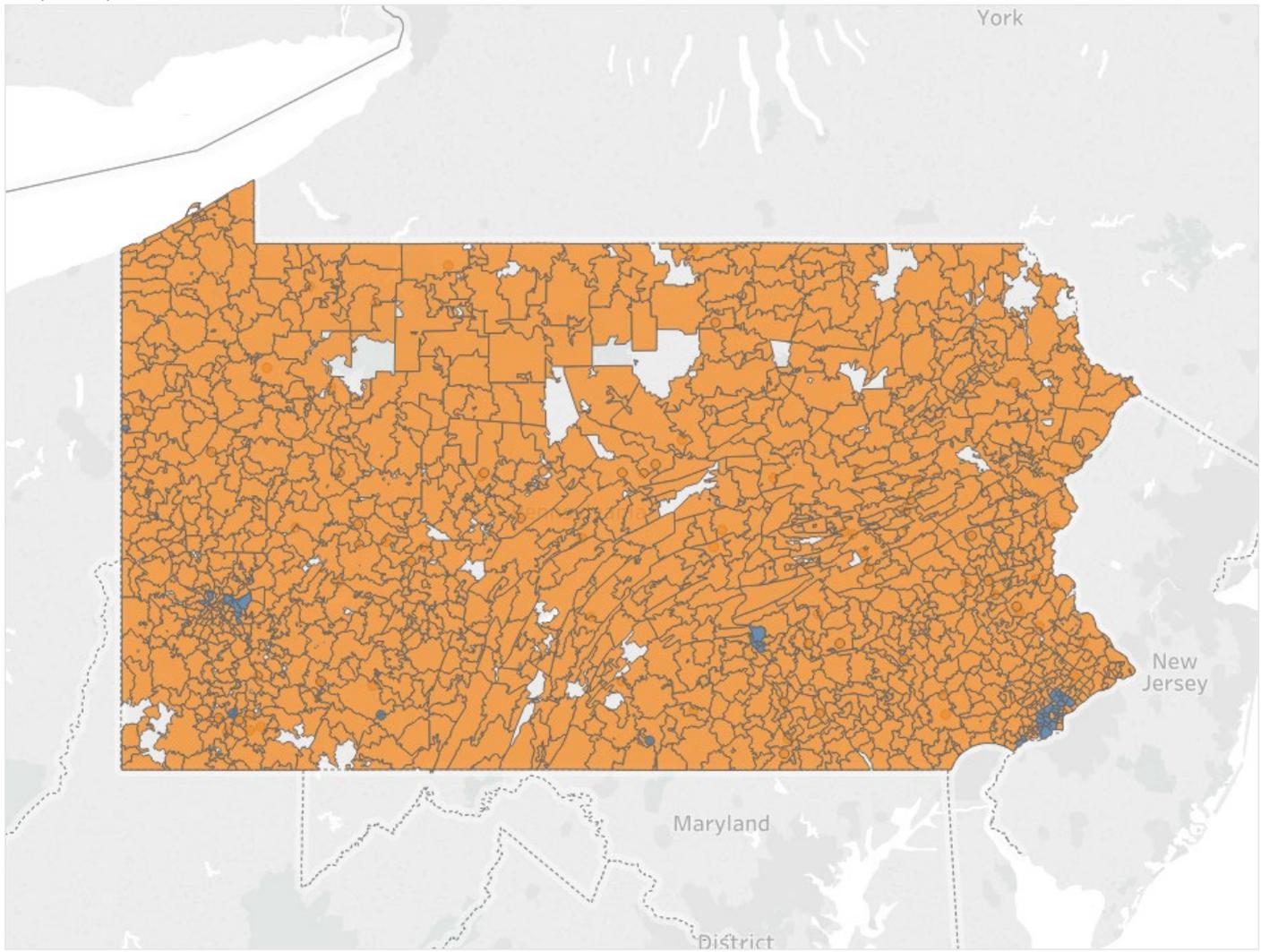
Some cases resulted in a license suspension while other cases did not. This was determined by the Business Action Code (BUS ACTN CODE) assigned to the vehicle violation. Business Action Codes SUS and DIS were used to determine if a vehicle violation ultimately resulted in a suspension. If any violation charges resulted in a suspension, that incident was marked as 'leading to a suspension' regardless of the most serious violation charge.

Census data were used to approximate demographics

Since PennDOT does not track race within its data, 2010 census data were used to determine the total black and white population, ages 16 through 18, in Pennsylvania. These census data were mapped to match the zip codes from the PennDOT suspensions, determining the racial breakdown in each zip code. Some zip codes from PennDOT were outside the state of Pennsylvania, therefore, these records were not used.

Appendix B

Map of Zip Codes:



Race

- Predominantly Black (51 - 100%)
- Predominantly White (51 - 100%)