

STATE OF WEST VIRGINIA

**PRELIMINARY PERFORMANCE
REVIEW OF THE**

DRIVER'S LICENSE ADVISORY BOARD

Division of Motor Vehicles

Board Performs An Essential Function
for the Division of Motor Vehicles
in Protecting the Public Safety

OFFICE OF LEGISLATIVE AUDITOR
Performance Evaluation and Research Division
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Antonio E. Jones, Ph.D.
Director

May 19, 1996

The Honorable A. Keith Wagner
State Senate
Box 446
Iaeger, West Virginia 24844

The Honorable Joe Martin
House of Delegates
Building 1, Room 213E
1900 Kanawha Blvd. East
Charleston, West Virginia 25305

Gentlemen:

This is to provide you with a Preliminary Performance Review of the Driver's License Advisory Board, which will be reported to the Joint Committee on Government Operations on Sunday, May 19, 1996. The overall issue covered herein is "Board Performs An Essential Function for the Division of Motor Vehicles in Protecting the Public Safety."

Let us know if you have questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Antonio E. Jones".

Antonio E. Jones

AEJ/wsc



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Executive Summary

The Driver's License Advisory Board advises the Commissioner of the Division of Motor Vehicles (DMV) as to vision standards and all other medical criteria relevant to the licensing of persons to operate motor vehicles. In addition, the Board advises the Commissioner, upon request, as to the mental or physical fitness of persons either currently licensed or applicants for licenses. The Board also furnishes the Commissioner with medical standards, statistics, data, professional information and advice. The table below documents the activities of the Board since 1990.

Reviews Conducted and Costs

Year	Number of Reviews	Costs	Meetings Held
1990	74	\$318.60	3
1991	30	\$349.08	2
1992	19	\$243.70	1
1993	47	\$652.07	2
1994	30	\$277.52	1
1995*	<u>9</u>	<u>\$000.00</u> †	<u>0</u>
Totals	209	\$1840.97	9

*Note records were mailed to members for this year. Meetings are held only if 10 records or more need review at one time.

This preliminary performance review reports on the importance of the Board as described below.

Issue Area: The Driver's License Advisory Board performs an essential function for the Division of Motor Vehicles.

The benefits of the functions performed by this Board are twofold. First, this Board protects the citizens of West Virginia by recommending to the Commissioner of the DMV that persons who are physically or mentally unable to operate a motor vehicle safely on the highways of the state be denied a license. Secondly, it gives due process wherein medical information is used to protect arbitrary revocation of licenses, thus providing a sense of fairness to the general public concerning the decisions of the DMV. For this service, the costs of the Board are minimal; the DMV spent only \$1840.97 over the last six years to pay and reimburse members attending meetings for expenses.

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Issue Area: The Driver's License Advisory Board performs an essential function for the Division of Motor Vehicles.

Created under the 1974 Acts of the Legislature, the Driver's License Advisory Board advises the Commissioner of the Department of Motor Vehicles (DMV) as to vision standards and all other medical criteria relevant to the licensing of persons to operate motor vehicles. In addition, the Board advises the Commissioner, upon request, as to the mental or physical fitness of persons currently licensed or applicants for licenses. The Board also furnishes the Commissioner with medical standards, statistics, data, professional information and advice.

Although few in number compared to many boards or commissions, the duties of the Driver's License Advisory Board are relatively clear cut and save the DMV countless dollars. The Board members are doctors of various specialties. Reviews of Board minutes and interviews with Board members indicate they primarily review the medical records of individuals when the DMV is unable to determine if a person is medically fit to be licensed for a motor vehicle. The Board may recommend to the DMV to restore the driving privileges of individuals reviewed, place restrictions on the person's license, permit them to test for a license, or remove their license. In most cases the DMV follows the recommendations of the Board. It is necessary for the Board to review these cases because standards applying to all medical conditions cannot be written in the law. All cases are reviewed individually by the Board to avoid such problems of special circumstances and interrelationship of medical information and functioning. The state of West Virginia has 1.3 million licensed drivers. Of these licensed drivers, 339287 of them have some type of medical restriction. See Table 1. Only a small portion of these persons are required to go before the Driver's License Advisory Board in order to become licensed; but, there are cases when a medical condition becomes so severe it must be evaluated by a physician to determine if the person can safely operate a vehicle.

Table 1
Medical Restrictions

Artificial Limbs	188
Corrective Lenses	336790
Automatic Transmission	368
Mechanical Signals	68
Hand Controls	345
Outside Mirrors	734
Lenses and Outside Mirrors	394
Other Restrictions	400
Totals	339287

Note: Above totals were derived from possible combinations of restrictions per driver not necessarily a one to one ratio.

Benefits of the Board

The benefits of the functions performed by this Board are twofold. First, this Board protects the citizens of West Virginia by recommending to the Commissioner of the DMV that persons who are physically or mentally unable to operate a motor vehicle safely on the highways of the state be denied a license. Secondly, it gives due process wherein medical information is used to protect arbitrary revocation of licenses, thus providing a sense of fairness to the general public concerning the decisions of the DMV. For this service, the costs of the Board are minimal; the DMV spent only \$1840.97 over the last six years to pay and reimburse members attending meetings for expenses. Finally, the functions performed by the Board provide a sense of fairness concerning the decisions of the DMV. This sense of fairness is achieved by having five professional doctors review an individual's medical records to determine if they are able to safely operate a motor vehicle. Most citizens would be economically unable to obtain the opinion of five physicians. The functions performed by the Driver's License Advisory Board could be contracted out to various doctors. However, the costs would no doubt be much greater.

TABLE 2. Reviews Conducted and Costs

Year	Number	Recommend		Costs	Meetings
		Approval	Denial		
1990	74	31	43	\$318.60	3
1991	30	14	16	\$349.08	2
1992	19	8	11	\$243.70	1
1993	47	16	31	\$652.07	2
1994	30	10	20	\$277.52	1
1995*	9	4	5	\$000.00	0
Totals	209	83#	126#	\$1840.97	9

*Note records were mailed to members for this year. Meetings are held only if 10 records or more need review at one time.

#Note recommended approvals and denials include numbers for reexaminations and further review.

Without the medical reviews provided by the Driver's License Advisory Board, or a similar review contracted out to local doctors, the public could be greatly impacted in that persons unable to safely operate a motor vehicle would be allowed to drive or wrongly denied the privilege. The Performance Evaluation and Research Division was unable to obtain figures of persons involved in accidents resulting from a medical condition. However, there were several accidents in the state for which the condition of the driver was unknown.¹ **If only one life is saved through the reviews conducted then the existence of the Board is more than justified. Therefore, the Performance Evaluation and Research Division makes the following recommendation.**

Recommendation

The Driver's License Advisory Board should be continued to provide the Division of Motor Vehicles and the public with the expertise needed for evaluating individual's physical and mental capability to drive a motor vehicle.

¹Information obtained from the Division of Highways - 1994 Crash Data Report

APPENDIX

APPENDIX 1. Members of Board and Terms

<u>Name</u>	<u>Profession</u>	<u>Date Term Expires</u>
Dr. Curtis L. Withrow	Neurologist	June 30, 1998
Dr. R. David Allara	Ophthalmologist	June 30, 1996
Dr. Eddie Prendergast	Optometrist	June 30, 1996
Dr. James E. Boggs	General Practitioner	June 30, 1997
Dr. Terry Elliott	General Practitioner	June 30, 1997

APPENDIX 2. Agency's Response

COPY



RESEARCH AND PERFORMANCE
EVALUATION DIVISION

MAY 1 1996

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
Division of Motor Vehicles

1800 Kanawha Boulevard East • Building Three
Charleston, West Virginia 25317-0010

Gaston Caperton
Governor

Fred VanKirk, P.E.
Secretary
Commissioner of Highways

Jane L. Cline
Commissioner

April 30, 1996

Antonio E. Jones, Ph.D.
Director
Building 5, Room 751A
1900 Kanawha Blvd., E.
Charleston, WV 25305-0592

Dear Dr. Jones:

I have reviewed the Preliminary Performance Review of the Driver's License Advisory Board and am very pleased to see that your audit was such a positive one. It has always been apparent to the Division of Motor Vehicles that the benefit we receive from the Driver's License Advisory Board far out weights the small cost to maintain it.

The Division of Motor Vehicles has been double blessed with medical professional appointed to the Board who are truly concerned and involved with the licensing process. The members of the Board have not only reviewed individual cases for license issuance, but have time and time again provided competent medical advice regarding standards set for vision, hearing and chronic medical illnesses. This valuable pool of medical advisors could not be duplicated in any other contractual arrangement at such a low cost.

As a final note, I would like to add that the experience of working with you and your staff has been a pleasant one. I would like to commend you on the effectiveness of the work performed while causing minimal interference with our daily routine. Thank you for your consideration while conducting your audit.

Sincerely,

Jane L. Cline
Commissioner

JLC:JMA/jma

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