

**STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
DIVISION OF MOTOR VEHICLES**

DRIVER IMPROVEMENT PROBLEM DRIVER PROGRAM

PURPOSE: The Driver Improvement Problem Driver Program is designed to identify problem drivers, to change the problem driver's behavior by providing information and training opportunities and, if necessary, to progressively impose sanctions as more convictions/points are accumulated on the driving record. The goal of the program is crash prevention. The steps in the program are geared to the seriousness of the driving record.

POINT SYSTEM:	<u>Violation</u>	<u>Points</u>
	Speeding 1-9 miles per hour (MPH) over posted limit	2
	Speeding 10-14 MPH posted limit	4
	Speeding 15-19 MPH over posted limit	5
	Speeding 20 or more MPH over posted limit	5*
	*(May result in additional actions including suspension)	
	Passing A Stopped School Bus	6
	Reckless Driving	6
	Aggressive Driving	6
	Disregarding Stop Sign or Red Light	3
	Moving violation (contained in Chapters 27, 41, or 42 of Title 21)	2
	Malicious Mischief-Speed Exhibition-Drag Race-Speed Contests results in suspension of 1 month to 1 year as mandated by law	

CALCULATED POINTS: Calculated points are credited at full point value for the first twelve months from the date of the violation. After the initial 12 months have expired, the calculated points will be credited at one-half point value for the next 12 months. All actions are based upon total calculated points within a 24-month period following the offense.

DRIVER IMPROVEMENT PROBLEM DRIVER PROGRAM ACTIONS:

<u>Calculated Points</u>	<u>Action Item</u>
8	The Division of Motor Vehicles sends the driver an advisory letter.
12	Driver must complete a behavior modification/attitudinal-driving course within 90 days after notification (unless extended by DMV). Failure to comply or upon preference of the driver, a mandatory 2 month suspension will be imposed.
14	Mandatory 4 month license suspension. To become eligible for reinstatement, the driver must complete or have completed a behavior modification/attitudinal-driving course within the previous 2 years.
16	Mandatory 6 month license suspension. To become eligible for reinstatement, the driver must complete or have completed a behavior modification/attitudinal-driving course within the previous 2 years.
18	Mandatory 8 month license suspension. To become eligible for reinstatement, the driver must complete or have completed a behavior modification/attitudinal-driving course within the previous 2 years.
20	Mandatory 10 month license suspension. To become eligible for reinstatement, the driver must complete or have completed a behavior modification/attitudinal-driving course within the previous 2 years.
22	Mandatory 12 month license suspension. To become eligible for reinstatement, the driver must complete or have completed a behavior modification/attitudinal-driving course within the previous 2 years.

POINT CREDITS: (1) A speeding violation of 1 to 14 mph over the posted speed limit will not be assessed points if it is the first violation within any three (3) year period provided the ticket is paid through the Voluntary Assessment Center. (2) The 3-point credit is added to a driving record with the satisfactory completion of an approved defensive driving course. The 3- point credit is valid for 3 years.

SERIOUS SPEEDING VIOLATIONS:

1. Advisory letter sent to the driver when convicted for speeding 20-24 MPH over the posted speed limit.
2. The driver will be suspended for one month when convicted of driving 25 MPH over the posted limit. The length of suspension will increase by one month for each additional 5 MPH over the initial 25-MPH threshold. The driver may elect to attend the behavior modification/attitudinal-driving course in lieu of a license suspension when driving 25-29 MPH over the posted limit. For speeding 30 MPH over the posted limit or more, the suspension is mandatory.
3. One year suspension when convicted of driving 50 MPH or more over the posted speed limit or driving 100 MPH on a highway.

OCCUPATIONAL LICENSE: The Division may issue an occupational license during the period of suspension if the suspension has created an extreme hardship unless the driver is suspended or revoked for other Title 21 convictions. An occupational license shall not be issued if the driver has had two previous suspensions under this policy within the previous 3 years or has been issued an occupational license during the previous 12 months. Occupational licenses are not issued during the first month of the suspension. If the calculated point level reaches 15 or more points in a 24-month period, an occupational license will not be issued until the calculated points are less than 15 points. Any driver convicted of operating a motor vehicle in violation of the restrictions imposed by the occupational license shall immediately extend the suspension period for an additional like period and shall direct the driver to surrender their occupational license. (Cost \$10.00)

OTHER LICENSE SUSPENSION/REVOICATION INFORMATION

DRIVING DURING SUSPENSION OR REVOCATION: A conviction for driving during suspension or revocation shall extend the period of suspension or revocation for a like period. No driving authority will be permitted during the balance of the initial suspension or revocation period and the extended period. Any driving authority previously issued by the Division must be surrendered.

OFFENSES REQUIRING REVOCATION OF LICENSE AND/OR DRIVING PRIVILEGES:

1. Driving while under the influence of liquor or narcotic drugs.
2. Manslaughter by motor vehicle.
3. Using a vehicle in commission of a felony.
4. Leaving the scene of an accident involving personal injury or property damage.
5. Failure to stop at the command of a police officer.
6. Three (3) convictions of reckless driving within the last year.
7. Assault by a motor vehicle which results in a death.
8. Making a false state when obtaining a driver's license or a vehicle registration.
9. Violation of the Implied Consent law (Refusal to take the Breath Test)
10. Underage possession/consumption of alcohol by a person under the age of 21 (not necessarily in a vehicle).
11. Any drug offense which results in a conviction (not necessarily in a vehicle).
12. First offense Drug Diversion Program (not necessarily in a vehicle), not "Drug Court".

OUT-OF-STATE CONVICTIONS: Violations received from other states are posted to the Delaware driving record and points are assessed according to Delaware's point system.

FEEES: The fee for reinstating a suspended license is \$25. The fee to reinstate a revoked license is \$143.75.