

FINAL REPORT

LEGISLATIVE PRIORITIES FOR TRANSPORTATION SAFETY IN VIRGINIA:
A PILOT APPLICATION OF A MODIFIED DELPHI TECHNIQUE

by

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(The opinions, findings, and conclusions expressed in this
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ABSTRACT

Using a modified version of the Delphi technique, a panel of transportation safety experts developed the following list of legislative priorities for submission to the Department of Motor Vehicles (DMV) Legislative Package for the 1986 session of the Virginia General Assembly:

1. Mandatory Seat Belt Law
2. Lower the Driving Under the Influence Per Se Violation to BAC 0.10%
3. Child Restraints Extended to All Drivers, Not Just Parents
4. Revocation Package - Three Measures to Facilitate the Legal Confiscation and Revocation of Drivers' Licenses
5. Eliminate Time Limit of 2 Hours for DUI Arrest
6. Prohibit Drinking While Driving
7. Provide Legal Immunity for the Virginia Crash Investigation Team (CIT)
8. Increase Penalties for Hit-and-run
9. Authorize Aerial Speed Enforcement
10. Prohibit Altered Suspensions on Pickup Trucks
11. Increase Mandatory Virginia Alcohol Safety Action Program (VASAP) Participation to One Year
12. Prohibit Tinted Glass
13. Make the Refusal to Take an Alcohol Test Admissible at Trial for DUI

The technique used to rank the proposals was a combination of the Delphi, nominal group, and interactive group techniques. The methodology used the feedback and multiple rounds of Delphi, the individual, anonymous voting of the nominal group technique, and the opportunity for discussion and clarification of a regular interactive session. Through this methodology, the ratings of the expert panel converged substantially around the final list of recommendations noted above.

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INTRODUCTION

Each year, state agencies in Virginia must submit to the governor those legislative proposals which they believe are most important and which should be included in the legislative package submitted to the General Assembly. Because transportation safety requires a multidisciplinary effort and the cooperation of many organizations, the unilateral determination of legislative proposals is inappropriate. For this reason, John T. Hanna, deputy commissioner for transportation safety for the Department of Motor Vehicles, decided to utilize the opinions of a panel of experts, each from a different organization and each with a differing perspective on transportation safety problems, to prioritize his legislative program.

The methodology adopted to accomplish this task was a modified form of the Delphi technique, because the Delphi method has been used successfully in a variety of applications, including setting priorities in transportation research (TRB, 1982). By combining three major group techniques, the modified version especially designed for this study has not only the virtues of individual input and judgment which characterize Delphi, but also the benefits of the interchange of ideas and discussion of proposals more often seen in the traditional interactive group approach. This report outlines the rationale behind the development of this interactive method, describes its initial application, and proposes further refinements to improve its ability to generate a group consensus.

BACKGROUND

Although many state agencies nominally utilize formal advisory boards, policy is generally set by the head of the organization, either alone or in conjunction with a cadre of in-house advisors. These policy decisions determine the direction of the organization and its administrative and legislative priorities. This procedure for identifying needs and developing a legislative package is appropriate in most

instances in state government where an agency has full control over an area and the operations it is designed to oversee.

The transportation safety field, however, does not fit this model and is something of an anomaly in state government. As part of the Department of Motor Vehicles (DMV), the Transportation Safety Administration (TSA) is charged with the oversight of highway as well as air, water, rail, and mass transit safety, all of which are administered by different agencies. Within the area of highway safety alone, the TSA's interests include such diverse topics as emergency medical services, driver licensing, driver education, police operations, and judicial matters, all of which again are under the jurisdiction of different agencies. The TSA is also charged with coordinating these safety issues at both the state and local levels. Because the TSA's mandate prescribes the coordination of programs which are administered by state and local agencies over which the DMV has no direct control, close cooperation among agencies is required to produce successful safety programs. For this reason, and because public support is integral to successful safety efforts, it was thought that the development of a safety-related legislative package would require input and support from a panel representing affected organizations and individuals.

Alternative Methodologies

There are a number of group-related methods for making organizational decisions. Initially, the technique to be used by this panel was the standard interactive group process, where the group would convene, discuss the issues, and develop a package. However, this choice was reconsidered in the face of the documentation in the sociological, psychological, and management literature that this "committee approach" would not be the best method to establish priorities and obtain consensus and a commitment to the proposed legislation from a necessarily diverse group (Van de Ven and Delbecq, 1971). The committee approach often inhibits discussion by allowing dominant individuals to exert a disproportionate influence on the group deliberations and members to contribute according to their self-perceived status. Additionally, members often make covert judgments but are reluctant to express them to the group as overt criticisms because of the social pressure to conform. Finally, maintaining the group relationship requires a good deal of time and effort which reduces the group's ability to deal with substantive problems and consider alternatives thoroughly (Van de Ven and Delbecq, 1971).

Thus, because of these problems with the usual interactive committee format, other group techniques, including the Delphi method and the nominal group technique, which were better suited to the consideration of complex issues were investigated.

History and Applications of the Delphi Method

The Delphi method was developed by the Rand Corporation in the 1950's. Its first application was in a project sponsored by the Air Force to predict the probable effect of a nuclear attack on the United States (Linstone and Turoff, 1975). Because of national security implications, the results of the study, and consequently the Delphi method itself, were classified until the 1960s (Wedley, Jung and Merchant, 1979). It has been used extensively since then in such diverse areas as technological forecasting, health care planning, and goal setting (Preble, 1983).

A hallmark of the classic Delphi technique is that it is applied exclusively by mail. The technique is typically used to elicit the opinions of a geographically dispersed group of experts, where a physical meeting would not be feasible. The methodology also calls for the administration of several rounds of questionnaires. Each round provides feedback of the results of the prior round of evaluations, as well as an indication of the overall group assessment. The individual respondent remains anonymous to the other members and is free to revise his previous judgements (Linstone and Turoff, 1975). The purpose of the feedback is to induce a consensus; the method succeeds when there is convergence around the group recommendation (Bardecki, 1984). A classic Delphi study requires several waves of questionnaires taking four to six months to complete.

A major defect of this form of the Delphi procedure is that because the participants never meet face-to-face, there is no opportunity for the direct interchange of ideas or clarification of the issues by fellow participants. The interaction and explanatory materials are completely controlled by the group coordinators and this magnifies their influence over the group outcome (Linstone and Turoff, 1975). Thus, Delphi does not have the benefits of a free exchange of ideas characteristic of face-to-face interaction.

Another drawback, as noted above, is that Delphi is a very lengthy process, requiring time for respondents to complete multiple questionnaires, time to compile data, formulate feedback, and revise instructions, and time to send out several waves of questionnaires. Thus, while some features of Delphi make it an effective technique for establishing group evaluations, other aspects render it inefficient for amassing data in a short time period.

To address the deficiencies of Delphi and typical committee interaction, researchers at the University of Wisconsin, led by Andre Delbecq, developed the nominal group technique. The nominal group method involves individual silent effort in a group setting (Van de Ven and Delbecq, 1971). The procedure is typically used to force

individuals to generate ideas while working alone, and then share them with the rest of the group in a structured format. Further, nominal group evaluations utilize written, individual ballots, which minimizes the "false consensus" induced in meetings which use an informal voice vote. The nominal group is especially effective in allowing individuals to influence the substance of group discussions and in inducing a sense of shared responsibility for the group outcome (Van de Ven and Delbecq, 1971).

The research modification developed for this study was an effort to combine the advantages of the Delphi, nominal group, and interactive group techniques. The Delphi and nominal group methods excel in idea generation and individual consideration of multiple dimensions of complex issues (Training, 1978), while the interactive process is best for elaborating, modifying, and achieving commitment to proposals, and for working towards a solution (Murighan, 1981).

METHODOLOGY

The methodology designed for this study involved successive applications of each of the three group techniques previously discussed. Delphi was used to generate a comprehensive list of legislative proposals for later consideration and to devise the initial rankings that served as the expert panel's feedback. The nominal group technique was employed to enable the panelists to rank the proposals alone and consider omissions and additions to the list during the first portion of the one-day group session. A less structured discussion of the proposals approximating a more traditional interactive meeting was conducted prior to the panel's final anonymous ranking.

Achievement of the final goal of formulating a list of legislative proposals prioritized by a panel of experts required several steps, including (1) compiling the initial proposal list and soliciting suggestions from concerned organizations throughout the state, (2) selecting the expert panel, (3) developing the Delphi mail questionnaire, (4) compiling responses from the questionnaire and organizing the first-round results, and (5) conducting the panel session. These are discussed below.

Compiling the Initial List and Soliciting Suggestions

The list of legislative proposals to be considered by the panel of experts was developed by polling a large number of state and local organizations concerned with transportation safety. This initial list was derived from legislative recommendations which had been proposed

in studies by the Virginia Highway and Transportation Research Council between 1980 and 1985, but which had not been adopted by the General Assembly. Also, the Final Cumulative Index of Bills, Joint Resolutions, Resolutions and Documents for the 1984 and 1985 sessions of the General Assembly was consulted, and selected bills concerning transportation safety were added to the list.

Next, over 500 letters were sent to all the chiefs of police, sheriffs, local traffic engineers, and transportation safety commissions in Virginia, as well as to selected personnel in various state agencies (i.e., Aviation, Highways and Transportation, State Police, Education, and Motor Vehicles), and to prospective panelists. This mailing, which appears in Appendix A, asked for additions to the original list of proposals. To provide a frame of reference for the format of submissions, the preliminary list of legislative proposals was distributed. The target date for receipt of the suggestions was three weeks after the solicitation letter was mailed.

Overall, 26 people responded. Of these, 6 either commented on the original proposals or simply offered their endorsement of the list and expressed appreciation at being offered the opportunity to contribute. Of those who did send in proposals for legislation, 14 were chiefs of police, 2 were sheriffs, and 3 were chairmen of local transportation safety commissions. The remainder of the respondents were state agency personnel. In all, 24 suggestions were received, which expanded the list to 39 proposals.

Selecting the Expert Panel

The panelists were selected to represent organizations concerned with disparate aspects of transportation safety throughout the state. To ensure a diverse yet knowledgeable group, members of the panel were selected in consultation with the sponsor of the project. Panelists included law enforcement representatives, officers of grass-roots organizations, and state agency personnel. The panel consisted of the following 16 individuals:

Ken Batton, Program Consultant, Office of Substance Abuse

Captain Basil Belsches, Assistant Field Supervisor, Department of State Police

Jeane Bentley, Associate Director, Health, Physical Education and Driver Education, Department of Education

Aubrey Davis, President, Virginia Association of Commonwealth Attorneys

Lillian DeVenny, Chairman of the Board, Virginians Opposed to Drunk Driving

Bert Dunnivant, Senior Traffic Engineer, Department of Highways and Transportation

Vivian Giles, Virginia Representative, National Association of Women Highway Safety Leaders

John Gillman, Chairman, Richmond Highway Safety Commission

John T. Hanna, Deputy Commissioner for Transportation Safety, Department of Motor Vehicles

Chief Frank Johnstone, Chairman, Legislative Committee of the Association of Chiefs of Police

Henry Kashouty, Judge, Hampton General District Court

E. Stuart Kitchen, Virginia Sheriff's Association

Susan McHenry, Director, Division of Emergency Medical Services, Department of Health

Willard Osburn, Director of Legislative Activities, Medical Society of Virginia

Jeffrey Spencer, Assistant Attorney General

Ambrose Woodroof, Member, Transportation Safety Board

The potential panelists were each sent a letter requesting their participation in the project (see Appendix B), and also encouraging them to contribute comments or additions to the original proposal list. Willingness to participate was confirmed by telephone.

Developing the Delphi Mail Questionnaire

One week later, each panelist was sent a five-part questionnaire by mail (see Appendix C). This mailing preceded the date of the panel session by ten days.

Previous research on priority planning had recommended that respondents consider separately general goals from more specific objectives to achieve these goals. Past studies had also indicated the importance of considering separately the different dimensions of a problem before arriving at an overall assessment of a proposal (TRB, 1982). For this

reason, the Delphi panelists were asked to complete five tasks as part of their "by mail" response.

First, they were directed to rank in order 12 subject areas by which the proposals, in addition to many transportation safety programs, are commonly organized. These categories were pedestrians, bicycles, mopeds, drunk driving, driver rehabilitation, safety restraints, pickup trucks and vans, school buses, air travel, boating, crash investigation, and enforcement of traffic laws. This measure was designed to uncover the relative importance of different areas, and to illuminate any potential discrepancies between the stated importance of different goals and the evaluations of the corresponding proposals which addressed those areas.

Next, the respondents were asked to evaluate the full list of 39 proposals three times, rating each measure by the following criteria: (1) magnitude of the problem, as indicated by the number of accidents per year, the severity of those accidents, and the cumbersomeness and expense of current procedures; (2) feasibility of the measure, defined as the cost to implement, the ease of implementation, the level of political support, and the possible public relations consequences; and (3) impact of the measure, indicated by the potential number of people affected, effectiveness and efficiency of the measure in solving the targeted problem, and how directly the measure addresses the problem.

It was hoped that going through the proposal list three times would compel the panelists to become familiar with the proposals and to view them and the underlying problems in a critical and "real world" perspective rather than simply expressing their agreement or disagreement with each proposal. The evaluations of proposals on each criterion used a four-point scale bearing the labels "extremely," "very," "somewhat," and "not at all." This scale was used to force the respondents to make a definite evaluation and not allow them to equivocate their position with a totally neutral response (Wedley, Jung, and Merchant, 1979).

Finally, the panelists were asked to select their top ten proposals in order of preference from the full list. The instructions also indicated that at their later face-to-face meeting, the panel members would consider further only the most highly ranked proposals. It should be noted that the first four tasks were mainly exercises to ensure that the participants considered each measure thoroughly and critically. Only the rank ordering of the top ten proposals was used to determine which proposals would be recommended for inclusion or omission from the panel's deliberations.

Compiling Responses from the Questionnaire

Responses to the full set of five questionnaires were received from 13 of the panelists, either by mail or over the phone. Due to time pressure (since participants had at most a week to send in their responses), three panelists completed only their top ten ranking; one panelist was on vacation until the day before the panel session and was not able to respond at all. Another respondent whose rankings were tallied in the first round was later unable to serve on the panel, and so did not participate in later rounds. The delayed response problem was probably increased because the study was conducted during the summer when people are more likely to be out of their office or on vacation for substantial periods of time.

The results of the mail survey were used both to compile the list of proposals recommended for further consideration during the group session and to calculate the scores on the specific criteria to be presented as feedback to the panel. An average score was calculated for each proposal for the magnitude, feasibility, and impact ratings: 4 points were awarded for a response of "extremely," 3 points for "very," 2 for "somewhat," and one point for "not at all". The figures for the top 10 ranking were calculated by giving 10 points for a first place vote, 9 for second, 8 for third, etc. down to one point for a tenth place vote.

The list of proposals was ordered using the total scores from the top ten rankings because of its more uniform interpretation and superior response rate over the other measures. In the interest of time and to narrow the scope of the proposals to be considered by the panel, the cut off was set after the top 20 proposals. Two additional proposals were included which did not accumulate enough points to be in the top 20, but which did each receive one first place vote. This was done so as not to eliminate any panelist's top priority from further consideration by the full panel.

Conducting the Panel Session

As the panelists arrived at the meeting, they each received a packet of materials, including the results from the mail questionnaire (see Appendix D). This feedback for the top 22 proposals consisted of total points received; average scores for magnitude, feasibility, and impact; number of votes in top ten; and number of first place votes. This information was both projected on overhead slides (see Appendix E for sample) and distributed in handouts.

After the presentation of the top 22 proposals, the panelists were read a list of proposals not in the top 22, along with their point

totals and number of votes, to see whether any merited addition back onto the list for subsequent examination. The panel also considered a list of late additions, suggestions received after the questionnaires had been sent out (see the additions to the proposal list shown in Appendix D). A brief discussion was allowed for each proposal which any panelist wanted to be added onto the list.

The nominal group portion of the methodology was then applied. Without further discussion, each panelist individually ranked his top 10 choices using the new list, which had expanded to 30 proposals. At that point, the meeting adjourned for lunch and for the compilation of the new rankings.

The afternoon session opened with a presentation of the results of the second round (see Appendix F). Panelists were then allowed to comment on the proposals, thus beginning the Interactive Group portion of the methodology. The panel was also given the opportunity to group proposals dealing with similar topics into packages for later rankings. Following the discussion of the remaining proposals, the panelists ranked the list for a final time. The final results were compiled and presented to the panel before the meeting concluded.

Each panelist was sent a thank you letter along with a written version of the final list of the group's recommendations (see Appendix G).

RESULTS

As a result of the modified Delphi session, the panelists agreed to a final list of 13 legislative proposals. These are noted in Table 1, along with their point totals for the three rounds of ranking. This section of the report will (a) discuss the content of the final list of proposals; (b) review, where relevant, the perceived magnitude, feasibility, and impact scores of each proposal; and (c) advance the rationale for each proposal based on the panelists' comments made during the discussion session. The descriptions accompanying the results are virtually identical to the text of the proposals given to the panelists. (A comprehensive list of all proposals and their point values appears in Appendices D and G.) Additional material on how group dynamics affected the final standings appears in the Discussion section.

Table 1

Results of the Three Rounds of the Delphi Panel Rankings
for the Final Thirteen Proposals

	<u>Round 1</u> (Points)	<u>Round 2</u> (Points)	<u>Round 3</u> (Points)
Mandatory Seat Belts	121	130	139
Per Se Violation	116	130	138
Child Restraints	65	111	113
Revocation Package	-	*	86
Time for Arrest	52	70	82
Drinking While Driving	46	53	68
Immunity for CIT	16	26	50
Increase Hit-and-run Penalties	-	28	48
Aerial Speed Enforcement	25	20	36
Altered Suspensions	20	19	30
VASAP TO One Year	14	18	28
Prohibit Tinted Glass	-	13	19
Refusal Admissible	38	35	17

*The three proposals comprising the package received separately 41, 23, 21 points in Round 2.

1. MANDATORY SEAT BELT USE (adding §46.1-309.2)

Description: Require the driver and front seat passengers of an automobile to wear a safety restraint or be penalized with a fine. Mandating the use of safety belts is supported by evidence that a widely disproportionate number of highway fatalities were not wearing seat belts when killed.

Source: Final Cumulative Index of Bills, Joint Resolutions, and Documents, 1983 and 1984 Sessions; VHTRC Reports.

The panel's high regard and support for mandatory seat belt legislation was evident in the consistently high point totals it received, as well as top 10 votes given by all the panelists in the final round. This proposal received the highest scores for magnitude and impact, 3.9 and 3.8, respectively, out of a possible score of 4.0. The high visibility of seat belt legislation in general probably contributed to its endorsement as the first priority of the panel, which was evident from its final score of 139 of a possible 160 points, and its receipt of a first place vote by fully half of the panel.

2. PER SE VIOLATION (amending §18.2-266)

Description: Lower the level of blood alcohol constituting a per se legal violation from BAC 0.15% to 0.10%.

Source: Governor's Task Force to Combat Drunk Driving.

Lowering the BAC constituting a per se violation was a very close runner-up in the rankings, receiving 138 points in the final round. It also shared the distinction, with mandatory seat belts, of garnering a top 10 vote from every panelist in the final round. The perceived magnitude (3.7) and impact (3.8) scores were also quite high.

Several comments made during the discussion session illuminated the reason for the panel's strong endorsement of this measure. In some courtrooms, the per se level at 0.15% has made conviction for drunken driving at lower levels of blood alcohol far more difficult, the statutory presumption of intoxication at BAC 0.10% notwithstanding. Also, based on a recent Virginia Supreme Court case, Shinault v. Commonwealth, __ Va. __, 321 S.E.2d 652 (1984), a conviction for drunk driving under a law in another state with a per se level of 0.10% currently cannot be counted on a driver's record for purposes of documenting previous DUI convictions and thus setting penalties under the Habitual Offender Statute.

3. CHILD RESTRAINT DEVICES (amending §46.1-314.2)

Description: In order to more fully protect children from injury while riding in cars, require all drivers, not just parents and legal guardians, to buckle children into proper child safety seats.

Source: Chief of Police

The protection of child passengers is the fundamental basis for the statutory requirement of child safety seats. The panelists recognized the scope of this problem, as indicated by the magnitude and impact scores of 3.3. However, allowing an exemption for some drivers based not on safety concerns but on the driver's relationship with the child, frustrates the primary purpose of the law. The panelists thought that this statutory change is feasible, as evidenced by its feasibility score of 2.8 (the highest feasibility rating received by any proposal was 3.2). In the final round 15 of the 16 panelists endorsed the proposal in their top 10, and the child restraint proposal accumulated 113 points.

4. REVOCATION PACKAGE

Description: (a) Require drivers to relinquish their licenses at the hearing or trial at which suspension is ordered, to prevent people from keeping their drivers' licenses after official suspension or revocation and to preclude the need for officers to track down the holders of such licenses (amending §46.1-350).

Source: Chief of Police

(b) Reinstate the DMV inspection personnel responsible for confiscating revoked and suspended driver's licenses, since the sheriffs currently responsible for enforcement do not view this activity as a high priority item.

Source: Chief of Police

(c) Allow issuing a summons to appear in court for an offense for which conviction would result in license suspension to serve as actual notice of suspension, if the offender later fails to appear in court (amending §46.1-178.1).

Source: Added during panel by judicial representative

The proposals constituting this package were grouped by the panel's decision in recognition of the need for multiple measures to address the problem of people continuing to drive after their licenses have been officially suspended or revoked. A related problem mentioned by several

panelists involved with law enforcement and prosecution concerned obtaining convictions for driving under suspension in the face of the courts' requirement that the offender have actual notice of his suspension. These violators either deny knowing about their suspension, or else fail to appear in court altogether.

In the first round, the proposal to make drivers relinquish their license at trial received very high scores from the panel in all three categories -- 3.4 for magnitude, 3.2 for impact, and a 3.1 feasibility rating (the second highest feasibility score for any proposal). In the final round, after the revocation proposals had been grouped, the package garnered 86 points, receiving first place votes from two panelists, and ending up in the top 10 lists of 14 of the 16 panelists.

5. TIME FOR ARREST (amending §18.2-268(b))

Description: To close a major loophole in the enforcement of the drunken driving law, eliminate the current requirement that a DUI arrest be made within two hours of the alleged offense.

Source: Governor's Task Force to Combat Drunk Driving

This proposal remained in the top 5 throughout all three rounds, ending up with a total of 82 points. While this problem received a relatively low magnitude rating (3.1) compared to the other drunken driving proposals, panelists from rural areas of the state maintained that the problem addressed by the proposal is a significant obstacle to enforcement and prosecution of drunken driving cases in rural areas.

6. DRINKING WHILE DRIVING (adding §18.2-323.1)

Description: In recognition of the dangerous combination of drinking and driving, prohibit the consumption of alcoholic beverages while operating a motor vehicle.

Source: Final Cumulative Index of Bills, Joint Resolutions, Resolutions and Documents, 1985 Session of the General Assembly

This proposal received strong support throughout the panel, as evidenced by the high magnitude score of 3.4 and the final point total of 68 points. In addition, three-fourths of the panel ranked this proposal in the top 10.

Support for this proposal was based on the panel's belief that there should be a strong statement in the law prohibiting the mixture of drinking and driving, despite the potential enforcement problems and the possible coverage of this activity by implication elsewhere in the Code (under "drinking in public").

7. LEGAL IMMUNITY FOR THE CRASH INVESTIGATION TEAM (amending §8.1-402 and §2.1-342(b))

Description: Allow total immunity from subpoena for members of the Crash Investigation Team. This would improve the functioning of the CIT by allowing them more time to research accidents rather than preparing for court testimony.

Source: Transportation Safety Administration

Providing legal immunity for the CIT did not receive significant support in the first round, and is an example of the dramatic impact the discussion had on the fate of several issues. This movement of proposals will be examined in greater detail in the final section of this report. The panel's support for the measure was clearly affected by information provided by one of the participants on the large amount of time that members of the CIT are currently forced to spend preparing for court testimony.

8. INCREASE PENALTIES FOR HIT-AND-RUN (amending §46.1-177)

Description: Increase the penalties for a hit-and-run offense, since the current penalty is less than for such offenses as driving under suspension and DUI, which possibly encourages drivers to flee the scene of an accident.

Source: Chief of Police

This proposal was one of the late additions approved by the panel for further consideration. Thus, it did not have any initial magnitude, impact or feasibility ratings. However, the panel's discussion of this proposal and especially the comments of the law enforcement representatives, highlighted the increasing problem of hit-and-run drivers throughout the state. This discussion was reflected in the proposal's final ranking in the top 10 with 48 total points.

9. AERIAL SPEED ENFORCEMENT (amending §46.1-198)

Description: Permit law enforcement officers to use aircraft equipped with electrical or mechanical timing devices to check speeds of motor vehicles.

Source: Department of State Police

This proposal is aimed at enhancing the enforcement of speed limits by endorsing innovations in law enforcement techniques. The panel's initial evaluation indicates that while overall the problem was considered quite severe, receiving a magnitude score of 2.9, only 5 of the

panelists chose to include the measure in the first enumeration of their top 10 priorities. However, the panel discussion elaborated upon the benefits of aerial speed enforcement, noting that such a technique is far more visible to motorists and has a more prolonged effect over drivers' behavior than do conventional patrolling methods. As a result of this clarification, the measure was included in the top 10 list by 11 panelists, receiving 36 points in the final round.

10. ALTERED SUSPENSION ON PICKUP TRUCKS AND VANS (amending §46.1-282.1)

Description: In light of the increased danger of rollovers with heightened vehicles, prohibit the alteration of suspension systems on pickup trucks and vans.

Source: Crash Investigation Team Report

The current language of the Virginia Code prohibiting the alteration of suspension systems in passenger vehicles has been construed to exclude pickup trucks from the statutory prohibition. Altered vehicle suspensions, especially when coupled with oversized tires, increase the potential severity of rollovers during an accident. Further, the bumpers on a heightened truck frequently reach the windshield level on a small car, creating an extremely dangerous situation for small car drivers during a collision with raised vehicles. In recognition of the dimensions of the problem which were brought to light during the afternoon discussion, the proposal accumulated 30 points in the last round and ultimately received votes from 10 of the 16 panelists.

11. INCREASE MANDATORY VASAP TO ONE YEAR (amending §18.2-271)

Description: Increase mandatory participation in VASAP to one year, since research has shown that programs lasting one year and consisting of a combination of treatment and lesser contact are more effective in reducing DUI recidivism than are shorter programs.

Source: Governor's Task Force to Combat Drunk Driving

The VASAP program has been instrumental in increasing the conviction rate for drunken driving offenses by providing a treatment program as a sentencing alternative for drunken drivers. However, the current length of VASAP participation, which averages from 6 to 8 weeks, is too short to allow addressing the underlying problems of drunken drivers and to more effectively prevent the reoccurrence of such offenses. A statutorily mandated program which allowed VASAP to continue treating or maintaining contact with the offender for a full year has proven far more effective in reducing DUI recidivism. One panelist continued to rank this proposal as his top priority throughout the three

rounds, while overall the measure was placed in the top 10 by 9 panelists in the final round for a point total of 28.

12. PROHIBIT TINTED GLASS (amending §46.1-291(B)(3))

Description: Restrict the use of tinted glass which prohibits viewing the interior of a motor vehicle from the outside, since law enforcement officers are in a vulnerable position when stopping or approaching such vehicles.

Source: Chief of Police

Currently, the law of Virginia proscribes such tinted glass only on specified windows of a motor vehicle. Because the prohibition does not extend to the rear windows, occupants are able to conceal weapons or dispose of other contraband when an officer is approaching the vehicle. The law enforcement representatives on the panel verified the serious nature of this problem. Because the proposal was a late addition to the list, magnitude ratings from the panelists are not available. In the last round, 9 of the panelists rated the measure in their top 10, and the proposal received 19 points.

13. REFUSAL TO TAKE TEST ADMISSIBLE AS EVIDENCE (amending §8.2-268(i))

Description: To facilitate the prosecution of drunken driving offenses, allow a defendant's refusal to take an alcohol test to be admissible as evidence of guilt at trial.

Source: Governor's Task Force to Combat Drunk Driving

The Code of Virginia currently forbids the Commonwealth from introducing into evidence a defendant's refusal to take a test for alcohol in a DUI trial. Currently, at least 34 states allow the refusal to be admissible into evidence at trial. While the proposal ended up with only 17 points in the final round, it had been rated in 7th place in the first two rounds, receiving 38 points during the initial ranking. In addition, the panelists had considered it a serious problem, as indicated by the magnitude score of 2.9, and also perceived that the impact of the measure would be significant, as is evident from the average impact score of 3.0.

The diminution of support for the measure during the course of the panel may be due to several factors. First, during the discussion the judicial representative stressed that admitting the refusal at trial would not always contribute substantially to conviction since it does not address the fundamental issue of a driver's impairment. In addition, it was also mentioned during the discussion that the legislature recently increased the length of the license suspension

constituting the administrative penalty for a refusal, and so might be reluctant to reconsider the refusal issue. This potential for political problems by endorsing the admissibility of a refusal as a top priority was also reflected in the proposal's rather low feasibility rating of 2.2 received in the first round Delphi questionnaire.

DISCUSSION

The composition of the final list of 13 proposals comprising the panel's legislative priorities was influenced not only by the prior personal and organizational commitments of the panelists, but also by the exposure to the group processes composing the methodology of the study. The preexisting commitments of the panelists to particular proposals were initially displayed in the responses to the first-round mail questionnaire. Some of these were later converted by the processes of individual rankings in the group setting, and of interacting and exchanging ideas and arguments. The final list of priorities which emerged from the group's deliberations was thus influenced by contradictory forces and showed stability in some areas and change in others. This section of the report will highlight the contributions of different aspects of the methodology which influenced the group outcome and will suggest refinements in the methodology devised for this study to aid future users of this technique.

Measures of Stability, Commitment, and Convergence

The measures compiled as different aspects of the individuals' selection -- total points, overall rank, number of top 10 and first place votes received -- present important indicators of stability, commitment and convergence. These measures illustrate the contrast between the stability in the top of the list and the movement and changing positions of the lower priorities. This part of the report will describe these differences and discuss them with reference to the contributions of different features of the methodology.

The major indicator of stability and change is the overall rankings themselves. The top 5 proposals from the first round remained virtually unchanged throughout the three rounds of rankings. Another indicator of stability is the top priority designated in each panelist's rankings. Throughout the three rounds, "mandatory seat belts" received first place votes from 8 of the panelists, the "per se law" received 5, and "increasing VASAP" got 1. Only 2 panelists changed their top priority. This stability illustrates the probable effect of prior organizational or personal commitments to particular legislative proposals.

Finally, the increasing number of points garnered by each of the top proposals indicates the panelists' convergence in their support of the final list. For instance, "mandatory seat belts" earned 121 points in the first round, 130 in the second round, and 139 in the third. Further, this proposal was ranked in the top 10 by every panelist in the final round, up from 14 in the first and 15 in the second round. A comparable pattern was evident for the "child restraint" law, ranked in third place throughout, but also with increasing numbers of points and votes. The rise in support for these two proposals in particular is especially significant since there was no discussion of either proposal at the meeting. Thus, the increase in support could be attributed to features of the methodology.

The Delphi method was developed to induce consensus and convergence by the presentation of feedback to members on the group results (Bardecki, 1984). The feedback serves as social pressure to conform to the group ranking; in cases where an individual's support for the group result is already substantial, feedback reinforces the individual's prior commitments. The borrowed features of the Delphi technique for this project thus fostered a sense of commitment and convergence, especially for the top proposals, as indicated by the different measures of stability and support employed in this study.

In contrast to the stability of the top priorities, the remainder of the list underwent significant change during the three rounds. The movement of different proposals both into and out of the top 10 can also be attributed to different facets of the methodology. The feedback from the Delphi portion identified for the panelists both the areas in which they were in agreement and those where they diverged from the group results. The discrepancy between the individual and group ratings induced the divergent panelist to either abandon the proposal or vocalize his support of it.

This pattern was evident in several cases. For instance, the proposal which advocated granting legal immunity to members of the CIT just missed top 20 cut-off after the first round. Two supporters argued in its behalf in recommending that it be added back to the list for further consideration. Since this proposal was somewhat obscure to many of the panelists, they were swayed to support the proposal by being apprised of its importance. Thus, the CIT immunity proposal moved up to 10th in the 2nd round, and up to 7th place in the final ranking.

One "defect" which has been noted with the interactive group method is that it tends to magnify the deference accorded to higher status members, while suppressing contributions from lower status participants (Van de Ven and Delbecq, 1971). Because the transportation safety field is so diverse, the effect of differential expertise, as opposed to

status, was especially significant. For instance, when the panel considered the additions to the list at the end of the morning session, the discussion became focused on the issues of suspended licenses. This extended consideration was due to the comments of the enforcement, prosecution, and judicial personnel, who pointed out the pervasiveness and seriousness of the problem. In addition to the existing proposals of reinstating DMV personnel to confiscate licenses and having the offender relinquish his license at the revocation hearing, the judicial spokesman suggested a new addition to the list of having a summons to appear in court serve as actual notice of license revocation for a subsequent failure to appear in court. These three proposals ended up in 6th, 11th, and 12th places in the second round, and were discussed further in the afternoon interactive session in the context of grouping them together into a package. This revocation package jumped to 4th place in the final round. The history of the revocation package illustrates the importance of the discussion in allowing less publicized problems to be brought to light by experts in the area.

The timing of the discussion of different proposals also affected their fate. In addition to the proposals discussed above, "increasing penalties for hit-and-run offenses" and "prohibiting tinted glass" were discussed in the morning, thus boosting their second-round placement. Other proposals, such as "altered suspensions" and "aerial speed enforcement", were not discussed until the afternoon session. These proposals vaulted into the top 10 in the final round, following the endorsements and explanations of the proposals during the interactive phase.

The discussion session had the opposite effect on several other proposals, in that it caused an erosion of support. Generally, the highly ranked proposals not retaining their popularity lost support either as a result of negative comments by a participant or because of the panel's recommendation that the problem be handled administratively rather than through legislation. Providing for uniform field sobriety tests was eliminated from the top of the list by the assurances of the State Police representative that the problem of training enforcement personnel in this area was already being handled by that department. As another example, providing the residential rather than only the mailing address on vehicle registrations had been initially proposed by an enforcement official as a result of the Delphi solicitation, and received the highest feasibility score (3.2) of any proposal on the mail questionnaire. Upon reviewing the proposal, the panel had some questions on the capability of the DMV computer to handle this change. Thus, in the afternoon session a DMV official responsible for overseeing this area was brought in to address the panel's administrative concerns. It was determined that the DMV could require the residential address on vehicle registrations as it currently did on operator's licenses; the departmental official further resolved to emphasize the residential

address as departmental policy. This additional innovation of providing an expert to clarify and address the panel's concerns was invaluable both in eliminating basically administrative matters from further consideration and in resolving the underlying substantive problem.

In some cases, such as with the pedestrian package, the elaboration of potential enforcement problems diminished the support for the measure. In other cases, the diminution in support resulted from the recognition that setting priorities necessarily required eliminating some worthwhile measures, rather than from any negative features of the proposals themselves. This occurred with the moped proposals. Presumably, this drop-off of support would occur in a pure Delphi design as well as in the hybrid employed here. The unique features of this design rather allowed some proposals to be advocated strongly and vocally by panelists with particular expertise during the interactive session, thereby enabling the proposal to gain the endorsement of the entire group during the anonymous ranking and to become a priority of the panel.

Recommendations for Future Designs

The Delphi method as modified for this application proved to be extremely useful for reaching consensus on a list of priorities using representatives of diverse groups with divergent areas of expertise. The technique is easily adaptable to other subject areas, and could be useful to directors of agencies who wish to consult a wide variety of individuals when identifying their legislative needs and compiling their list of legislative requests. Nevertheless, several improvements could be made in the research design. The following suggestions and cautionary notes should be considered by those interested in applying this methodology in the future.

Time Allotment

Adequate time should be allowed at all stages of the project, particularly in requesting submissions, questionnaire responses, etc. This study was conducted under severe time pressure: the agency deadline for receiving legislative submissions was the beginning of August, and the project was not begun until the middle of May.

Six weeks would have been an optimum time to allow localities to respond to the request for submission of proposals, rather than the three weeks actually allotted. Also, the time frame allowed the panelists only one week to complete the entire set of Delphi questionnaire tasks, which prompted some to complain that they had insufficient time to review the proposals as thoroughly as they would have liked. Three

weeks to a month would probably constitute a more reasonable amount of time to allow for the completion of the questionnaire.

Timing of Study

Whenever possible, projects should be conducted during times when respondents are readily available. Conducting the project during the summer compounded the problem of delayed responses at each phase; vacations both interfered with the timely responses of several group members and prevented some potential panelists from participating altogether. Avoiding such times of the year would greatly ease the administration of the project. On the other hand, the panel session must be conducted as close as possible to the time the results will be used to ensure that the proposals are still timely.

Generating Suggestions

Soliciting suggestions from a broad range of localities elicited many excellent suggestions, although as mentioned above, the timing of the study may have dampened the response rate. There was a minor problem, however, when panelists contributed additions or modified existing proposals during the meeting itself, which prevented the entire panel from evaluating these submissions thoroughly. This could be remedied by convening a meeting of selected individuals to formulate their submissions in a classic nominal group format. This approach has been identified in the literature as the most effective method of generating high-quality suggestions from a small group (Van de Ven and Delbecq, 1974). It also has the benefit of allowing modification and refinement of proposals prior to the panel session.

Mail Questionnaire

The use of multiple criteria to ensure the panelists' critical evaluation of the proposals is an integral part of the methodology. However, the definitions for the three criteria used for the individual evaluations during the first-round questionnaire were not interpreted uniformly. There were indications that some panelists ignored the explicit directions and simply evaluated the proposals on an agree-disagree basis. Because of the time constraints of the study, the methodology was not fully pretested with naive subjects prior to its use with the panelists; a pretest of the questionnaire would have eliminated potential problems in a timely manner.

A follow-up phone call to each panelist is also recommended to ensure that the respondents fully understand the instructions and to

allow the panelists to ask questions. It is also important to impress on each participant the necessity of filling out the forms personally rather than delegating the duty to a staff member, since the responses of the panelists themselves are critical for the validity of the rankings.

Methodological Combination

Using the Delphi design as the basis for the study, with the described adaptations for use in the group setting utilizing nominal group rankings and the opportunity for interaction, was extremely successful in deriving the list of legislative priorities. The modified Delphi technique also circumvented the usual difficulties of a high dropout rate which plagues classic Delphi designs. The panelists' commitment to the group process was illustrated during the meeting; when the morning session was running late, the moderator asked the panel if they wanted to take a break, and they all elected to continue the discussion. Furthermore, all participants attended and contributed to all sessions, a further tribute to the success of the technique in fostering commitment to the process and the outcome among officials of this high level.

CONCLUSION

This modified Delphi panel succeeded in identifying priorities for transportation safety legislation and in fostering a sense of commitment for the final list of group recommendations. Soliciting suggestions for legislation from a wide variety of individuals and organizations throughout the state ensured that the scope of the proposals under consideration would encompass the full range of areas of concern to experts in the transportation safety field. The Delphi methodology used for the mail questionnaire enabled the panelists to critically review most of the submissions thoroughly. Ranking the proposals individually in the nominal group format allowed the panelists to converge in their endorsement of the group recommendations while avoiding the "false consensus" induced by voice votes at typical committee meetings. The interactive portion of the session encouraged panelists to voice their objections or support for various measures and allowed them to elaborate and clarify many of the complex issues. The ranking process allowed anonymity sufficient to reduce the influence of status on the process. The group dynamics of this last phase in particular induced substantial changes in the group's final list.

Use of the combination of the three group techniques to prioritize a comprehensive list of legislative proposals was instrumental in both

developing the package itself and in fostering a sense of commitment from the panelists for the group recommendations. The methodology enabled the agency and organization representatives to voice their positions and opinions on the proposals while achieving consensus, thereby enhancing the likelihood that they will continue to support these measures when they are submitted for consideration to the General Assembly.

ACKNOWLEDGEMENTS

The author acknowledges those members of the Research Council staff who reviewed and assisted in the preparation of this report. Cheryl Lynn deserves special thanks for her dedication and guidance in devising the methodology, her help in moderating the panel discussion, and her patience and skill in editing several preliminary drafts.

Recognition is also due to the Research Council staff who generously served as subjects for the pretest of the technique; namely, Gary Allen, Charles Hughes, Dan McGeehan, Wally McKeel, Dave Noble, and Mike Perfater. Thanks are also in order for Harry Craft, who edited the final draft; Jean Vanderberry, who typed the final manuscript; and Angela Andrews, Barbara Turner, Jerry Garrison, and Miles Thornton, whose assistance in finding, preparing and duplicating material on short notice went above and beyond the call of duty.

The panelists themselves merit sincere appreciation for their contributions of time and effort to the project. Finally, thanks go to John T. Hanna, who sponsored the project and supported it throughout.

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APPENDIX A

SOLICITATION LETTER AND PRELIMINARY PROPOSAL LIST



COMMONWEALTH of VIRGINIA
HIGHWAY & TRANSPORTATION RESEARCH COUNCIL

BOX 3817 UNIVERSITY STATION
CHARLOTTESVILLE, VIRGINIA 22903-0817

IN REPLY PLEASE
REFER TO FILE NO. _____

June 7, 1985

Dear

At the request of Mr. John T. Hanna, the Deputy Commissioner of Transportation Safety for the Division of Motor Vehicles, we are compiling a list of legislative proposals for submission to the 1986 session of the General Assembly.

Several proposals relating to pedestrians, bicycles, and drunk driving from the past few years have already come to our attention. We would like to supplement our current list with additional suggestions for legislation -- proposals submitted to the General Assembly in the past but not adopted, current projects, and ideas for future enactments which are as yet unformalized. Thus, we are asking you and other professionals throughout the state to send us suggestions for legislation in all areas of transportation safety, including highways, rail, air, water, and mass transit. Please make your proposals as specific as possible, including where available, the full text of the bill, the section(s) of the Virginia Code being amended, repealed, or added, and any supporting data.

To avoid duplication, our current list of proposals is enclosed for your review. Also, please feel free to express any comments you have on any of the current proposals. In order to have the final list completed in time, we would appreciate receiving your response by June 28.

I will be contacting you again in a few weeks to get your opinions on the full compilation of proposals, as Mr. Hanna's goal is to ascertain what experts in transportation safety throughout Virginia consider the priority issues in transportation safety which merit legislative action in the coming year.

A-3

If you have any questions, please call 804-293-1903 or SCATS
745-1903. Thank you very much for your cooperation and assistance.

Sincerely,

Jessie A. Ginsburg
Graduate Legal Assistant

JAG/tt

CC: Mr. John T. Hanna
Mr. Wayne S. Ferguson

LEGISLATIVE PROPOSALS

I. PEDESTRIANS

1. Definitions (amending 46.1-1). Include definitions of key words such as "traffic" and "right-of-way" to clarify the interpretation and application of several Code provisions relating to pedestrians and aid in the development of a comprehensive and coherent set of traffic laws dictating the rights and duties of pedestrians.
2. Pedestrian Obedience to Traffic Control Devices (amending 46.1-184; 46.1-234). Address the current absence of any express requirement of pedestrian adherence to traffic signals in the Code by requiring pedestrians to observe traffic signals and specifying proper pedestrian responses to such signals.
3. Pedestrian Right-Of-Way In Crosswalks (amending 46.1-231). To ameliorate the problem of accidents at non-signalized intersections, require vehicles to yield the right-of-way to pedestrians crossing at both marked and unmarked crosswalks, and obligate pedestrians to cross only at marked intersections (where available).
4. Crossing At Locations Other Than Crosswalks (amending 46.1-230). To further clarify the rights and duties of pedestrians crossing roadways at places other than crosswalks or intersections, require pedestrians to yield right-of-way to vehicles. This would also apply where a tunnel or bridge for pedestrian crossing had been provided.
5. Pedestrians On Highways (amending 46.1-234). Specify expressly and in clear language the proper behavior of pedestrians walking on highways based on the availability of sidewalks or shoulders.
6. Pedestrians On Sidewalks (amending 46.1-223). Since pedestrians do not expect to encounter vehicles on sidewalks, drivers should be required to yield right-of-way to pedestrians on sidewalks under all circumstances; the current law requires cars to yield to pedestrians on sidewalks only when emerging from private roads or driveways.
7. Pedestrian Response To Emergency Vehicles (adding 46.1-235.1). The Code currently fails to address pedestrian responses to emergency vehicles. Pedestrians should be required to yield right-of-way to emergency vehicles, while emergency vehicles would still have to exercise due care to avoid colliding with pedestrians.

II. BICYCLES

1. Bicycles Impeding Traffic (adding 46.1-xxx). To facilitate the flow of traffic, require bicyclists who are hindering traffic to yield the right-of-way by pulling off the road and allowing traffic to pass.

III. DRUNK DRIVING

1. Per Se Violation (amending 18.2-266). The level of blood alcohol constituting a per se legal violation in a drunk driving offense should be lowered from BAC 0.15% to 0.10%.
2. Time For Arrest (amending 18.2-268(b)). To close a major loophole in the enforcement of the drunk driving law, eliminate the current requirement that a DUI arrest be made within two hours of the alleged offense.
3. Refusal To Take Test As Evidence (amending 18.2-268(i)). To facilitate the prosecution of drunk driving offenses, allow a defendant's refusal to take an alcohol test to be admissible as evidence of guilt at trial.
4. Temporary Licenses Instead Of Restricted Licenses (amending 18.2-271.1(b1a)). To encourage the successful completion of alcohol treatment programs, replace the current "restricted licenses" with "temporary licenses". Issuance of a temporary license would be contingent upon enrollment in a VASAP program, and could be renewed upon successful participation in and completion of the program.
5. Drinking While Driving (adding 18.2-323.1). In recognition of the dangerous combination of drinking and driving, prohibit the consumption of alcoholic beverages while operating a motor vehicle.

IV. DRIVER REHABILITATION

1. Flexibility In Driver Improvement Program (amending 46.1-514). To enhance the effectiveness and efficiency of the driver improvement program, allow the Division of Motor Vehicles greater flexibility and discretion to modify the program without requiring DMV to pursue a formal statutory amendment for every change.
2. Demerit Points Assessed For Accidents Not Convictions (amending 46.1-514.6). Assess points on driver's licenses based on involvement in an accident rather than conviction in order to emphasize the system's goals of preventing accidents, not discouraging convictions.

V. SAFETY RESTRAINTS

1. Mandatory Seat Belt Use (adding 46.1-309.2). Require the driver and front seat passengers of an automobile to wear a safety restraint or be penalized with a fine. Mandating use of safety belts is supported by evidence that a widely disproportionate number of highway fatalities were not wearing seat belts when killed.
2. Seat Belt Use In Commercial Vehicles. Require drivers of commercial vehicles to wear safety restraints to reinforce the current federal requirement.

VI. PICKUP TRUCKS

1. Alteration Of Vehicle Suspension (amending 46.1-282.1). In light of the increased danger of rollovers with heightened vehicles, prohibit the alteration of suspension systems on pickups and trucks.
2. Passengers In Open Pickup Trucks. Prohibit passengers from riding in the back of open pickup trucks in view of the lack of safety restraints and the increased danger of passengers being thrown from the vehicle during an accident.

VII. AIR TRAVEL

1. Flying While Intoxicated (amending 5.1-13). To aid the enforcement of the existing felony of flying while intoxicated, the Code should include definitions of "under the influence" and a testing mechanism for alcohol (such as the breathalyzer) similar to the drunk driving enforcement statutes (18.2-267 through 18.2-273).



APPENDIX B
PANELISTS LETTER



COMMONWEALTH of VIRGINIA
HIGHWAY & TRANSPORTATION RESEARCH COUNCIL

BOX 3817 UNIVERSITY STATION
CHARLOTTEVILLE, VIRGINIA 22903-0817

IN REPLY PLEASE
REFER TO FILE NO. _____

June 24, 1985

Dear

Each year, state agencies must submit to the Governor a list of the legislative recommendations they feel are most important for inclusion in the executive package of legislative proposals submitted to the General Assembly. At the request of Mr. John T. Hanna, Deputy Commissioner of Transportation Safety for the Division of Motor Vehicles, I am presently compiling a list of proposals relating to transportation safety. I have asked over 500 members of local organizations, including sheriffs, chiefs of police, traffic engineers, and transportation safety commissioners to contribute their suggestions for legislation. To determine which proposals are most important for submission to the legislature, the list will be prioritized by an exclusive panel of experts. You were recommended for inclusion on the panel based on your expertise and your concern for furthering the goal of transportation safety in Virginia.

Your participation in the process will entail attending a day-long meeting, which has been tentatively scheduled for July 18 at the DMV office in Richmond. In addition, to obtain your individual ranking of the proposals, I would send you a questionnaire during the first week of July which would require a prompt response.

I am enclosing a preliminary list of proposals for your review. Even if you are unable to participate in the project as a panelist, I would appreciate your comments on the proposals or any additions you would like to make to the list. I will be calling your office within the next week to confirm the date of the meeting and to verify whether you will be able to participate.

Please contact me at (804) 293-1903 or SCATS 745-1903 if you have any questions. Thank you for your time and consideration.

Very truly yours,

Jessie A. Ginsburg
Graduate Legal Assistant

JAG/tt

CC: Mr. Donald E. Williams
Mr. Franklin E. White
Mr. John T. Hanna
Mr. Wayne S. Ferguson

APPENDIX C
MAIL QUESTIONNAIRE



COMMONWEALTH of VIRGINIA

HIGHWAY & TRANSPORTATION RESEARCH COUNCIL

BOX 3817 UNIVERSITY STATION
CHARLOTTESVILLE, VIRGINIA 22903-0817

IN REPLY PLEASE
REFER TO FILE NO. _____

July 8, 1985

Dear Panelist:

Thank you very much for participating in this project to prioritize legislative proposals in transportation safety. The current list includes the suggestions solicited from local traffic engineers, highway safety commissions, sheriffs, police chiefs, and state agency personnel. The panel discussion of July 18 will be based on your individual evaluations of these proposals.

The packet of materials enclosed in this letter contains:

- (1) Meeting agenda and list of panelists;
- (2) Text of full proposal list, to refer to if necessary when filling out the questionnaire forms;
- (3) Form for ranking general goals to identify the priority areas in transportation safety;
- (4) Questionnaires for evaluating the proposals by each of three criteria:
 - (a) Magnitude of the problem
 - (b) Feasibility of the proposal
 - (c) Impact of the measure
- (5) Form to rank the top ten proposals, in order to establish your individual priorities, and eliminate non-priority issues from further consideration;
- (6) Self-addressed, stamped envelope to return questionnaires.

In order to have the responses compiled in time for the July 18 meeting, I will need to receive your completed questionnaires by Friday, July 12.

Thank you again for your time and assistance with this project.
Please feel free to call me at (804) 293-1903 or SCATS 745-1903 if you
have any questions.

Very truly yours,

Jessica Ginsburg
Graduate Legal Assistant

JG/tt

I. RANKING GENERAL GOALS

Instructions

The legislative proposals have been categorized along twelve major subject areas, listed below. Please rank these areas according to their overall importance and to the need for additional legislation to address deficiencies in the Code.

Use a "1" to designate the most important area, "2" for the second most important, etc.

- PEDESTRIANS
- BICYCLES
- MOPEDS
- DRUNK DRIVING
- DRIVER REHABILITATION
- SAFETY RESTRAINTS
- PICKUP TRUCKS AND VANS
- SCHOOL BUSES
- AIR TRAVEL
- BOATING
- CRASH INVESTIGATION
- ENFORCEMENT OF TRAFFIC LAWS

II. MAGNITUDE OF THE PROBLEM

DRUNK DRIVING

7. Per Se Violation. Lower the level of blood alcohol constituting a per se legal violation from BAC 0.15% to 0.10%.
8. Time for Arrest. Eliminate the current requirement that a DUI arrest be made within two hours of the alleged offense.
9. Refusal to Take Test as Evidence. Allow a defendant's refusal to take an alcohol test to be admissible as evidence of guilt at trial.
10. Temporary Licenses Instead of Restricted Licenses. Replace the current "restricted licenses" with "temporary licenses".
11. Drinking While Driving. Prohibit the consumption of alcoholic beverages while operating a motor vehicle.
12. Alcohol in Motor Vehicles. Prohibit the possession of opened alcohol containers in a motor vehicle.
13. Uniform Field Sobriety Tests. Authorize DMV/VASAP to establish a standardized battery of field sobriety tests and require that the Nystagmus gaze test be included in the battery.
14. Passive Alcohol Detection Device. Authorize the use of the "passive alcohol sensor" device built into a standard police flashlight.
15. Special License Plates for Drunk Drivers. Issue special license plates to people convicted of drunk driving.

DRIVER REHABILITATION

16. Flexibility in Driver Improvement Program. Allow the Division of Motor Vehicles greater flexibility and discretion to modify the program without statutory amendment.
17. Demerit Points for Accidents. Assess points on driver's licenses based on involvement in an accident in addition to conviction.
18. Driving with Out-of-State License During Suspension. Prohibit people who have had their Virginia license suspended from getting another license in states without reciprocity with Virginia during the time of the suspension.
19. Increase VASAP Participation to One Year. Increase mandatory participation in VASAP (contact or treatment as needed) to one year.

SAFETY RESTRAINTS

20. Mandatory Seat Belt Use. Require the driver and front seat passengers of an automobile to wear a safety restraint or be penalized with a fine.
21. Safety Belts for All Passengers. Extend the seat belt requirement to rear seat passengers.
22. Seat Belt Use in Commercial Vehicles. Require drivers of commercial vehicles to wear safety restraints.
23. Child Restraint Devices. Require all drivers, not just parents and legal guardians, to buckle children into proper child safety seats.
24. Safety Belt Use in School Buses. Require children to wear safety belts when riding in school buses.

7. extremely / very / somewhat / not at all
8. extremely / very / somewhat / not at all
9. extremely / very / somewhat / not at all
10. extremely / very / somewhat / not at all
11. extremely / very / somewhat / not at all
12. extremely / very / somewhat / not at all
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21. extremely / very / somewhat / not at all
22. extremely / very / somewhat / not at all
23. extremely / very / somewhat / not at all
24. extremely / very / somewhat / not at all

IV. IMPACT OF THE MEASURE

DRUNK DRIVING

7. Per Se Violation. Lower the level of blood alcohol constituting a per se legal violation from BAC 0.15% to 0.10%.
8. Time for Arrest. Eliminate the current requirement that a DUI arrest be made within two hours of the alleged offense.
9. Refusal to Take Test as Evidence. Allow a defendant's refusal to take an alcohol test to be admissible as evidence of guilt at trial.
10. Temporary Licenses Instead of Restricted Licenses. Replace the current "restricted licenses" with "temporary licenses".
11. Drinking While Driving. Prohibit the consumption of alcoholic beverages while operating a motor vehicle.
12. Alcohol in Motor Vehicles. Prohibit the possession of opened alcohol containers in a motor vehicle.
13. Uniform Field Sobriety Tests. Authorize DMV/VASAP to establish a standardized battery of field sobriety tests and require that the Nystagmus gaze test be included in the battery.
14. Passive Alcohol Detection Device. Authorize the use of the "passive alcohol sensor" device built into a standard police flashlight.
15. Special License Plates for Drunk Drivers. Issue special license plates to people convicted of drunk driving.

DRIVER REHABILITATION

16. Flexibility in Driver Improvement Program. Allow the Division of Motor Vehicles greater flexibility and discretion to modify the program without statutory amendment.
17. Demerit Points for Accidents. Assess points on driver's licenses based on involvement in an accident in addition to conviction.
18. Driving with Out-of-State License During Suspension. Prohibit people who have had their Virginia license suspended from getting another license in states without reciprocity with Virginia during the time of the suspension.
19. Increase VASAP Participation to One Year. Increase mandatory participation in VASAP (contact or treatment as needed) to one year.

SAFETY RESTRAINTS

20. Mandatory Seat Belt Use. Require the driver and front seat passengers of an automobile to wear a safety restraint or be penalized with a fine.
21. Safety Belts for All Passengers. Extend the seat belt requirement to rear seat passengers.
22. Seat Belt Use in Commercial Vehicles. Require drivers of commercial vehicles to wear safety restraints.
23. Child Restraint Devices. Require all drivers, not just parents and legal guardians, to buckle children into proper child safety seats.
24. Safety Belt Use in School Buses. Require children to wear safety belts when riding in school buses.

7. extremely / very / somewhat / not at all
8. extremely / very / somewhat / not at all
9. extremely / very / somewhat / not at all
10. extremely / very / somewhat / not at all
11. extremely / very / somewhat / not at all
12. extremely / very / somewhat / not at all
13. extremely / very / somewhat / not at all
14. extremely / very / somewhat / not at all
15. extremely / very / somewhat / not at all
16. extremely / very / somewhat / not at all
17. extremely / very / somewhat / not at all
18. extremely / very / somewhat / not at all
19. extremely / very / somewhat / not at all
20. extremely / very / somewhat / not at all
21. extremely / very / somewhat / not at all
22. extremely / very / somewhat / not at all
23. extremely / very / somewhat / not at all
24. extremely / very / somewhat / not at all

V. TOP 10 PROPOSALS

Instructions

If the panel were limited to a discussion of only ten proposals of all those listed, which would they be? In all likelihood, we will discuss more than ten proposals at the July 18 meeting; this ranking will act as a guideline to eliminate those proposals which no panelist considers important enough to discuss at length.

Please place the number of the proposal you consider most important in space 1, the second most important in space 2, and so forth.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

Thank you again for your responses. Please insert all questionnaire forms in the envelope provided and send them back to me by July 12. I look forward to meeting you in Richmond on July 18.

APPENDIX D
MEETING PACKET

LEGISLATIVE PROPOSALS PANEL

PANELISTS

Ken Batton, Department of Mental Health and Mental Retardation

Captain Basil Belsches, Department of State Police

Jeane Bentley, Department of Education

Vince Burgess, Transportation Safety Administration

Aubrey Davis, Richmond Commonwealth's Attorney

Lillian Devenny, Virginians Opposed To Drunk Driving

Vivian Giles, Women Highway Safety Leaders

John Gillman, Richmond Highway Safety Commission

John Hanna, Department of Motor Vehicles

Chief Frank Johnstone, Albemarle County Police Department

Judge Henry Kashouty, Hampton General District Court

E. Stuart Kitchen, Sussex County Sheriff

Susan McHenry, Department of Health

Will Osburn, Medical Society of Virginia

Jim Robinson, Department of Highways and Transportation

Jeffrey Spencer, Assistant Attorney General

Ambrose Woodroof, Transportation Safety Board

LEGISLATIVE PROPOSALS PANEL

AGENDA

DMV Office Building, Room 702
2300 West Broad Street
Richmond, Virginia

July 18, 1985
10:00 A.M.

10:00 - 12:00 A.M.

1. Opening Remarks
2. Presentation of Feedback from Mail Questionnaire
(Jessie Ginsburg, Cheryl Lynn)
3. List of Top 20 Proposals for Further Discussion
4. Panel Consideration of Omissions from List
5. Panel Examination of Late Additions
6. Individual Ranking of Proposals

12:00 - 1:00 P.M.

-- LUNCH -- Provided in DMV Cafeteria

1:00 - 4:00 P.M.

1. Presentation of Results from Morning Session
2. Group Discussion of Proposals
3. Individual Reranking of Top Proposals (if necessary)
4. Final Compilation of Prioritized List

LEGISLATIVE PROPOSALS

RANK ORDER LIST

1. Mandatory Seat Belt Use. Require the driver and front seat passengers of an automobile to wear safety restraints.

MAGNITUDE	: 3.9	TOTAL POINTS	: 121
FEASIBILITY:	2.7	NUMBER VOTES IN TOP TEN:	14
IMPACT	: 3.8	NUMBER 1st PLACE VOTES :	8

2. Per Se Violation. Lower the level of blood alcohol constituting a per se legal violation from BAC 0.15% to 0.10%.

MAGNITUDE	: 3.7	TOTAL POINTS	: 116
FEASIBILITY:	2.6	NUMBER VOTES IN TOP TEN:	13
IMPACT	: 3.8	NUMBER 1st PLACE VOTES :	5

3. Child Restraint Devices. Require all drivers, not just parents and legal guardians, to buckle children into proper child safety seats.

MAGNITUDE	: 3.3	TOTAL POINTS	: 65
FEASIBILITY:	2.8	NUMBER VOTES IN TOP TEN:	9
IMPACT	: 3.3	NUMBER 1st PLACE VOTES :	0

4. Time for Arrest. Eliminate the current requirement that a DUI arrest be made within two hours of the alleged offense.

MAGNITUDE	: 3.1	TOTAL POINTS	: 52
FEASIBILITY:	2.5	NUMBER VOTES IN TOP TEN:	9
IMPACT	: 2.8	NUMBER 1st PLACE VOTES :	0

5. Drinking While Driving. Prohibit the consumption of alcohol while operating a motor vehicle.

MAGNITUDE	: 3.4	TOTAL POINTS	: 46
FEASIBILITY:	2.5	NUMBER VOTES IN TOP TEN:	7
IMPACT	: 2.8	NUMBER 1st PLACE VOTES :	1

6. Pedestrian Package. Enact a comprehensive set of laws governing pedestrian behavior, including defining key terms and specifying pedestrian behavior on highways, etc.

MAGNITUDE	: 2.5	TOTAL POINTS	: 38
FEASIBILITY:	2.5	NUMBER VOTES IN TOP TEN:	7
IMPACT	: 2.5	NUMBER 1st PLACE VOTES :	0

7. Refusal to Take Test As Evidence. Allow a defendant's refusal to take an alcohol test to be admissible as evidence of guilt at trial.

MAGNITUDE	: 2.9	TOTAL POINTS	: 38
FEASIBILITY:	2.2	NUMBER VOTES IN TOP TEN:	8
IMPACT	: 3.0	NUMBER 1st PLACE VOTES :	0

8. License Mopeds. Require an operator's license for moped drivers.

MAGNITUDE	: 2.7	TOTAL POINTS	: 27
FEASIBILITY:	2.5	NUMBER VOTES IN TOP TEN:	6
IMPACT	: 2.8	NUMBER 1st PLACE VOTES :	0

9. Uniform Field Sobriety Tests. Authorize DMV/VASAP to establish a standardized battery of field sobriety tests and require that the Nystagmus Gaze test be included in the battery.

MAGNITUDE	: 2.6	TOTAL POINTS	: 27
FEASIBILITY:	2.3	NUMBER VOTES IN TOP TEN:	5
IMPACT	: 2.6	NUMBER 1st PLACE VOTES :	0

10. Aerial Speed Enforcement. Permit law enforcement officers to use aircraft equipped with electrical or mechanical timing devices to check speeds of motor vehicles.

MAGNITUDE	: 2.9	TOTAL POINTS	: 25
FEASIBILITY:	2.3	NUMBER VOTES IN TOP TEN:	5
IMPACT	: 2.7	NUMBER 1st PLACE VOTES :	0

11. Hand in License at Time of Revocation. Require drivers to relinquish their licenses at the hearing or trial in which suspension or revocation is ordered.

MAGNITUDE	: 3.4	TOTAL POINTS	: 23
FEASIBILITY:	3.1	NUMBER VOTES IN TOP TEN:	6
IMPACT	: 3.2	NUMBER 1st PLACE VOTES :	0

12. Alcohol in Motor Vehicles. Prohibit the possession of opened alcohol containers in a motor vehicle.

MAGNITUDE	: 2.8	TOTAL POINTS	: 21
FEASIBILITY:	2.0	NUMBER VOTES IN TOP TEN:	3
IMPACT	: 2.5	NUMBER 1st PLACE VOTES :	0

13. Boating While Intoxicated. Include a testing mechanism for alcohol in the "boating while intoxicated" statute.

MAGNITUDE	: 3.3	TOTAL POINTS	: 21
FEASIBILITY:	2.5	NUMBER VOTES IN TOP TEN:	7
IMPACT	: 2.8	NUMBER 1st PLACE VOTES :	0

14. Alteration of Vehicle Suspension. Prohibit the alteration of suspension systems on pickups and trucks.

MAGNITUDE	: 3.0	TOTAL POINTS	: 20
FEASIBILITY:	2.5	NUMBER VOTES IN TOP TEN:	4
IMPACT	: 2.6	NUMBER 1st PLACE VOTES :	0

15. Regulation of School Buses. Require school buses to adhere to the regulations concerning licensing, capacity, etc., governing other commercial vehicles.

MAGNITUDE	: 2.6	TOTAL POINTS	: 18
FEASIBILITY:	2.2	NUMBER VOTES IN TOP TEN:	3
IMPACT	: 2.5	NUMBER 1st PLACE VOTES :	0

16. Bicycles Impeding Traffic. Require bicyclists who are impeding traffic to yield the right-of-way by pulling off the road.

MAGNITUDE	: 2.5	TOTAL POINTS	: 18
FEASIBILITY:	2.4	NUMBER VOTES IN TOP TEN:	5
IMPACT	: 2.5	NUMBER 1st PLACE VOTES :	0

17. Address on Vehicle Registration. Require vehicle registrations to contain the street address rather than the mailing address of the owner.

MAGNITUDE	: 3.2	TOTAL POINTS	: 17
FEASIBILITY:	3.2	NUMBER VOTES IN TOP TEN:	4
IMPACT	: 2.8	NUMBER 1st PLACE VOTES :	0

18. Vehicle License Plate Number Prima Facie Evidence of Ownership and Operation. Make the vehicle license plate number prima facie evidence of ownership and operation in cases of hit-and-run or fleeing from police, rebuttable at trial by competent evidence to the contrary.

MAGNITUDE	: 3.2	TOTAL POINTS	: 17
FEASIBILITY:	2.5	NUMBER VOTES IN TOP TEN:	4
IMPACT	: 2.6	NUMBER 1st PLACE VOTES :	0

19. Passengers in Open Pickup Trucks. Prohibit passengers from riding in the back of open pickup trucks to avoid ejection during an accident.

MAGNITUDE	: 2.5	TOTAL POINTS	: 17
FEASIBILITY:	1.9	NUMBER VOTES IN TOP TEN:	3
IMPACT	: 2.5	NUMBER 1st PLACE VOTES :	0

20. Safety Belts for All Passengers. Extend the seat belt requirement to rear seat passengers.

MAGNITUDE	: 2.5	TOTAL POINTS	: 17
FEASIBILITY:	1.8	NUMBER VOTES IN TOP TEN:	2
IMPACT	: 2.7	NUMBER 1st PLACE VOTES :	0

21. Increase VASAP Participation to One Year. Increase mandatory participation in VASAP (contact or treatment as needed) to one year.

MAGNITUDE	: 2.5	TOTAL POINTS	: 14
FEASIBILITY:	2.1	NUMBER VOTES IN TOP TEN:	2
IMPACT	: 2.5	NUMBER 1st PLACE VOTES :	1

22. Driving With Out-of-State License During Suspension. Prohibit people who have had their Virginia license suspended from getting another license in states without reciprocity with Virginia during the time of the suspension.

MAGNITUDE	: 2.4	TOTAL POINTS	: 10
FEASIBILITY:	2.8	NUMBER VOTES IN TOP TEN:	1
IMPACT	: 2.7	NUMBER 1st PLACE VOTES :	1

LEGISLATIVE PROPOSALS -- ADDITIONS

- (a) Reckless Homicide. To bridge the gap between Involuntary Manslaughter and Reckless Driving, enact an intermediate offense of Reckless Homicide similar to the offense in the Uniform Vehicle Code.
- (b) Bioptic and Telescopic Lenses. Continue the prohibition against issuing drivers' licenses to people with vision conditions requiring correction with bioptic or telescopic lenses.
- (c) Tinted Glass. Restrict the use of tinted glass which prohibits viewing the interior of a motor vehicle from the outside, since law enforcement officers are in a vulnerable position when stopping or approaching such vehicles.
- (d) Handicapped Parking (amending 46.1-181.1). Prohibit the use of handicapped parking spaces by people who are not handicapped and do not have a handicapped passenger in the vehicle (i.e., a friend or family member borrowing a car with handicapped license plates).
- (e) Littering Highways (amending 33.1-346). Reduce littering from a misdemeanor to a regulation to enable officers to issue citations similar to parking tickets that could be paid to a City or County administrative official unless contested by the offender. More citations for littering would be issued if the officer and the violator did not have to appear in court.
- (f) Opening Vehicle Doors Into Traffic. Enact an offense prohibiting opening car doors into the path of moving motor vehicles.
- (g) Increase Penalties for Hit-and-Run. Increase the penalties for a hit-and-run offense, since the current penalty is less than for driving under suspension, DUI, etc., possibly encouraging drivers to flee the scene of an accident.
- (h) Classify Mopeds as Motorcycles. Categorize mopeds with motorcycles, subjecting them to the same licensing requirements and other laws governing motorcycles.
- (i) Sending Registered Letter as Notice of Revocation. Because courts currently require proof of actual notice of license suspension or revocation, allow sending a registered letter to serve as prima facie evidence of notification. Violators can circumvent the actual notice requirement at present by intentionally failing to pick up their registered mail or to notify DMV of any address changes.
- (j) Federal Highway Safety Funds. Separate federal Highway Safety Act funds from other federal transportation funds. Currently, all funds are distributed by formula without regard to safety potential; federal Highway Safety funds should be allocated to state and local transportation projects based on their potential to reduce the number and severity of accidents.

APPENDIX E
SAMPLE OF OVERHEAD SLIDE

1. MANDATORY SEAT BELT USE

MAGNITUDE: 3.9
FEASIBILITY: 2.7
IMPACT: 3.8

1ST PLACE VOTES: 8

TOTAL POINTS: 121

VOTES IN TOP TEN: 14

APPENDIX F
SECOND ROUND RESULTS

ROUND 2 RANKINGS

1. Seat Belts. 130 pts., 15 (8)
2. Per Se Law. 130 pts., 14 (5)
3. Child Restraints. 111 pts., 15 (1)
4. Time for Arrest. 70 pts., 10 (0)
5. Drinking While Driving. 53 pts., 8 (0)
6. Hand in License at Time of Revocation. 41 pts., 9 (0)
7. Refusal Admissible as Evidence of Guilt. 35 pts., 7 (0)
8. Increase Penalties for Hit-and-Run. 28 pts., 8 (0)
9. Pedestrian Package. 27 pts., 6 (0)
10. CIT Immunity. 26 pts., 5 (0)
11. Confiscation of Suspended Licenses by DMV. 23 pts., 5 (0)
12. Summons to Appear in Court Notice of Suspension. 21 pts., 4 (1)
13. Aerial Speed Enforcement. 20 pts., 5 (0)
14. Alteration of Vehicle Suspension. 19 pts., 5 (0)
15. Address on Vehicle Registration and License. 18 pts., 6 (0)
16. Increase VASAP to One Year. 18 pts., 4 (1)
17. Alcohol in Motor Vehicles. 16 pts., 3 (0)
18. Tinted Glass. 13 pts., 5
19. Bicycles Impeding Traffic. 13 pts., 2
20. Uniform Field Sobriety Tests. 10 pts., 4
21. Boating While Intoxicated. 10 pts., 5
22. Moped Package. 8 pts., 4
23. Passengers in Open Pickups and Vans. 8 pts., 1
24. Consider mopeds as Motorcycles. 7 pts., 2
25. Vehicle Plate Number Prima Facie Evidence of Operation. 6 pts., 2
26. Regulation of School Buses. 6 pts., 2
27. Safety Belts for All Passengers. 5 pts., 1
28. Biopic Lenses. 3 pts., 1
29. Victim Impact Statement. 3 pts., 2
30. Driving with Out-of-State License During Suspension. 2 pts., 1

APPENDIX G
THIRD ROUND RESULTS AND THANK YOU LETTER



COMMONWEALTH of VIRGINIA
HIGHWAY & TRANSPORTATION RESEARCH COUNCIL

BOX 3817 UNIVERSITY STATION
CHARLOTTESVILLE, VIRGINIA 22903-0817

IN REPLY PLEASE
REFER TO FILE NO. _____

July 22, 1985

Thank you so much for participating in the Delphi panel to prioritize legislative proposals in transportation safety. Your contributions of time, effort and enthusiasm were invaluable to the success of the project.

Enclosed are the results from the panel's final ranking of the proposal list. The final round demonstrated substantial convergence of the individual rankings, illustrating the success of the Delphi method.

I am in the process of writing a final report on the project which will be issued in 6-8 weeks. I will send you a copy of the report as soon as it is completed.

Thank you again for your time and assistance with this project.

Very truly yours,

Jessie Ginsburg
Graduate Legal Assistant

JG/tt

Enclosure

ROUND 3 -- FINAL RANKINGS

Delphi Panel
July 18, 1985

			<u>POINTS</u>
1.	<u>Mandatory Seat Belts</u>		
	Top Ten Votes: 16	1st Place Votes: 8	139
2.	<u>Per Se Violation</u>		
	Top Ten Votes: 16	1st Place Votes: 5	138
3.	<u>Child Restraints</u>		
	Top Ten Votes: 15	1st Place Votes: 0	113
4.	<u>Revocation Package</u>		
	Top Ten Votes: 14	1st Place Votes: 2	86
5.	<u>Time for Arrest</u>		
	Top Ten Votes: 13	1st Place Votes: 0	82
6.	<u>Drinking While Driving</u>		
	Top Ten Votes: 12	1st Place Votes: 0	68
7.	<u>Legal Immunity for the Crash Investigation Team</u>		
	Top Ten Votes: 14	1st Place Votes: 0	50
8.	<u>Increase Penalties for Hit-and-Run</u>		
	Top Ten Votes: 11	1st Place Votes: 0	48
9.	<u>Aerial Speed Enforcement</u>		
	Top Ten Votes: 11	1st Place Votes: 0	36
10.	<u>Altered Suspension on Pickup Trucks</u>		
	Top Ten Votes: 10	1st Place Votes: 0	30
11.	<u>Increase Mandatory VASAP to One Year</u>		
	Top Ten Votes: 9	1st Place Votes: 1	28
12.	<u>Prohibit Tinted Glass</u>		
	Top Ten Votes: 9	1st Place Votes: 0	19
13.	<u>Refusal to Take Test Admissible in DUI Case</u>		
	Top Ten Votes: 4	1st Place Votes: 0	17

