

SECTION III

Section III reports address various issues including negligent operators, actions under the Driver Improvement Program, and driver control actions.

California law defines the (prima facie) negligent operator as a driver whose driving record shows a violation point count of four or more points in 12 months, six or more points in 24 months, or eight or more points in 36 months. Class A or B (commercial heavy vehicle) drivers who appear for a hearing may be allowed six or more points in 12 months, eight or more points in 24 months, or ten or more points in 36 months before they are classified as negligent operators. Each traffic conviction involving the unsafe operation of a motor vehicle, and each accident for which the driver is deemed responsible, counts one point. More serious convictions, such as reckless driving, drunk driving, driving under the influence of drugs, and property damage hit-and-run, count two points. (If the offenses occurred in a heavy commercial vehicle or while transporting hazardous material, the point value of the conviction is 1.5 times the above values.) All drivers legally defined as negligent operators are subject to driver improvement efforts.

The Driver Improvement Program of the California Department of Motor Vehicles operates under discretionary authority granted to it by various sections of the California Vehicle Code. The objectives of this program are fourfold: (1) to achieve improvement in the driving habits and skills of drivers classed as negligent operators; (2) to determine the disqualifying extent of physical or mental defects, disabilities or deficiencies; (3) to prescribe appropriate driving restrictions or conditions of probation for those cases where adverse physical or mental conditions exist but do not appear to preclude safe driving, and (4) to eliminate unsafe, incompetent, and physically or mentally unqualified drivers by refusing, restricting, or withdrawing the driving privilege.

The department also administers programs where driver control actions (e.g., license restriction, suspension, and revocation) are mandated by statute. The department is also responsible for curriculum development, licensing and monitoring of court traffic-violation school programs (CVC Sections 11202.5 & 1803.5). The evaluation of current driver-control programs and the development and evaluation of alternative approaches constitute a major focus of the department's Research and Development activities.