2015 Report on the

The Impacts of Exempting Certain Speeding Violations from Driving Records

Prepared by

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Cover Photos, from left to right, top to bottom: Photo #1- image of a rural Minnesota 2-lane/2-way road; Photo #2- Woman taking a winter walk on the shoulder of a rural, high speed road. Vehicles are visible in the background and snow is piled along the sides of the road. Photo #3- Bicyclists riding on a rural, high speed Minnesota road. Bicyclists are riding fully in the travel lanes. Photo #4- Vehicles traveling on a rural, high speed Minnesota road. The terrain is hilly and visibility is deceptively poor.

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Legislative Request

This report is an analysis of the changes implemented within Minnesota Statutes, Section 171.12, Subdivision 6[1].

The report is required by the language in 2012 Laws of Minnesota, Chapter 287, Article 4, Section 49[2].

Section 49. **Legislative Report On Speed Violations On Driving Record.**

By January 15, 2015, the commissioners of transportation and public safety shall jointly submit a report on recording speed limit violations on a person's driver record to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance. The report must include analysis based on empirical data of impacts on public safety, frequency of speeding, crash rates, travel time efficiency, travel time reliability, and data privacy that are directly or

[1] 2014 Minnesota Statutes 171.12 - Driving Records; Filing; Private Data, Subdivision 6 - Certain convictions not recorded.

[2] Laws of Minnesota for 2012, Chapter 287, 4, Section 49: Legislative Report On Speed Violations On Driving Record. Laws of Minnesota 2012, Ch. 287, Art. 4, Sec. 49

reasonably attributable to the change to Minnesota Statutes, section 171.12, subdivision 6, made by this act.

Minnesota Statute 171.12, Subdivision 6. **Certain convictions not recorded**

(a) Except as provided in paragraph (c), the department shall not keep on the record of a driver any conviction for a violation of a speed limit of 55 miles per hour unless the violation consisted of a speed greater than ten miles per hour in excess of the speed limit.

(b) Except as provided in paragraph (c), the department shall not keep on the record of a driver any conviction for a violation of a speed limit of 60 miles per hour unless the violation consisted of a speed greater than:

(1) ten miles per hour in excess of the speed limit, for any violation occurring on or after August 1, 2012, and before August 1, 2014; or

(2) five miles per hour in excess of the speed limit, for any violation occurring on or after August 1, 2014.

(c) This subdivision does not apply to (1) a violation that occurs in a commercial motor vehicle, or (2) a violation committed by a holder of a class A, B, or C commercial driver's license, without regard to whether the violation was committed in a commercial motor vehicle or another vehicle.

Cost to prepare this report

Preparation of this report required staff time and data from multiple departments and agencies. These departments include: Minnesota Department of Transportation, Minnesota Department of Public Safety, Minnesota Department of Health, and the Minnesota State Court Administrator's Office.

Table 1: Cost to prepare this report

Cost Category	Department	Total Hours	Cost
Consultant Services	University of Minnesota, Center for Transportation Studies	Not Applicable	$86,379
Staff Time	Department of Transportation	238	$7,677
Staff Time	Department of Public Safety	63	$1,507
Staff Time	Department of Health	47	$1,461
Staff Time	Minnesota State Court Administrator's Office	39	$1,718
Grand Total	Not Applicable	*	$98,742

*Does not include Consultant Services hours

Summary

The following departments and offices contributed to the development of this report: the Minnesota Department of Transportation, the Minnesota Department of Health, the Minnesota Department of Public Safety, and the Minnesota State Court Administrator's Office. In order to meet the requirements of this legislative request, each agency offered insight and data. The University of Minnesota, State and Local Policy Program at the Humphrey School of Public Affairs provided policy and data analyses for this report.

Per the language of the legislative request, this report includes the impact on public safety, frequency of speeding, crashes and crash rates, travel time efficiency, travel time reliability, and data privacy. Through the evaluation process, the research team found additional, impactful consequences of Minn. Stat. 171.12, subd. 6.

- This statute *negatively affects public safety* because it allows habitual offenders to continue to drive and remain eligible to apply for a commercial driver's license.
    - Commercial Driver's License Learner's Permit, which will be required starting July 8, 2015,[3] creates new compliance standards for states.
    - Due to these changes in the commercial driver's licensing process, the statute may cause Minnesota to be out of compliance with Code of Federal Regulations Title 49 §384.226: Prohibition on masking convictions.[4]
    - If determined to be out of compliance with Code of Federal Regulations Title 49 §384.226: Prohibition on masking convictions, Minnesota is at risk of having up to 5 percent of Federal-aid Highway Fund withheld.[5] For fiscal year 2013, the Trunk Highway Federal Aid Revenue recognized was nearly $550 million. This would amount to $27.5 million withheld.
- Based on speed convictions from January 2005 to June 2014, nearly 1,000 drivers received enough speed convictions to be eligible for suspension, yet avoided suspension through one or more speed violation exemptions. This analysis is limited to speed convictions alone. The full impact of speed violation exemptions on the ability to identify high risk drivers requires further analysis.

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[3] Federal Code of Regulations Title 49: Transportation, Subtitle B – Other Regulations Relating to Transportation, Chapter III – Federal Motor Carrier Safety Administration, Department of Transportation, Subchapter B – Federal Motor Carrier Safety Regulations, Subpart E – Testing and Licensing Procedures, §383.73 – State procedures (a) (2).
[4] Federal Code of Regulations Title 49: Transportation, Subtitle B – Other Regulations Relating to Transportation, Chapter III – Federal Motor Carrier Safety Administration, Department of Transportation, Subchapter B – Federal Motor Carrier Safety Regulations, Part 384 – State Compliance with Commercial Driver's License Program, Subpart B – Minimum Standards for Substantial Compliance by States §384.226 - Prohibition on masking convictions.
[5] Federal Code of Regulations Title 49: Transportation Subtitle B – Other Regulations Relating to Transportation, Chapter III – Federal Motor Carrier Safety Administration, Department of Transportation, Subchapter B – Federal Motor Carrier Safety Regulations, Part 384 – State Compliance with Commercial Driver's License Program, Subpart D - Consequences of State Noncompliance §384.401 - Withholding of funds based on noncompliance.

- Compared to the baseline period[6] *fatalities increased* 15.4 percent, *serious injuries*[7] *increased* 0.4 percent.[8]
    - During the baseline period[5], 312 lives were lost on 55 and 60 mile per hour roads. While the statute was in effect, 360 lives were lost on 55 and 60 mile per hour roads.
- Compared to the baseline period[5], *fatalities in speed-related crashes increased* 11.8 percent and *serious injuries increased* 13.6 percent.
    - During the baseline period[5], 51 lives were lost on 55 and 60 mile per hour roads. While the statute was in effect, 57 lives were lost on 55 and 60 mile per hour roads.
    - During the baseline period[5], 125 people sustained serious injuries from speed-related crashes. While the statute was in effect, 142 people sustained serious injuries from speed-related crashes.
- Under this statute, the proportion of drivers who travel over the speed limit shows no consistent increase or decrease.
- This statute offers *no benefit to travel time efficiency or reliability*.
- Compared to the baseline[9], free-flow speed[10] and roadway volume remained effectively static.
- This statute offers *no new or significant impact on the privacy of driving records or personal information*.
- This statute prevents insurance underwriters from creating accurate premiums for high-risk drivers.
    - This may lead to increased insurance costs passed on to Minnesota drivers. Further analysis may identify how extensively the statute influences insurance rates. Analysis of speed conviction data shows that roughly 20 percent of all speed violations are exempt from driver's record.
    - Absent of full driving records, insurance companies rely on proxy indicators such as credit reports to determine insurance rates.
- The traveling public believes speed limits are inconsistently enforced. Whether Minn. Stat. 171.12, subd. 6 caused or reinforced this belief is unknown. In order to understand the depth and scope of this issue, additional research is necessary. Two Minnesota Department of Transportation surveys found that:
    - Most Minnesotans expect law enforcement officers to practice some level of discretional enforcement of speed limits.
    - Most Minnesotans believe certain speeding violations are exempt from driving records.

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[6] Analysis of fatalities and serious injuries includes a comparison period while the statute was in effect, August 2012 through December 2013, and a baseline period, August 2010 through December 2012

[7] Serious injuries include permanent, life altering injuries.

[8] Analysis of fatalities and serious injuries

[9] Analysis of travel speeds included a comparison period while the statute was in effect, August 2012 through December 2013, and a baseline period, August 2010 through December 2011.

[10] Free-flow speed is the speed up to which 85 percent of vehicles are traveling on a specific roadway.

The Impacts of Exempting Certain Speed Violations

From Aug. 1, 2012 to June 30, 2014, Minn. Stat. 171.12, subd. 6 applied to violations that exceed 55 and 60 miles per hour speed limits by 10 miles per hour or fewer. There were 9,000 miles of road that fit this criterion. During this period, there were 7,056 miles of posted 55 mile per hour roadways and 1,724 miles of posted 60 mile per hour roadway.

Impact on public safety

Minn. Stat. 171.12, subd. 6 negatively affects public safety because it allowed nearly 1,000 habitual offenders to continue to drive and remain eligible to apply for a commercial driver's license.

Minn. Stat. 171.18, (3) permits the driver license suspension of drivers who are "a habitually reckless or negligent driver of a motor vehicle."[11] Minnesota Rules 7409.2200 implements this law, stating drivers face a 30-day driver license suspension if convicted of four traffic offenses with a 12-month period or five traffic offenses in a 24-month period.[12]

A MnDOT analysis of speed conviction data measured the prevalence of qualified speed violation exemptions. From August 2005 to June 2014[13]:

- 242,992 speed violation convictions were recorded
- 217,818 drivers were convicted of a speed limit violation
- 45 percent of speed convictions of speed violations on 55 and 60 mile per hour roads were exempt from the driver's record.
- There were 59,343 speed limit violation convictions exempt from drivers' records.

From January 2005 to July 2014, speed conviction exemptions allowed 965 drivers to maintain their licenses despite the fact that they received four speed convictions within a 12-month period or five or more citations in a 24-month period. This analysis includes speed violation convictions only. No other moving violations were under consideration for this analysis. The actual number of drivers who avoided suspension is likely greater.

Figure 1 shows the percent of speed violation convictions that were exempt under Minn. Stat. 171.12, subd. 6. Each bar represents the number of prior speed convictions per driver. Data for this analysis include speed convictions from August 2005 through June 2014.

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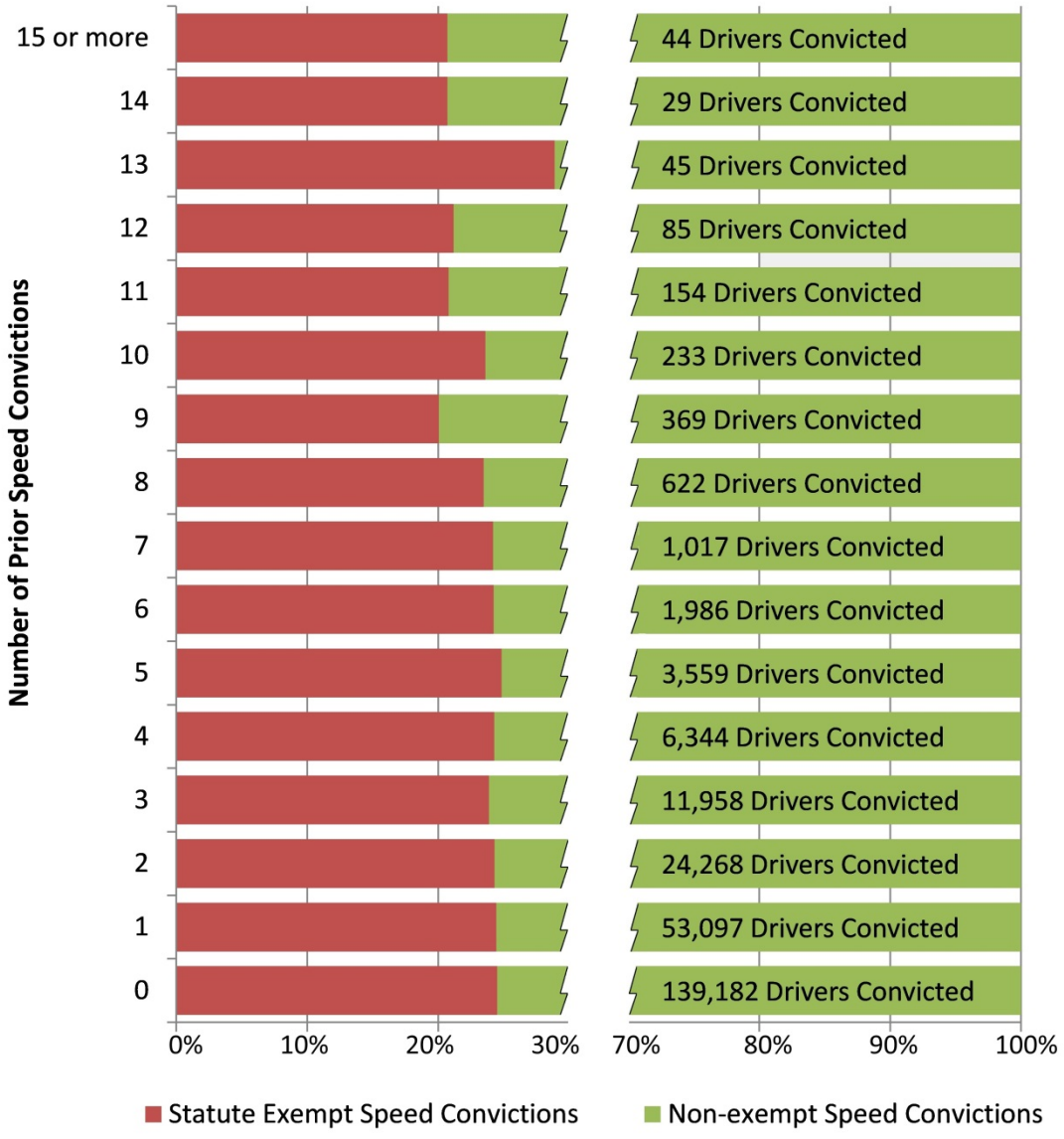
[11] 2014 Minnesota Statutes 171.18 – Suspension

[12] Minnesota Administrative Rules 7409.2200 Habitual Violators. The suspension period increases to 90 days for five traffic offense convictions in a 24-month period.

[13] The Minnesota Department of Transportation, Office of Traffic, Safety, and Technology provided the following analyses of speed limit violation conviction data. These data include speed limit violations that occurred August 2005 through June 2014. The Minnesota State Court Administrators Office provided speed violation conviction data.

Figure 1: Speed Convictions August 2005-June 2014



(Minnesota Department of Transportation, 2014).

Impact on Public Safety: Commercial Driver's License and Commercial Driver's Permit

The Dimler Amendment law may present additional challenges to public safety when drivers with speed conviction exemptions apply for a commercial driver's license.

> "While the State of Minnesota grants the [Commercial Driver's License], the Motor Vehicle Safety Act of 1986 gave the [United States Department of Transportation] the authority to oversee how the state handled this process.[14] Federal regulations require notification of moving violations [and license suspensions],[15] by the [Commercial Driver's License] holder, but also verification of the [Commercial Driver's License's] record by the [s]tate.[16] Not recording such violations can subject the state to federal withholding of funds due to "masking"[17][T]he amendment expressly states that it does not apply when the violation [occurred] in a commercial vehicle, or by a person holding a [Commercial Driver's License][18] (Douma, Tilahun, & Peck, 2014).

Due to future changes in the commercial driver's licensing process, the statute may cause Minnesota to be out of compliance with 384.226: Prohibition on masking convictions. According to a recent University of Minnesota study, "this will need to be addressed when a person holding a Commercial Driver's License Learner's Permit, which will be required starting 2015,[19] commits [an exemption qualified] violation, as new Federal rules

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[14] US Federal Code Title 49: Transportation, Subtitle B - Other Regulations Relating to Transportation, Chapter III - Federal Motor Carrier Safety Administration, Department of Transportation, Subchapter B - Federal Motor Carrier Safety Regulations, Part 383 - Commercial Driver's License Standards, Subpart B - Single License Requirement, §383.23 - Commercial driver's license.

[15] US Federal Code Title 49: Transportation, Subtitle B - Other Regulations Relating to Transportation, Chapter III - Federal Motor Carrier Safety Administration, Department of Transportation, Subchapter B - Federal Motor Carrier Safety Regulations, Part 383 - Commercial Driver's License Standards; Requirements and Penalties, Subpart C – Notification Requirements and Employer Responsibilities, §383.31 - Notification of convictions for driver violations.

[16] US Federal Code Title 49: Transportation, Subtitle B - Other Regulations Relating to Transportation, Chapter III - Federal Motor Carrier Safety Administration, Department of Transportation, Subchapter B - Federal Motor Carrier Safety Regulations, Part 384 - State Compliance with Commercial Driver's License Program, Subpart B - Minimum Standard for Substantial Compliance by States, §384.209 - Notification of traffic violations.

[17] US Federal Code Title 49: Transportation, Subtitle B - Other regulations Relating to Transportation, Chapter III - Federal Motor Carrier Safety Administration, Department of Transportation, Subchapter B - Federal motor Carrier Safety Regulations, Part 384 - State Compliance with Commercial Driver's License Program, §384.226 - Prohibition on masking convictions.

[18] 2014 Minnesota Statutes §171.12 - Driving Record; Filing; Private Data, Subdivision 6 - Certain Convictions not Recorded.

[19] Federal Code of Regulations Title 49: Transportation, Subtitle B – Other Regulations Relating to Transportation, Chapter III – Federal Motor Carrier Safety Administration, Department of Transportation, Subchapter B – Federal Motor Carrier Safety Regulations, Subpart E – Testing and Licensing Procedures, §383.73 – State procedures (a) (2).

state that such a situation could be considered masking[20]" (Douma, Tilahun, & Peck, 2014).

If no action is taken prior to the new qualifications becoming effective and the Federal Motor Carrier Safety Administration determines that the language under Minn. Stat. 171.12, subd. 6 results in a violation of Code of Federal Regulations Title 49 §384.226, Minnesota may risk having up to 5 percent of Federal-aid Highway Funds withheld for the first year of violation and 10 percent for subsequent years of violation. In fiscal year 2013, per the Trunk Highway Fund Statement, Minnesota received more than $550 million in Trunk Highway Federal Aid.

Impact on frequency of speeding

While Minn. Stat. 171.12, subd. 6 was in effect, the proportion of drivers who exceeded the speed limit by more than 10 mile per hour increased. The increase is not persistent and consistent enough across data collection sites to attribute to the statute.

This analysis uses data from multiple MnDOT travel speed recording devices. These devices are located throughout the state. For this evaluation, 15 data collection sites are on 55 mile per hour roads and six data collection sites are on 60 miles per hour roads.

This analysis compares *baseline* roadway speeds (August 2010-December 2011) against the *comparison* period (August 2012-December 2013). The results indicate no consistent differences in travel speed for 55 mile per hour or 60 mile per hour, data collection sites (Douma, Tilahun, & Peck, 2014). Even during the baseline period, Minn. Stat. 171.12, subd. 6 offered a limited level of exemption from speed convictions being recorded on one's driving record.

Proportion of speeders on 55 mile per hour roads

During the 16-month baseline, August 2010-December 2011

- 60 out of 100 drivers traveled 55 to 65 miles per hour.
- 11 out of 100 drivers traveled more than 65 miles per hour.

During the 16-month comparison period, August 2012-December 2013

- 61 out of 100 drivers traveled between 55 and 65 miles per hour.
- 13 out of 100 drivers traveled more than 65 miles per hour.

On 55 mile per hour roads, the proportion of drivers who exceeded the posted speed limit by 10 miles per hour increased 18 percent. While this is a measurable increase in the

[20] Federal Code of Regulations Title 49: Transportation, Subtitle B – Other Regulations Relating to Transportation, Chapter III – Federal Motor Carrier Safety Administration, Department of Transportation, Subchapter B – Federal Motor Carrier Safety Regulations, Part 384 – State Compliance with Commercial Driver's License Program, Subpart B – Minimum Standards for Substantial Compliance by States §384.226 - Prohibition on masking convictions.

proportion of speeders, the increase is not consistent across all speed measuring locations.

Proportion of speeders on 60 mile per hour roads

During the 16-month baseline, August 2010-December 2011

- 39 out of 100 drivers traveled 60 to 64 miles per hour.
- 19 out of 100 drivers traveled 65 to 70 miles per hour.
- Six out of 100 drivers traveled more than 70 miles per hour.

During the 16-month comparison period, August 2012-December 2013

- 42 out of 100 drivers traveled 60 to 64 miles per hour.
- 20 out of 100 drivers traveled 65 to 70 miles per hour.
- Nine out of 100 drivers traveled more than 70 miles per hour.

On 60 mile per hour roads, the proportion of drivers who exceeded the posted speed limit by more than 10 miles per hour increased 50 percent.

Impact on crashes and crash rates

Compared to the baseline period, while Minn. Stat. 171.12, subd. 6 was in effect, fatalities and serious injuries increased 4.6 percent. While the statute was in effect, speed-related fatalities and serious injuries increased 13.1 percent.

Table 2 shows the number of persons killed and injured on 55 and 60 mile per hour roads. This table includes traffic fatalities and injuries that occurred during the *baseline period* (August 2010 through December 2011) and the *comparison period* (August 2012 through December 2013).

Table 2 also shows speed-related and non-speed related fatalities and injuries. While the statute was in effect, fatalities increased 15 percent. On 60 mile per hour roads alone, fatalities increased by 29 percent.

Law enforcement officers determine whether speed was a contributing factor based on clear evidence at the crash scene. During the comparison period, fatalities increased most dramatically on 60 mile per hour roads. Speed-related fatalities increased from one fatality to seven or 600 percent. Serious injuries increased from 11 serious injuries to 16 or 45 percent. Factored together, fatalities and serious injuries in speed-related crashes increased 13 percent.

Table 2: Injuries and fatalities on 55 and 60 miles per hour roads

Injury Level	55 mile per hour roadways			60 mile per hour roadways			55 and 60 mile per hour roadways		
	Baseline[21]	Comparison[22]	Change	Baseline[20]	Comparison[21]	Change	Baseline[20]	Comparison[21]	Change
Persons Killed	281	320	+13.9%	31	40	+29.0%	312	360	+15.4%
Life Altering Injury	730	741	+1.5%	72	64	-11.1%	802	805	+0.4%
Moderate Injury	3,391	3,465	+2.2%	534	574	+7.5%	3,925	4,039	+2.9%
Minor Injury	7,684	7,865	+2.4%	1,599	1,647	+3.0%	9,283	9,512	+2.5%
Total	12,086	12,391	+2.5%	2,236	2,325	+4.0%	14,322	14,716	+2.8%
Injury Level	**Injuries and fatalities in speed-related crashes**								
Persons Killed	50	50	--	1	7	+600%	51	57	+11.8%
Life Altering Injury	114	126	+10.5%	11	16	+45.5%	125	142	+13.6%
Moderate Injury	479	493	+2.9%	105	118	+12.4%	584	611	+4.6%
Minor Injury	1,019	963	-5.5%	297	287	-3.4%	1,316	1250	-5.0%
Total	1,663	1,632	-1.9%	414	428	+3.4%	2,077	2,060	+0.8%

(Douma, Tilahun, & Peck, 2014)

[21] Fatalities and injuries due to crashes that occurred from August 2010 through December 2012.
[22] Fatalities and injuries due to crashes that occurred from August 2012 through December 2013.

Impact on travel time efficiency and reliability[23]

To operate a vehicle at speeds within the statute exemption, free-flow conditions are required. This means the roadway is free of congestion, pavement is dry, and visibility is high. With the exception of delays due to the increase of fatal and serious injury high-speed crashes, Minn. Stat. 171.12, subd. 6 has no measurable impact on travel time efficiency.

The MnDOT Performance of the Interregional Corridors in Minnesota reports informed the following section. The Interregional Corridor network consists of 2,600 miles of roadway. MnDOT established goals of operating at 55 miles per hour, 60 miles per hour, and 65 miles per hour (Minnesota Department of Transportation, 2011).[24] These roadways include many statute qualifying roads and interstate sections. These reports found:

- Only 2 percent of the Interregional Corridors fell short of the intended speed goals from 2008-2012.[25]
- Travel speeds after 2012 are expected to remain consistent through 2023 (Minnesota Department of Transportation, 2012).

The ability to travel at or above 55 miles per hour or 60 miles per hour occurs during fair weather, high visibility, dry pavement, and congestion-free conditions. The effect of Minn. Stat. 171.12, subd. 6 is likely minimal, the exception being when high speeds lead to crashes that require closures or other interventions (Douma, Tilahun, & Peck, 2014). While the statute was in effect, analyses of crash data revealed a 13 percent increase of fatal and serious injury, speed-related crashes.

Impact on data privacy

Recent changes to the statute have no new or significant impacts on the privacy of driving records or personal information.

Drivers can only expect minimal protection of privacy while using public roadways (Douma, Tilahun, & Peck, 2014). The United States Supreme Court case law substantially limited the right to privacy on public roadways. In the groundbreaking case, *U.S. v. Knotts*, the Supreme Court reaffirmed that individuals have…

> "a lesser expectation of privacy in a motor vehicle because its function is transportation . . . . A car has little capacity for escaping public scrutiny. It travels public thoroughfares where both its occupants and its contents are in plain view . . . .A person traveling in an automobile

[23] The Minnesota Department of Transportation is developing a method with which to measure travel reliability. Expected in 2015.
[24] Minnesota Department of Transportation, Annual Minnesota Transportation Performance Report, 30 (2011).
[25] Minnesota Department of Transportation, Annual Minnesota Transportation Performance Report, 38 (2012).

> on public thoroughfares has no reasonable expectation of privacy in his [or her] movements from one place to another."[26]

Because of this and other cases, drivers cannot expect privacy of their movement on public roadways. Use of public roadways extends to violations of the posted speed limits. (Douma, Tilahun, & Peck, 2014)

The Drivers Privacy Protection Act limits access of driver record data. This Act determines how data collected by state traffic and public safety agencies may be used and to whom they are available (Douma, Tilahun, & Peck, 2014). Government agencies and insurance companies may access personal data for claims, investigations, ratings, and underwriting. Data available to such entities are publicly available (Douma, Tilahun, & Peck, 2014).

While violations under Minn. Stat. 171.12, subd. 6 qualify for exemption from the driver's record, all traffic violation conviction data are publicly available through the Minnesota Court Records (Douma, Tilahun, & Peck, 2014). Recent changes to the statute have no new or significant impacts on the privacy of driving records or personal information (Douma, Tilahun, & Peck, 2014).

Additional findings

During the evaluation process of Minn. Stat. 171.12, subd. 6, additional questions naturally unfolded. How do speed violation exemptions impact insurance companies? Do Minnesotans believe there is some level of discretion and exemption from receiving and recording of speed violations convictions?

The impact of Minn. Stat. 171.12, subd. 6 on insurance companies

Because Minn. Stat. 171.12, subd. 6 exempts some moving violations from a driving record, insurance companies must rely on driver credit scores and other data to determine insurance premium rates. According to Insurance Federation officials, the true high-risk drivers may avoid paying higher premiums, and the costs of their choices may be passed on to other premium holders.

With the exception of speed violations described under Minn. Stat. 171.12, subd. 6, the Minnesota Department of Public Safety, Driver and Vehicle Services records all traffic-related moving violation convictions. Through a data vendor, insurance companies access driver records. These queries occur when a driver requests an insurance quote or renews his or her policy. Insurance companies consider the driver record of moving violation convictions along with criminal, demographic and consumer data to estimate potential risk of cost associated with a driver. In the absence of the full driving driver, proxies, such as credit scores, inform insurance rates (Douma, Tilahun, & Peck, 2014).

> Insurance Federation officials stressed the importance of the "sanctity of the driving record." Laws like [Minnesota Statute 171.12, Subdivision 6] allow

[26] U.S v Knotts, 460 U.S. 276, 281 (1983).

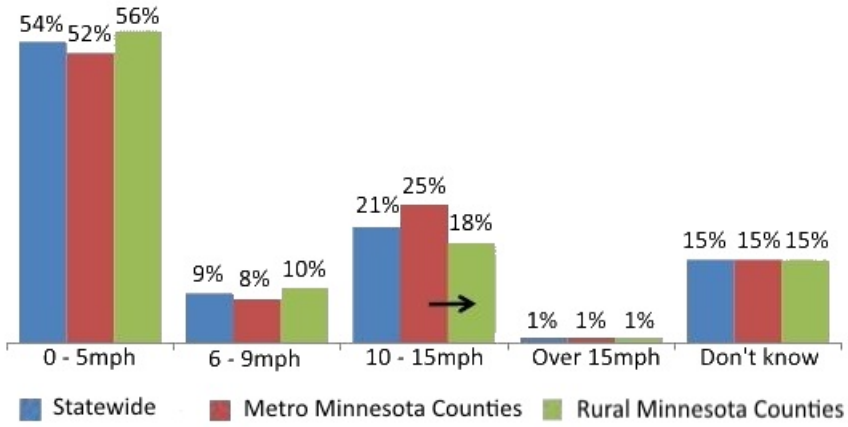
drivers to violate the law and prevent that violation from becoming part of the public record, allow risk-taking, arguably dangerous, drivers to avoid paying insurance premiums that accurately reflect the public impact of risky, illegal behavior. As a result, the increased costs are passed off to all other drivers, in the form of higher insurance premiums and potentially longer claim investigations (Douma, Tilahun, & Peck, 2014).

Public perception of speed and speed enforcement

Most drivers believe speed limits are not strictly enforced. Most drivers expect some level of exemption from speeding violations on their driving record. Nearly half erroneously believe that exemption is available for speed citations of more than 10 miles per hour over the speed limit.

The "2009 Heightened Enforcement of Aggressive Traffic Campaign: Survey of Minnesota Roadway Users' Attitudes Toward Aggressive Driving," found most roadway users believe they can exceed the speed limit before they will be stopped by law enforcement.[27] Most believed law enforcement officers would not stop drivers unless they exceed the speed limit by more than five miles per hour. Nearly one-third believed law enforcement officers would not stop a driver unless they exceed the speed limit by six to 15 miles per hour. (Minnesota Department of Transportation, 2009)

Figure 2: Miles per hour over the posted speed limit Minnesotans believe drivers may travel before being stopped by law enforcement[28]



(Minnesota Department of Transportation, 2009)

MnDOT's 2012 Omnibus Survey found that 98 percent of Minnesotans expect some level of exemption for speeding violations. Nearly half of Minnesotans interviewed believe citations for speeds in excess of 10 or more miles per hour over the posted speed

[27] The survey asked, "In your opinion, how fast can you [drive] before a law enforcement officer stops you, and how many miles per hour over the posted speed limit is that?"
[28] Metro Minnesota Counties refers to Anoka, Carver, Chisago, Dakota, Hennepin, Ramsey, Scott, and Washington counties. Rural Minnesota counties refers to the 79 counties outside of the Minnesota Metro counties.

limit, are exempt from driving records.[29] The Omnibus Study 2012 Final Report asked participants, "For persons who receive a ticket for speeding on a 55 or 60 mile per hour road, how many miles per hour over the speed limit can he or she be cited before the ticket is placed on his or her driving record (and insurance is notified)?" Table 3 shows the summary of responses.

Table 3: Responses to 2012 Omnibus Study[16]

Miles per hour in excess of the posted speed limit before citation is placed on the driving record	**Statewide**	**Metro Minnesota Counties[30]**	**Rural Minnesota Counties[29]**
0 miles per hour	2%	2%	2%
1 – 4 miles per hour	6%	6%	6%
5 – 9 mile per hour	41%	38%	45%
10 – 14 miles per hour	36%	39%	32%
15 miles per hour or more	8%	8%	8%
Don't know	7%	7%	7%
Total Surveyed	800	420	380

(Minnesota Department of Transportation, 2012)

[29] The full report is available upon request at the Minnesota Department of Transportation "Contact MnDOT" webpage.

[30] Metro Minnesota Counties includes Anoka County, Carver County, Chisago County, Dakota County, Hennepin County, Ramsey County, Scott County, and Washington County. Rural Minnesota counties refers to the 79 counties outside of the Minnesota Metro counties.

Appendix A: Minnesota's 55 and 60 mile per hour roads

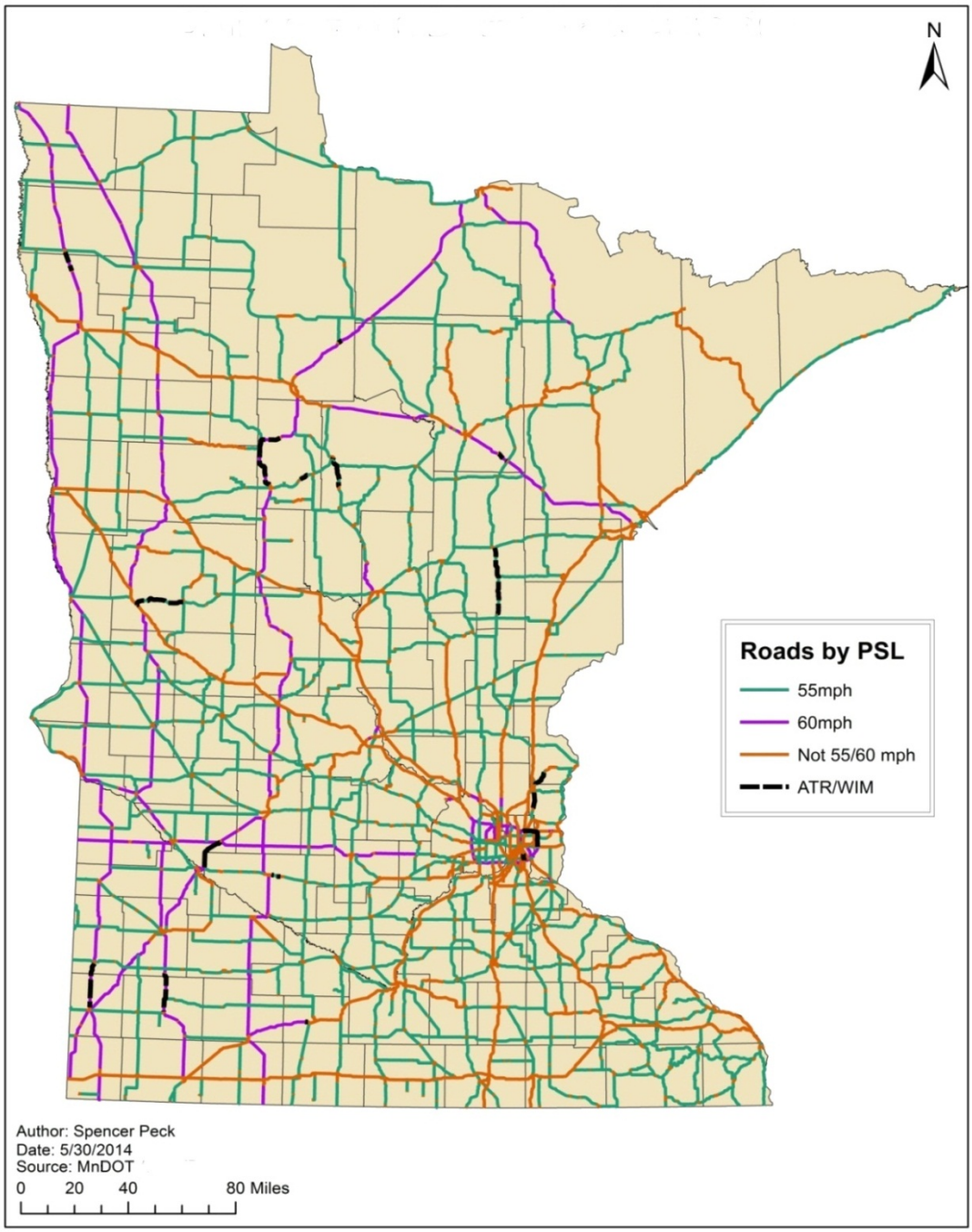
This table shows Minnesota state roads with a posted speed limit of 55 or 60 miles per hour. These roads fit within Minn. Stat. 171.12, subd. 6 criteria. There are 8,780.9 miles of Minnesota roads that fit the criteria. Posted speed limits for county roads and local roadway networks were not available. This table does not include county or local roads that may qualify under Minn. Stat. 171.12, subd. 6.

Table 4: Distribution of road miles of statute qualified, state roads in Minnesota

Roadway Type by Speed Limit	Rural Areas	Suburban Areas	Urban Areas	Total Miles
Total 55 mile per hour state roads	**6,846.0**	**119.1**	**91.2**	**7,056.3**
55 mile per hour Two-lane, Two-way Highways	6,783.2	3.9	22.5	6,809.5
55 mile per hour Expressway	60.7	50.8	3.4	115.0
55 mile per hour Freeway	2.2	64.3	65.3	131.8
Total 60 mile per hour state roads	**1,613.7**	**83.4**	**27.5**	**1,724.6**
60 mile per hour Two-lane, Two-way Highways	1,590.1	0	0	1,590.1
60 mile per hour Expressway	23.5	0	2.9	26.4
60 mile per hour Freeway	0	83.4	24.6	108.0
Total Qualified Miles	**8,459.7**	**202.5**	**118.7**	**8,780.9**
Total miles of Two-lane, Two-way Highways, Expressways, and Freeways	**10,606.2**	**341.1**	**924.6**	**11,872.0**
Percentage of Qualified Roads	**79.8%**	**59.4%**	**12.8%**	**74.0%**

This map shows all Minnesota state roads with a posted speed limit of 55 or 60 miles per hour. These roads fit within Minn. Stat. 171.12, subd. 6 criteria. There are 8,780.9 miles of Minnesota roads that fit the criteria. Posted speed limits for county roads and local roadway networks were not available. This map does not include county or local roads that may qualify under Minn. Stat. 171.12, subd. 6.

Figure 3: Map of Minnesota state roads by posted speed limit



(Douma, Tilahun, & Peck, 2014)

Appendix B: 55 and 60 mile per hour roads in Metro Minnesota Counties

This table shows state roads in Metro Minnesota counties with a posted speed limit of 55 or 60 miles per hour. These roads fit within Minn. Stat. 171.12, subd. 6 criteria. There are 890.8 miles of Minnesota roads that fit the criteria. Posted speed limits for county roads and local roadway networks were not available. This table does not include county or local roads that may qualify under Minn. Stat. 171.12, subd. 6.

Table 5: Distribution of road miles of statute qualified, state roads in Minnesota Metro Counties[31]

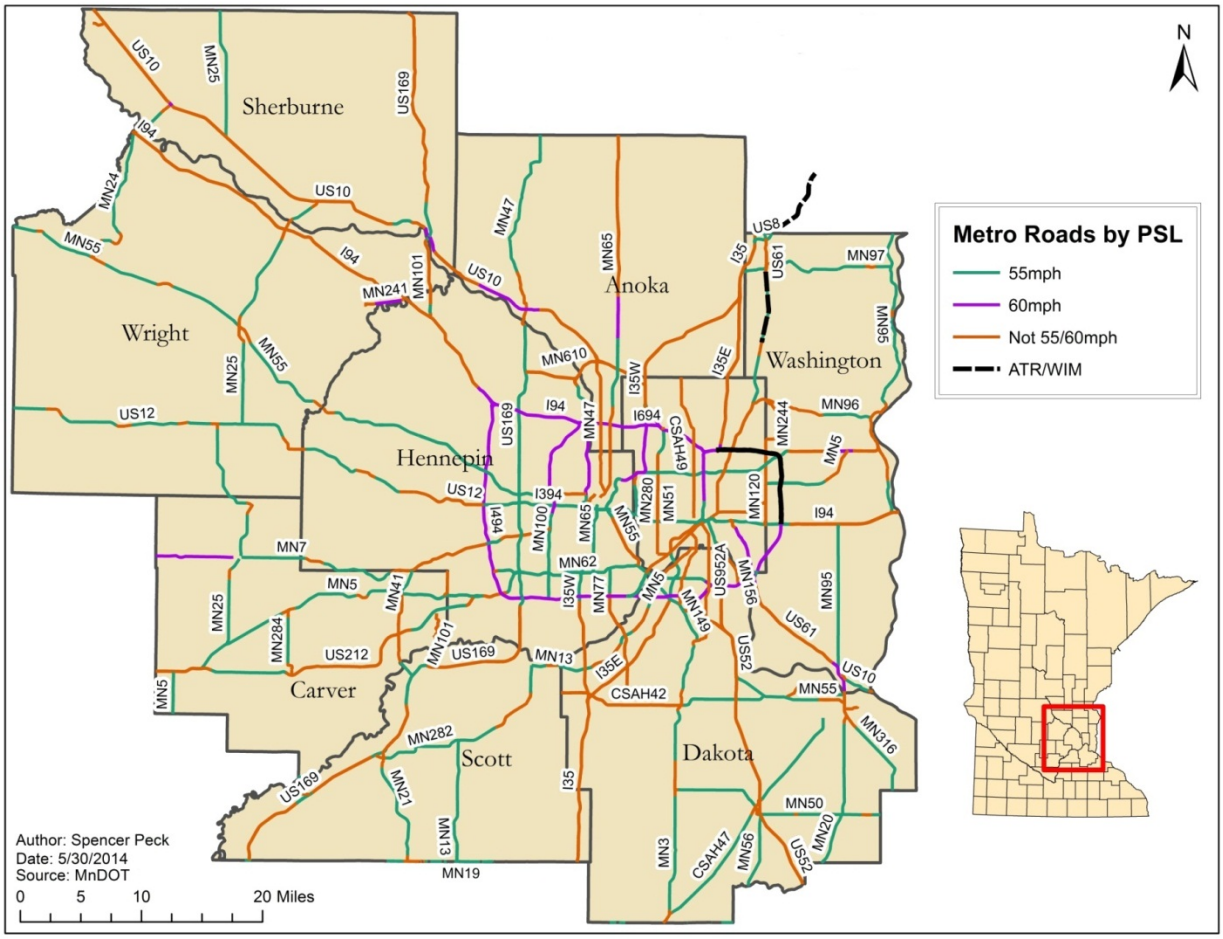
Roadway Type by Speed Limit	Rural Areas	Suburban Areas	Urban Areas	Total Miles
Total 55 mile per hour state roads	**513.80**	**139.5**	**62.7**	**716.00**
55 mile per hour Two-lane, Two-way Highways	481.60	3.9	6	491.50
55 mile per hour Expressway	30.3	58.5	1	89.8
55 mile per hour Freeway	1.8	77.2	55.8	134.8
Total 60 mile per hour Roads	**32.10**	**111.9**	**30.8**	174.8
60 mile per hour Two-lane, Two-way Highways	18.10	0	0	18.1
60 mile per hour Expressway	14.1	0	2.9	17
60 mile per hour Freeway	0	111.9	27.9	139.8
Total Qualified Miles	**545.90**	**251.40**	**93.50**	890.8

(Douma, Tilahun, & Peck, 2014)

This map shows all state roads in Metro Minnesota counties with a posted speed limit of 55 or 60 miles per hour. These roads fit within Minn. Stat. 171.12, subd. 6 criteria. There are 880.8 miles of Minnesota state roads that fit the criteria. Posted speed limits for county roads and local roadway networks were not available. This map does not include county or local roads that may qualify under Minn. Stat. 171.12, subd. 6.

[31] Metro Minnesota Counties refers to Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington Counties.

Figure 4: Map of state roads in Metro Minnesota Counties by posted speed limit[32]



(Douma, Tilahun, & Peck, 2014)

[32] Metro Minnesota Counties refers to Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington Counties

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