

COMMISSION ON ALTERNATIVES TO INCARCERATION**April 18, 2012, 10:30 AM ; Roughrider Room****North Dakota Department of Transportation
Glenn Jackson, Director, Driver's License Division**

Good morning, Mr. Chairman and members of the commission. I'm Glenn Jackson, Director of the Driver's License Division at the North Dakota Department of Transportation (NDDOT). Thank you for giving me the opportunity to present information to you today.

The NDDOT has reviewed the proposed changes to statute and our policies as they impact the availability to issue a Temporary Restricted License (TRL) with respect to the Driving Under Suspension (DUS) issue.

In regards to the proposed changes in statute, we agree with them with two minor changes.

- Page 2, line 29. The subsection referred to here should be subsection 4, as a new subsection 3 was inserted in the statute.
- Page 4, line 10. In reading this we interpret this to mean that the temporary license could be used outside of normal working hours to meet the needs listed in lines 11 – 15. However, we would ask that the language or phrasing be reviewed to insure it will be interpreted in that manner.

The Drivers License Division policy S-1, which is our policy for issuance of a TRL, may also be modified.

- Currently, a TRL is valid only for a 12 hour window each day.
 - We could remove this time restraint and make it reflect the driver's needs, versus the time of day.
- Currently, an applicant that has 4 or more moving traffic violations on record for the previous 12 months or 12 or more traffic violations on record within the previous 36 months, is ineligible.
 - We could remove the 4 or more within 12 months and keep/modify the 12 within 36 by making them moving traffic violations.
- Currently, an applicant that has 2 or more criminal offenses, implied consent convictions resulting from separate incidents on record for the previous 36 months is ineligible.
 - We could modify this to specify 2 or more criminal traffic convictions or implied consent convictions during the previous 36 months.
- Currently, the list of criminal traffic convictions includes Driving Under Suspension.
 - We could remove DUS from the considered list of convictions if it is the only item that would cause the decision to grant a TRL to be denied.

The specific modifications above do have an impact. By removing the 12 hour a day driving time limit, we open the TRL up as a full time driving license, restricted only to the items a person needs to drive too. By granting a TRL to an individual who has been convicted of DUS,

we do set a precedent that DUS may not be as serious of an offense as is intended. For these reasons, we would like to hear your perspective on these ideas before we reach a decision and before anything is implemented, to ensure we are meeting the level of mitigation the law is intended to have as a means to prevent the offense from occurring, and as a tool in managing this behavior.

Thank you, Mr. Chairman, I would be happy to answer any questions.