



Proposed Policy for impounding vehicles, where the driver has No DL and/or a Suspended DL.

Overview

- Statistical data shows that shows that unlicensed and/or drivers with an invalid license make up a significant portion of serious injury crashes and traffic fatalities.
- The proposed policy change would help remove these dangerous drivers from the road by impounding vehicles before serious crashes occur.

2012-2016 Crashes and License Status

(Reportable crashes using CR-3 Crash Reports – Excludes Blue Form Crashes)

YEAR	Drivers w/ Invalid License or No DL *	ALL CRASHES	% OF CRASHES W/ UNLICENSED DRIVERS
2012	1,518	14,456	11%
2013	1,858	14,429	13%
2014	2,430	14,661	17%
2015	3,173	15,259	21%
2016 <i>(9/15/2016)</i>	2,539	11,267	23%
TOTAL	11,518	70,072	16%

* Unable to break out the differences due to limitations in crash data from TxDot

2012-2016 Serious Injury Crashes and License Status

YEAR	Drivers w/ Invalid License or No DL *	Serious Injury Crashes	% of Serious Injury Crashes
2012	51	471	11%
2013	63	463	14%
2014	87	417	21%
2015	117	423	28%
2016 <i>(9/15/16)</i>	91	332	27%
<i>Total</i>	<i>409</i>	<i>2,106</i>	<i>19%</i>

* Unable to break out the differences due to limitations in crash data from TxDot

2012-2016 Fatalities and License Status

YEAR	No License	Drivers w/ Invalid License	Fatal Crashes	% of Fatal Crashes
2012	11	7	75	24%
2013	10	9	72	26%
2014	8	9	56	30%
2015	23	9	93	34%
2016 <i>(9/15/16)</i>	7	3	49	20%
<i>Total</i>	<i>59</i>	<i>37</i>	<i>345</i>	<i>28%</i>

Proposed Policy

- When stopped for any traffic violation, or involved in any crash, violator will be cited and have their vehicle impounded for the following:
 - NO DL (after 2 prior convictions or involved in any crash)
 - Any DL Suspension for the following reasons:
 1. Drug Offenses
 2. DWI
 3. Excessive moving violations/or any driving related reason that category the driver as a “Habitual Violator.”

Proposed Revision to City of Austin Ordinance:

- § 12-1-53 - IMPOUNDMENT OR REMOVAL OF VEHICLE.
- (C) A police officer may impound a vehicle stopped by a police officer for a violation or an alleged violation of a city or state traffic law, or other law applicable to the operation of a vehicle on the roadway, and the vehicle's operator fails to show evidence of a valid driver's license or certificate as required under Chapter 521 of the Texas Transportation Code (*Driver's Licenses and Certificates*), as amended.

Proposed Revision to Austin Police Patrol Standard Operating Procedures and Policy

1. Run a driver's license check on the driver. If the driver shows to not have a valid driver's license, then have communications run an involvement check on the driver to determine if the driver has a valid driver's license that is appropriate for the vehicle they are driving. Communications and/ or officers shall verify the status of licenses by utilizing a database of valid motor vehicle licenses.
2. Violations of no driver's license or invalid driver's license (DWLI) may be handled by traffic citation in lieu of arrest at the officer's discretion.
3. Officers shall impound vehicles under the following conditions:
 - 2 or more convictions for no driver's license
 - No driver's license and involved in any crash.
 - Any active driver's license suspension for the following reasons: drug offenses, DWI, or excessive moving violations (habitual violator suspension/ or any hazardous driving related reason.
4. If at the time of the motor vehicle stop, a passenger in the vehicle is found to possess a valid driver's license, the vehicle **may** be released to that passenger to operate the vehicle with the consent of the registered owner.
5. On non-arrest situations, officers will transport the driver and/or occupants of an impounded vehicle to a safe location off of the roadway. Patrol supervisors will ensure that reasonable efforts have been undertaken to the occupants to locate an alternative means of transportation, if the occupants are unable to do so. These efforts may include, but are not limited to, calling a rideshare or taxi service, contacting family members or acquaintances, or a courtesy ride to an area close by with the consent of the occupants to a desired location.
6. Prior to any impound or arrest, a patrol supervisor must approve the action.
7. Exception to this policy are allowed by a patrol supervisor and will be documented with the reason for the exemption in an offense report "Violation of City Ordinance- Release of Invalid DL/No DL."

Education Campaign

- Recommend APD, TXDOT and ATD PIO media advertisement on policy or ordinances changes.
- Training APD officers via INFORMA
- Recommend Vision Zero stakeholders assist in informing and educating the public and those that may be effected by the proposed changes.
- Recommend 90 day educational period before full enforcement actions in effect.

Texas cities that have current policy on towing vehicles that are operated by invalid DL drivers and/or No Insurance

- Dallas
- San Antonio
- El Paso
- Wichita Falls
- Waco
- Corpus Christi