



Your Safety & Health Leader for 90 Years

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The Traffic Safety Record

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June 15, 2005

A message from Bob Scopatz, ATSIP President:

Records access can save lives.

This thought has been reinforced for me by recent civil suits involving vehicle rental companies. Taking one recent case as an example (*reported on Westlaw at 2005 WL 418542*) a company's San Francisco division rented a vehicle to a man who did not have a valid license. That person presented what looked like a valid license, but, at the time of the rental he was in fact a suspended driver. California law actually records the fact that people driving on suspended licenses are four times as likely as validly licensed drivers to *cause* a fatal crash. California makes its driver records accessible so that employers and rental car companies (and other authorized users) can check the driver history of a person before hiring them, or putting them in a vehicle.

In this case, the rental company didn't check the California DMV's records. They gave the man a car. He drove drunk and killed a pedestrian. The plaintiffs alleged that the company should have known the man was likely to have had a suspended license. More importantly, state law also says that they shouldn't have rented him a car. The judge agreed on this last point before trial and ruled that every time the company rents a car to a driver who lacks a valid license it is violating state law!

This company didn't check. They rented a vehicle to a suspended driver, and a woman was killed.

There are other similar cases that have been reported recently, one in Texas (<http://www.insurancejournal.com/news/southcentral/2004/08/13/44936.htm>), another in Massachusetts (<http://www.sociallaw.com/slip.htm?cid=14915&sid=119>), and one involving a trailer rental (<http://www.peterhansen.com/suddenlyshattered.htm>).

There are other cases in the courts right now. The bottom line is that these deaths and injuries are preventable if two things happen:

1. States make driver records accessible for authorized users, and
2. The companies use those records to reject rental applications from certain classes of drivers.

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There are, of course, other ways to prevent these deaths: make sure that drivers surrender their licenses upon suspension or revocation; enforce the drunk & drugged driving laws; educate drivers and pedestrians; reduce alcoholism and drug abuse overall. And, of course, closing the loophole of renting cars to suspended/revoked drivers does not necessarily mean they won't find another way to gain access to a car. My point is that records, used in a timely and reasonable fashion, could have saved a life in this and other cases.

So...why doesn't every state do it? Soon enough, because of new laws regarding identification use/abuse and homeland security concerns, states are going to have to provide broader access to their existing records systems. That access can, and should, be tightly controlled so that only those with a legitimate need for the records can have any access at all. And the record that is shared with a clerk at a rental car counter need not have any more information than a simple "yes" or "no" rating based on the rental company's own criteria for acceptable risk -- that's how it is done now for Hertz, Avis and other rental companies. Personal and private information need not be shared indiscriminately.

My hope is that every state will find a way to provide controlled access to its driver history records specifically for the purpose of keeping suspended and revoked drivers from using the car-rental loophole. It'd be nice if every state made it a crime not to check the driver history before renting a car. But even making the records available means that the rental car companies could check. As cases like the one I was involved with show, there is no compelling reason *not* to check the driver history if it is available. And there's a very good business case to be made for checking it. If every state made their records available for this purpose, it would also mean that people traveling or moving from state to state could still be checked.

In my opinion, we in the records arena should push our states to make these records available and to pass laws requiring rental companies to check the driver history record of every person they rent to. It's a simple and cost-effective way to save lives and the only impact is a small additional cost per rental. As a frequent user of rental cars, I would gladly pay the fee if it meant that the other folks renting cars had been checked too.

Bob Scopatz, 2004/2005 President, bscopatz@data-nexus.com

The 2005 Traffic Records Forum – Adams Mark Buffalo Niagara – July 31-August 4, 2005

Keynote Speakers

We are honored to announce two outstanding Keynote Speakers for this year's Traffic Records Forum:

Jeffrey W. Runge, M.D., Administrator, NHTSA

James McMahon, Director – Homeland Security for the State of New York

Both Dr. Runge and Mr. McMahon will discuss issues at the nexus of traffic safety and homeland security from the national and state perspectives, including the Real ID Act.

Cyber Café

Be sure to visit the Cyber Café at the 2005 Traffic Records Forum. This year our attendees will have access to a room that features 6 computers with internet access, 2 plug in stations for those who bring their own laptops, sofas and chairs for taking a break and having some coffee.

Hours for the Cyber Café:

Monday, August 1 -- 9:30 to 11:30 and 1:00 to 5:00

Tuesday, August 2 -- 8:00 to 11:30 and 1:00 to 3:00

Wednesday, August 3 -- 9:30 to 5:00

Registration

Registrations are rolling in! We are on track for another year of excellent attendance at Forum.

Advance registration is available until July 15, after which you may register onsite at Forum. Also the cut-off date is July 8 to receive the discounted room block rate for the hotel, the Adams Mark Buffalo Niagara. Please visit www.atsip.org to make your Forum and hotel reservations.

Sessions & Presentations

This year's sessions and presentations are now available online at www.atsip.org with titles and abstracts, and they are organized by day so you can do some advance planning. Forum attendees will also receive a comprehensive program book at onsite check-in with all this information and more!

ATSIP Executive Board Nominations for 2005-2006

We are pleased to announce the slate of nominees for the upcoming year of ATSIP leadership. Each year, the Nominating Committee, led by the Past President, carefully selects candidates from the ATSIP membership to serve in some capacity on the Executive Board. The nominees on the slate have accepted their nominations and are ready to serve on the Board.

<p>Nominated Officers:</p> <p>James Davis President West-NM</p> <p>G. Thomas Steele 1st Vice President East-DE</p> <p>Joan Vecchi 2nd Vice President West-CO</p> <p><i>Robert Scopatz</i> <i>Past President</i> <i>Central-IA</i></p> <p>Martha Florey Secretary Central-WI</p>	<p>Existing At-Large Members</p> <p><i>Alfred Tindall</i> <i>John Carrico</i> <i>Tom Hollingsworth</i> <i>Carl Gonder</i></p> <p><i>Valerie Evans</i> <i>Scott Falb</i> <i>Joan Vecchi</i> <i>(If not elected to 2nd Vice President)</i></p> <p>Nominations to Fill Class of 2007 Vacancies</p> <p>Tim Kerns (filling Millie Seay's unexpired term)</p> <p>Bob Zahnke (if Joan Vecchi elected to 2nd Vice President)</p> <p>Nominations for Class of 2008</p> <p>Steve Rich Major Ralph Mitchell Jana Simpler Bob Rasmussen</p>
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Note: Names in italics are listed for information only. They were previously duly elected and are continuing in office during the 2005 -2006 year.

Comments Requested on TransXML Safety Data Models – Frances Harrison

NCHRP Project 20-64 - TransXML Schema for Transportation Data Exchange includes Safety as one of its four business areas for development of XML schemas for data exchange. XML schema in the safety area are being developed for both crash records and highway safety analysis applications. A preliminary set of data models (in the Unified Modeling Language, or UML) have been developed by the NCHRP 20-64 Project team. The initial models are based on the MMUCC and FARS elements, as well as FHWA's SafetyAnalyst software data input requirements. The research team intends to expand these models to include additional elements based on feedback from potential users of the schema. Interested parties are strongly encouraged to download the safety UML models and submit comments.

To review and comment on the safety work, go to www.transxml.org. Complete the site registration form and join the Safety Working Group by checking off an interest in the Safety business area. You will be added to the Working Group within 24 hours. Working Group members can find the UML models in the Working Group Documents area of the site under Safety. Comments should be submitted in the Working Group Forum area. Comments or questions can also be emailed to transxml@camsys.com.

ATSIP Certification Questions Needed

The ATSIP Certification Committee has been working for three years developing a process and a testing instrument. The process has been completed and approved. For the last year and one-half the committee members have been working on core questions for the exam. We are now requesting question submissions from the ATSIP membership to accelerate the development of the exam. If every member of ATSIP would write one or two questions we would have more than enough questions for the entire testing process. I know this sounds easy but each question needs to be validated through resource material.

Please write and submit as many questions as you can using the form at the end of this newsletter. All boxes on the form must have a response to be a valid question submission. Submit your questions to Nicole Pappas at pappasn@nsc.org or Larry Holestine at lholestine@data-nexus.com.

If you have questions please call Jack Zogby at 717 834-5363 or Larry Holestine at 979 696-3400.

It's That Time – Membership Renewal

Watch your email box soon for notice of membership renewal! Please renew to maintain your voting privileges and continue receiving member benefits such as this newsletter, which has grown a great deal in the past year and will continue to provide more information value. We thank everyone who responded to our membership survey this spring. You gave us great feedback about member benefits that you would like to receive as ATSIP grows, and we will discuss that feedback at next month's Board Meeting. We'll inform you of new developments via this newsletter and the ATSIP website.

So you want to learn more about Traffic Records – David Bozak

So you want to learn more about traffic records. And you want to know more about ATSIP. We'll we've got a deal for you.

Now that you are a 'dues-paying' member of ATSIP, do you find yourself wanting to know more. How ATSIP got started? How it is organized? What it's goals are? And what's in it for you as well as how you can participate more in what goes on?

All you need to do is just volunteer for a shift at the ATSIP booth during one of the conferences ATSIP participates in each year. The past few years, ATSIP has participated in and exhibited at the annual conferences of the Governor's Highway Safety Association (GHSA), the International Association of Chief's of Police (IACP-LEIM), the Transportation Research Board (TRB), and Lifesavers.

During the TRB conference this past January, ATSIP was able to share booth space with the National Highway Traffic Safety Administration's National Center for Statistics and Analysis (NCSA). The location for this year's booth turned out to be one of the most prime locations in the entire exhibit hall. It was a very enjoyable and rewarding experience. It would have provided any member of ATSIP, from Associate to Fellow an opportunity to learn more about Traffic Records as well as ATSIP.

If setting aside some time, getting travel approval, and making the necessary arrangements to participate as a booth volunteer is not in your immediate future, then the next best thing would be to learn more about ATSIP, including the information that is distributed at these conferences. After all, as much as you study the materials in preparation for the interested customers who stop by the booth (more than 250 stopped by during TRB), there are always questions, where you don't know the answer. The nice thing about ATSIP is that one of our main strengths is our people. So if you don't have an answer to a question, chances are you can refer the customer to someone who might.

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Give it some thought. I guarantee you won't be disappointed. Also, for your information, the packets we handed out at TRB included the following information.

- 2004 TR Forum program – we told everyone they could view the content of presentations made during our most recent Forum at www.atsip.org
- ATSIP brochure – contains the purpose, goals, and objectives of ATSIP, subcommittee activities, and contact information (e-mails) for the members of the Executive Board
- The Current Newsletter for ATSIP
- A flyer – Call for Presentations for the 2005 TR Forum
- A flyer – For the new ATSIP web site
- A flyer – On the Best Practices Challenge for 2005
- A flyer – Listing the different ATSIP Membership Grades
- An application for Membership in ATSIP
- The National Agenda

If any of these seem foreign to you, then you've got some homework to do. Everyone's heard the old cliché that, the more you put into something, the more you will get out. I feel this statement truly applies to learning more about ATSIP and Traffic Records.

FHWA's Safety Evaluation of Red-Light Cameras

The Executive Summary of FHWA's recently released Safety Evaluation of Red-Light Cameras is located at: <http://www.tfhr.gov/safety/pubs/05049/index.htm>

Abstract -- The fundamental objective of this research was to determine the effectiveness of red-light-camera (RLC) systems in reducing crashes. The study involved an empirical Bayes (EB) before-after research using data from seven jurisdictions across the United States to estimate the crash and associated economic effects of RLC systems. The study included 132 treatment sites, and specially derived rear end and right-angle unit crash costs for various severity levels. Crash effects detected were consistent in direction with those found in many previous studies: decreased right-angle crashes and increased rear end ones. The economic analysis examined the extent to which the increase in rear end crashes negates the benefits for decreased right-angle crashes. There was indeed a modest aggregate crash cost benefit of RLC systems. A disaggregate analysis found that greatest economic benefits are associated with factors of the highest total entering average annual daily traffic (AADT), the largest ratios of right-angle to rear end crashes, and with the presence of protected left-turn phases. There were weak indications of a spillover effect that point to a need for a more definitive, perhaps prospective, study of this issue.

Event Data Recorders and Collision Investigation

A report titled “A Review of Jurisprudence Regarding Event Data Recorders: Implications for the Access and Use of Data for Transport Canada Collision Investigation, Reconstruction, Road Safety Research and Regulation” is available at: http://www.carsp.ca/downloads/edr_jurisprudence.pdf

The report discusses the value of event data recorders for collision investigation. It covers court cases where EDR evidence was introduced and discusses balancing the public good with personal privacy and public acceptance issues. Also included are newspaper articles that touch on concerns about privacy, and NHTSA’s recommended EDR data elements.

September Newsletter Submissions

Items in today’s newsletter have come from many ATSIP members. We rely on you to help us keep membership informed of the latest developments. We are always looking for submissions about new reports and other material that may be of interest to ATSIP members, so please consider submitting to the newsletter! Our next issue will be out in mid-September. To submit articles for the September 2005 newsletter, contact Nicole Pappas at pappasn@nsc.org. Thank you!

ATSIP Certification Question Construction Form

(see page 5 of this newsletter for explanation)

Contributor:

Today's Date:

Question No.:

Question

Answers

A.

B.

C.

D.

Place a check
mark in the box
next to the
correct answer.

Reference

Title
Author
Publisher
Date

Page No.