

ISSUE BRIEF
SC DMV ELECTRONIC TICKET TRANSMISSION MANDATE
(November, 2017)

Summary

Beginning January 1, 2018, law enforcement agencies in South Carolina will be required to electronically transmit traffic ticket data to the South Carolina Department of Motor Vehicles (SC DMV). Funding assistance to aid local law enforcement agencies in meeting this the new mandate has not, as of yet, been provided by the State.

This mandate arises from action taken by the Federal Motor Carrier Safety Administration (FMCSA) to compel state compliance with federal regulations which require state DMVs across the country to transfer in a timely manner traffic conviction data to the DMV of the home state of a Commercial Driver's License (CDL) holder who is convicted of a traffic violation in the state issuing the traffic citation.

In preparing to meet the pending state mandate for electronic transmission of traffic ticket data to the South Carolina DMV, many law enforcement agencies are examining both short-and-long term options for compliance as well as evaluating related technologies which can help increase officer safety and lower overall agency operating costs.

Absent successful state compliance with the governing federal regulations, the State is at risk of losing up to \$48 million a year in federal highway funds otherwise payable to the state. Therefore, local law enforcement compliance with the state mandate regarding electronic transmission of ticket data to the SC DMV is essential.

Background/Discussion

In January of 2015, the Federal Motor Carrier Safety Administration (FMCSA) notified the South Carolina Department of Transportation (SCDOT) and the SC DMV that the state would be required by September 30, 2015 to be in compliance with federal regulations (See: 49 CFR 384.209) governing the transmission of CDL traffic violation data or face a penalty for non-compliance. The penalty as set forth in the Code of Federal Regulation (See: 49 CFR 384.401) includes a withholding of up to 4% of federal highway funds in the first year of non-compliance (approximately \$24 million for South Carolina) and a withholding of up to 8% of federal highway funds in subsequent years of non-compliance (approximately \$48 million per year for the state).

In response, South Carolina enacted legislation in 2016 which mandates that local law enforcement agencies electronically transmit traffic ticket data to the SC DMV within 3 days of the issuance of a ticket (See: H3685 (Rat #0198, Act #0185 of 2016)). The eCitation Coalition views the law as recognizing the tremendous time and cost savings (as well as the increased accuracy, efficiency and data security improvements) associated with a movement away from manual, paper-based ticketing systems to fully digitized ticket data management solutions.

Unfortunately, the state law mandating electronic transmission of traffic ticket data to the DMV did not include funding assistance to support local law enforcement agencies in complying with the mandate. As a result, many law enforcement agencies have discovered that there are a wide array of private sector solutions that can help agencies comply with the state mandate in an affordable manner as well as enhance officer safety and lower overall agency operating expense.

The eCitation Coalition is committed to working with state and local government and with law enforcement agencies across South Carolina to advance the use of electronic ticketing solutions which can effectively address the requirements of the state mandate as well as provide for improved officer safety in the field and enhanced agency efficiency overall.

Promoting Effective, Versatile Solutions

Secure, Cost-Effective Ticket Data Transmission

There are multiple electronic ticketing solutions offered by the private sector that can help law enforcement agencies meet the requirements of the mandate in an effective, efficient, and affordable manner. Overall, the key features of an effective solution include:

- Data Security.
 - Any solution must be compliant with the FBI's CJIS data security standards.
 - Solutions should include all additional and required security certifications necessary so as to assure that sensitive law enforcement data will be properly managed.
- Quick Deployment.
 - Given the mandate, an electronic ticketing solution should be able to be quickly and easily deployed.
- Affordability.

To offset the budgetary impact of the electronic transmission of ticket data mandate, it is vital for an electronic ticket solution to be affordable. For example, cloud-based solutions which include web-based applications and cloud-based data storage capabilities can reduce the overall total lifecycle costs of a multi-year contract as they provide secure data storage for a fraction of the cost of traditional IT infrastructure solutions.

- In addition, the eCitation Coalition supports policies to further help offset the adverse impact of an unfunded mandate requiring the electronic transmission of ticket data, including:
 - Legislation that would provide municipalities and counties with the ability to add a \$5.00 fee to all locally-issued tickets for the express, dedicated purpose of funding the acquisition and maintenance of electronic ticketing solutions.
 - The establishment of state grant programs dedicated to helping law enforcement agencies procure and maintain electronic ticketing solutions.

Other Key Solution Features and Benefits

Private sector solutions providers which enable the secure electronic transmission of ticket data also offer a number of additional features and functionalities which enhance both officer safety in the field and agency operational effectiveness. Even if law enforcement agencies initially opt for a more limited initial means of compliance in meeting the January 1, 2018 deadline for electronic transmission of ticket data mandate, there are significant long-term benefits for agencies that can be achieved through the use of private sector solutions which include both digital data transmission capabilities and features which improve officer safety and overall agency efficiency.

Therefore, as part of assisting local law enforcement in complying with the state mandate for electronic transmission of ticket data, the state should also promote the procurement of comprehensive electronic ticketing solutions that reflect an overall best value proposition. Beyond electronic traffic ticket data transmission, law enforcement agencies should ask whether a possible solution:

- Meets the requirements of the state mandate for electronic transmission of ticket data to the SC DMV.
- Reduces an officer's time on the side of the road and increases an officer's visual control of the stop.
- Includes secure report management capabilities for such things as incident reports, investigations, compliance reports, and notices.
- Features data analytics capabilities such as real-time statistical analysis, mapping, customized dashboards, personnel monitoring, and hotspot analysis.
- Provides needed integration and/or data access capabilities (i.e., state/federal database integration for criminal background checks).
- Offers a payment processing capability (i.e., an online web portal for fine, permit, or other payments).

Other Policy Issues

While there are a number of effective solutions offered by private sector companies that local law enforcement agencies can acquire to meet the requirements of the state mandate for electronic transmission of traffic ticket data, there are important policy questions which arise in evaluating other programs and options. As a result, any solution to assist law enforcement agencies in complying with the state mandate must be evaluated against the state's broader policy framework of affirmatively engaging the private sector in meeting public needs and supporting the free enterprise system.

- Existing solutions developed by government agencies and supported with taxpayer funds (whether in SC or in other states) typically do not include the kind of robust features and functionalities that private sector solutions provide to law enforcement agencies. The Coalition believes that state taxpayer funds are far better spent state on efforts to aid local law enforcement agencies in acquiring a higher performance, best value electronic ticketing solution offered by a private sector solutions provider.
- From a broad policy perspective, states seeking the most efficient use of taxpayer funds should eschew calls to have taxpayer dollars finance efforts by government agencies to compete with the private sector, especially since private sector solutions have proven themselves to be superior in features and functionality.
 - Private sector solutions providers have a record of moving with speed and with a strong customer focus – critical performance features given the short time available for law enforcement agencies to get ready to comply with the new state mandate.
 - An eCitation Coalition White Paper comparing private sector solutions with government-designed programs provides additional background and can be found at <http://www.ecitationcoalition.com/wp-content/uploads/2016/12/eCitation-Coalition-White-Paper-Guidelines-for-Evaluating-and-Implementing-eCitation-Systems.pdf>.

Conclusion

Law enforcement agencies in South Carolina are continuing to examine both short-term and long-term options for complying with the new state mandate requiring the electronic transmission of ticket data to the SC DMV.

To assure the best result, it is critical for law enforcement agencies to procure solutions which not only meet the requirements of the state mandate for electronic transmission of ticket data to the SC DMV but which also include and demonstrate robust data security features, quick deployability, and overall life cycle cost affordability. In addition, effective solutions should be versatile and provide for additional features which can enhance both officer safety and overall agency efficiency. The members of the eCitation Coalition can assist agencies in fully meeting the requirements of the new mandate while providing the kinds of additional features that will enhance both overall operational effectiveness and greater officer safety.

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South Carolina Electronic Ticket Transmission Mandate

The Coalition urges state policymakers to assist local law enforcement agencies in acquiring and maintaining best-in-class solutions from leading private sector companies. Efforts to have government agencies use taxpayer funds to create programs which attempt to compete with or substitute for private sector solutions should be viewed as contrary to overall state policy.

For further information on electronic citation solutions and how to find a qualified electronic citation solutions provider, please contact:

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