

NEW YORK STATE
EFFECTIVENESS STUDY OF THE I-PIRP PILOT

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EXECUTIVE SUMMARY

The New York State Vehicle and Traffic Law (VTL), Article 12-B, Section 399-f and the Commissioner of Motor Vehicles' Regulations Part 138.4(e) require sponsors of Point and Insurance Reduction Program (PIRP) courses to provide the NYS Department of Motor Vehicles (DMV) with proof of the effectiveness of their courses. Since May 2000, such proof has been required for the approval of any new applicant sponsors; sponsors already established in New York State must provide proof of effectiveness every five years as part of the approval renewal process. Legislation passed in 2005 amended New York's VTL to include Article 12-C, the Accident Prevention Course Internet and Other Technology Pilot Program. Article 12-C authorized the Commissioner of Motor Vehicles to engage in a five-year pilot program to review and study the Internet and other technologies as training methods for the administration and completion of an approved accident prevention course for the purposes of granting point and insurance reduction benefits. Courses approved under Article 12-C are eligible for the same point and insurance reduction benefits as those approved under Article 12-B.

The pilot program, referred to as the Internet Point Insurance Reduction Program or I-PIRP, was established by DMV on May 18, 2009 to provide alternatives to the traditional Classroom delivery method for drivers wishing to complete a PIRP course. The I-PIRP legislation requires the Commissioner of Motor Vehicles to prepare an evaluation report on the effectiveness of I-PIRP for the Governor and State Legislature within five years of the implementation of Article 12-C. In accordance with the requirements of Article 12-C, the effectiveness study includes two major components: 1) a survey of participant satisfaction with the I-PIRP course, and 2) a comparison of the Internet and Classroom delivery methods to effectively deliver the PIRP course. The DMV contracted with the University at Albany's Institute for Traffic Safety Management and Research (ITSMR) to conduct both components of the effectiveness study of I-PIRP.

SURVEY OF PARTICIPANT SATISFACTION

Study Methodology

The research question addressed by this component of the study was: Are participants satisfied with PIRP courses delivered over the Internet? To address this question, DMV developed a survey consisting of seven questions with response choices that the sponsors administer to their participants at the end of the course. The seven survey questions are:

1. What was your reason for taking this course?
2. How many times have you taken a DMV-approved point and insurance reduction course?
3. Describe how much you liked the course delivery method.
4. How would you rate the overall course including content and presentation?
5. How will this course affect how you drive in the future?
6. How interesting did you find this course?
7. How easy was the course to use?

To provide the data needed for the analysis, each course sponsor was asked to provide DMV with an electronic data file with the survey responses for all drivers who completed their online PIRP course between January 1, 2012 and December 31, 2012. Based on the files provided by the 11 I-PIRP sponsors, a total of 208,363 drivers completed a PIRP course over the Internet during calendar year 2012. Random samples of 1,000 course participants drawn from the files provided by each of the 11 sponsors were aggregated for the analyses. Analyses were also conducted for each sponsor.

Results of Survey Analyses

The response to the delivery of PIRP courses over the Internet was overwhelmingly positive. The key points are summarized below:

- ❖ 77% preferred the online PIRP course over the Classroom course compared to 7% who preferred the traditional Classroom delivery.
- ❖ 79% gave the I-PIRP course an overall rating of “excellent” (52%) or “good” (27%); only 2% rated the online course below average.
- ❖ 75% thought the I-PIRP course was “very interesting” (38%) or “interesting” (37%); only 5% said the online course was “boring”.
- ❖ 87% said the I-PIRP course was “very easy” (57%) or “easy” (30%) to use; only 3% said the online course was “hard” or “very hard” to use.
- ❖ 94% thought that the I-PIRP course would have a positive impact on their future driving behavior; 58% said it will improve their driving “very much” and 36% said it will improve their driving “some”. Only 6% of the drivers who completed a PIRP course online thought it would have “little” or “no” impact on how they drive in the future.

COMPARISON OF THE INTERNET & CLASSROOM DELIVERY METHODS

Study Methodology

The hypothesis of this component of the study is that the Internet method of delivering the PIRP course is comparable to the Classroom PIRP delivery method in regard to its impact on driver behavior after course completion. Testing this hypothesis involved determining the number of convictions and crashes that occurred among the Internet and the Classroom PIRP course participants in the 18 months following completion of the course. Based on the number of participants who have completed an Internet PIRP course annually since its inception in May 2009 and the availability of driving history data for those participants, 11 PIRP sponsors were included in this study. To represent all Internet and Classroom PIRP participants, regardless of sponsor, two aggregate groups, one comprised of 3,000 Internet PIRP participants and one comprised of 3,000 Classroom PIRP participants, were also included in the study.

Results of Comparison Analyses

The results of the comparison analysis of the Internet and Classroom PIRP completers support the study hypothesis that the two delivery methods are comparable with regard to their impact on driver behavior after course completion. In reaching this determination, the initial step in the analyses examined the driving histories of the Internet and Classroom PIRP completers for each of the 11 sponsors, while the second step in the analyses focused on the post-period convictions and crashes of the Internet and Classroom PIRP completers. Key findings can be summarized as follows:

Pre/Post Period Convictions and Crashes

Analyses of the 18-month pre/post period convictions and crashes for the I-PIRP completers and the Classroom PIRP completers showed similar results.

- ❖ With regard to post-period convictions, both delivery methods resulted in reductions in convictions after course completion for all 11 sponsors, with the reduction experienced by each sponsor being statistically significant.
- ❖ With regard to post-period crashes, nine of the 11 PIRP sponsors experienced reductions among their Internet completers (only one sponsor had a statistically significant reduction) and six of the 11 sponsors experienced reductions among their Classroom completers (two were statistically significant). The increases in crashes experienced by the Internet completers of two sponsors and the Classroom completers of five sponsors were not statistically significant.
- ❖ The aggregate groups of Internet PIRP and Classroom PIRP participants both experienced statistically significant reductions in convictions and crashes following completion of the PIRP course.

Post-Period Convictions and Crashes of Internet and Classroom PIRP Completers

Analyses comparing the post-period convictions and crashes of the participants who completed an Internet PIRP course with the participants who completed a Classroom PIRP course show that the two delivery methods are comparable with respect to driver behavior after completion of the course (see Table ES.1).

- ❖ With regard to drivers who had convictions after course completion, seven of the 11 PIRP sponsors showed statistically significant differences between the Internet and Classroom delivery methods. However, those differences were split between the Internet and Classroom completers. While three of the Internet groups were less likely than the Classroom groups to have at least one conviction in the 18-month post-period, four of the Classroom groups were less likely than the Internet groups to have at least one conviction in the 18-month post-period.
- ❖ With regard to drivers who were involved in crashes after course completion, there were no significant differences between the two delivery methods for nine of the 11 PIRP sponsors. For the remaining two sponsors, the Internet completers were less likely than the Classroom completers to have at least one crash in the 18-month post-period; these differences were statistically significant.
- ❖ Compared to the aggregate group of Classroom PIRP completers, the aggregate group of Internet PIRP completers was slightly more likely to have a conviction in the post-period and slightly less likely to have a crash; however, neither difference between the groups was statistically significant.

CONCLUSION

This I-PIRP pilot effectiveness study produced three key outcomes:

- 1) Response to the delivery of PIRP courses over the Internet was overwhelmingly positive

- 2) Pre/Post period analyses of convictions and crashes showed reductions in both measures for both Internet and Classroom PIRP completers for the 11 sponsors included in the study
- 3) Comparison of the Classroom and Internet delivery methods to effectively deliver the PIRP course showed similar results, indicating that the two delivery methods are comparable with regard to their impact on driver behavior after course completion

Based on these outcomes, it is recommended that both the Internet and Classroom methods of delivering the PIRP course continue to be offered to the public.

TABLE ES.1
Comparison of PIRP Delivery Methods by Sponsor
Post-Period Convictions and Crashes

Drivers with:	Tabular Analysis		z Test for Difference of Proportions	
	Internet (N=≤3,000)	Classroom (N=≤3,000)	z-score	p
Post-Period Convictions				
Sponsor A	12.8%	11.4%	-0.89	0.372
Sponsor B	12.8%	15.1%	+2.57*	0.010
Sponsor C	8.5%	2.9%	-9.33*	0.000
Sponsor D	24.3%	18.6%	-3.11*	0.002
Sponsor E	16.1%	16.7%	+0.36	0.717
Sponsor F	23.3%	23.9%	+0.32	0.752
Sponsor G	20.9%	18.5%	-1.35	0.177
Sponsor H	23.8%	18.0%	-2.13*	0.033
Sponsor I	17.0%	13.8%	-3.40*	0.001
Sponsor J	14.9%	24.9%	+5.34*	0.000
Sponsor K	19.8%	24.7%	+4.50*	0.000
Aggregate Group	17.3%	16.4%	-0.93	0.352
Post-Period Crashes				
Sponsor A	8.4%	10.5%	+1.50	0.135
Sponsor B	8.7%	10.1%	+3.36*	0.001
Sponsor C	6.1%	5.6%	-0.77	0.442
Sponsor D	11.7%	9.9%	-1.30	0.195
Sponsor E	9.4%	10.3%	+0.68	0.499
Sponsor F	8.6%	8.7%	+0.08	0.937
Sponsor G	9.5%	8.6%	-0.70	0.483
Sponsor H	7.6%	9.6%	+1.07	0.283
Sponsor I	8.8%	9.0%	+0.23	0.821
Sponsor J	7.7%	10.7%	+2.12*	0.034
Sponsor K	8.8%	9.7%	+1.11	0.265
Aggregate Group	8.0%	8.8%	+1.12	0.264

*Statistically significant at .10 level

CHAPTER 1: INTRODUCTION

BACKGROUND

The New York State Point and Insurance Reduction Program (PIRP) was implemented on December 1, 1980 through an amendment to Section 176 of the Insurance Law. The law provided that motorists who complete a driver improvement course approved by the NYS Department of Motor Vehicles (DMV) shall receive an appropriate reduction in their automobile insurance premiums for three years. Currently, under the regulations of the Superintendent of Insurance and the Commissioner of Motor Vehicles (15 NYCRR Part 131 and Part 138), motorists who successfully complete an approved PIRP course receive a 10 percent reduction in their liability and collision insurance premium and a reduction of three points from any accumulated points on their driver license records for violations committed prior to completing the PIRP course. It is important to note that the majority of course participants have no points on their license and take the course solely for the reduction in insurance premiums.

Section 2336 of the Insurance Law provides that the DMV will be responsible for approving and monitoring all PIRP courses. To carry out this responsibility, Article 12-B of the Vehicle and Traffic Law (VTL) sets out the standards to be used in preserving the quality and effectiveness of PIRP. The procedures and standards for approval are also detailed in Part 138.4(a-d) of the Commissioner's regulations. Copies of VTL Article 12-B and Part 138 of the Commissioner's Regulations are provided in Appendix A.

Requirements for the approval of PIRP courses have changed in recent years, with the most recent major change requiring sponsoring agencies to provide proof of effectiveness. The New York State Vehicle and Traffic Law, Article 12-B, Section 399-f and the Commissioner of Motor Vehicles' Regulations Part 138.4(e), dated May 31, 2000, instituted new requirements for the approval of Point and Insurance Reduction Program (PIRP) courses in New York State. Part 138.4(e)(1) states that, "All sponsoring agency applicants shall supply the Department with proof of effectiveness consisting of verifiable research documentation employing accepted research principles in order to evaluate the impact of the New York State Point and Insurance Reduction Program." Part 138.5(f) stipulates that sponsoring agency approvals must be renewed every five years in accordance with these same standards.

ACCIDENT PREVENTION COURSE INTERNET & OTHER TECHNOLOGY PILOT PROGRAM

Legislation passed in 2005 amended New York's VTL to include Article 12-C, the Accident Prevention Course Internet and Other Technology Pilot Program. Article 12-C authorized the Commissioner of Motor Vehicles to engage in a five-year pilot program to review and study the Internet and other technologies as training methods for the administration and completion of an approved accident prevention course for the purposes of granting point and insurance reduction benefits. Courses approved under Article 12-C are eligible for the same point and insurance reduction benefits as those approved under Article 12-B.

The pilot program, referred to as the Internet Point Insurance Reduction Program or I-PIRP, was established by DMV on May 18, 2009 to provide alternatives to the traditional Classroom delivery method

for drivers wishing to complete a PIRP course. I-PIRP is designed to expand the Classroom-based program to include an online course delivery method with the objective of educating more drivers on safe driving practices and reducing the number of crashes on the state's highways.

The I-PIRP legislation requires the Commissioner of Motor Vehicles to prepare an evaluation report on the effectiveness of I-PIRP for the Governor and State Legislature within five years of the implementation of Article 12-C. In accordance with the requirements of Article 12-C, the effectiveness study will include two major components: 1) a survey of participant satisfaction with the I-PIRP course, and 2) a comparison of the Classroom and Internet delivery methods to effectively deliver the PIRP course. Copies of VTL Article 12-C and Part 141 of the Commissioner's Regulations which sets forth the rules and regulations necessary for the implementation of Article 12-C are provided in Appendix B.

The DMV contracted with the University at Albany's Institute for Traffic Safety Management and Research (ITSMR) to conduct the effectiveness study of I-PIRP. This report includes the results from both components of the study, a survey of participant satisfaction and a comparison of the Classroom and Internet delivery methods to effectively deliver the PIRP course.

PARTICIPATING SPONSORS

Only those organizations that have been approved by the DMV to provide Classroom PIRP courses were allowed to participate in the I-PIRP pilot program. The following 11 PIRP course sponsors participated in the I-PIRP pilot program:

- American Association of Retired Persons (AARP)
- American Institute for Public Safety (AIPS)
- American Safety Council
- American Safety Institute (ASI)
- Driver Training Associates (DTA)
- Empire Safety Council
- I Drive Safely (IDS)
- National Safety Council
- National Traffic Safety Institute (NTSI)
- New York Safety Program (NYSP)
- USA Training Company

ORGANIZATION OF THE REPORT

Chapter 2 describes the methodology used to conduct the survey of participant satisfaction and the results of the survey analyses. Chapter 3 summarizes the methodology and results of the analyses conducted to compare the Internet and Classroom methods to effectively deliver the PIRP course. Chapter 4 discusses the study's findings and conclusion.

CHAPTER 2: SURVEY OF PARTICIPANT SATISFACTION

This chapter discusses the survey of participant satisfaction that all I-PIRP sponsors are required to give to their participants at the completion of an I-PIRP course. The purpose of the survey is to collect data that can be used to assess whether participants are satisfied with the course delivered over the Internet.

STUDY METHODOLOGY

The following research question was addressed by this component of the study:

- Are participants satisfied with PIRP courses delivered over the Internet?

To provide the information needed to address this question, Part 141 of the Commissioner of Motor Vehicles Regulations requires all sponsors of I-PIRP courses to collect specific standardized data from each course participant with regard to their satisfaction with the course and to report the data collected to DMV. To ensure consistency among the sponsors with regard to the information collected, Course participants must respond to the online survey at the end of the course as part of the completion requirements. The seven survey questions are listed below

1. What was your reason for taking this course?
2. How many times have you taken a DMV-approved point and insurance reduction course?
3. Describe how much you liked the course delivery method.
4. How would you rate the overall course including content and presentation?
5. How will this course affect how you drive in the future?
6. How interesting did you find this course?
7. How easy was the course to use?

To provide the data needed for the analysis, each course sponsor was asked to provide DMV with an electronic data file with the survey responses for all drivers who completed their online PIRP between January 1, 2012 and December 31, 2012. The files from the 11 sponsors were used by ITSMR to build the data sets for the study. Each of the sponsors was randomly assigned a letter code of A through K.

Based on the files provided by the sponsors, a total of 208,363 drivers completed a PIRP course over the Internet during calendar year 2012. The numbers for the individual sponsors ranged from 1,503 to 118,054. Random samples of 1,000 course participants drawn from the files provided by each of the sponsors were aggregated for the analyses. Analyses were also conducted for each sponsor; the results for each are provided in Appendix C.

RESULTS OF SURVEY ANALYSES

Analyses of the participant responses to the seven survey questions were conducted for the aggregate sample representing the 11 sponsors of I-PIRP courses. The results of the analyses are used to answer the research question “Are participants satisfied with PIRP courses delivered over the Internet?”

The first two survey questions were asked to determine the driver’s reason for taking the course and how many times the driver had previously taken a PIRP course, either in a classroom setting or online. Seven out of ten drivers (69%) who completed an I-PIRP course in 2012 indicated that they took the course to receive a reduction in their insurance premium; 13% took the course to reduce the penalty points on their license as well as to receive the insurance premium benefit (Table 2.1).

TABLE 2.1

<i>What was your reason for taking this course?</i>		
	(N=11,000)	%
Insurance Reduction	7,603	69.1
Both Point/Insurance Reduction	1,409	12.8
Point Reduction	571	5.2
Traffic Safety Awareness	282	2.6
Court Mandated	251	2.3
Court Mandated/Point Reduction	224	2.0
Court Reduced Infraction	173	1.6
Other	487	4.4

The large majority of drivers (83%) completing the surveys indicated they had taken a PIRP course, either in a classroom or online, at least once. One-third (33%) had taken one course, 22% had taken two courses and 12% had taken three courses (Table 2.2). It should be noted that the responses received suggest that participants differed in their interpretations of the question. For example, it is clear that respondents were not consistent in including the course they had just completed when answering the question. Consequently, the data in the table below should be interpreted with caution.

TABLE 2.2

<i>How many times have you taken a DMV-approved point and insurance reduction course?</i>		
	(N=11,000)	%
0	1,879	17.1
1	3,589	32.6
2	2,390	21.7
3	1,322	12.0
4	870	7.9
5	558	5.1
6+	372	3.4
No Response	20	0.2

The remaining questions in the survey were designed to collect information related to the participants' opinions regarding the online delivery method and the I-PIRP course they completed. In the first of these questions, drivers were asked to compare the delivery of the course over the Internet (referred to as the ADM or Alternate Delivery Method), to the delivery of the course in a Classroom setting.

As Table 2.3 indicates, 13% of the drivers indicated that they were participating in a PIRP course for the first time and could not respond to the question. Of the remaining drivers who were able to compare the alternate delivery method (ADM) over the Internet with the Classroom PIRP courses, 77% responded that they "really like" (54%) or "like" (23%) the ADM over the Classroom delivery method; another 16% said they had no preference between the online and Classroom delivery methods. Only 7% of the drivers preferred taking the course in a classroom setting over taking the course online.

TABLE 2.3

<i>Describe how much you liked the course delivery method.</i>		
	(N=11,000)	%
First Time Attendee/Not Applicable	1,455	13.2
	(N=9,545)	
Really Like ADM Over Classroom	5,154	54.0
Like ADM Over Classroom	2,216	23.2
No Preference	1,558	16.3
Like Classroom Over ADM	415	4.4
Really Like Classroom Over ADM	202	2.1

The next three questions were designed to collect information on the participant's satisfaction with the I-PIRP course they had just completed. The overall ratings of the I-PIRP courses were very positive. Over half (52%) of the drivers rated the I-PIRP course they completed as "excellent" and another 27% said it was a "good" course. The course was rated as below average by only approximately 2% of the drivers (Table 2.4).

TABLE 2.4

<i>How would you rate the overall course including content and presentation?</i>		
	(N=11,000)	%
Excellent Course	5,708	51.9
Good Course	2,983	27.1
Average Course	2,035	18.5
Poor Course	165	1.5
Worst Course Ever	102	0.9
No Response	7	0.1

Three-quarters of the drivers who completed an I-PIRP course said the course was "very interesting" (38%) or "interesting" (37%). In comparison, only 5% of the drivers thought the course was "boring" or "very boring" (Table 2.5).

TABLE 2.5

<i>How interesting did you find this course?</i>		
	(N=11,000)	%
Very Interesting Course	4,147	37.7
Interesting Course	4,084	37.1
Average Course	2,164	19.7
Boring Course	396	3.6
Very Boring Course	204	1.8
No Response	5	<0.1

A majority (57%) of the drivers found the online course “very easy” to use and another 30% said it was “easy” to use the course. Only 3% found the course “hard” or “very hard” to use (Table 2.6).

TABLE 2.6

<i>How easy was this course to use?</i>		
	(N=11,000)	%
Very Easy to Use	6,304	57.3
Easy to Use	3,259	29.6
Neither Easy nor Difficult	1,140	10.4
Hard to Use	188	1.7
Very Hard to Use	104	0.9
No Response	5	<0.1

To determine the potential impact of the course on traffic safety, the drivers were also asked their opinion on how taking the course would affect their driving in the future. An overwhelming majority of the drivers (94%) said that the course would have a positive effect on their driving; 58% said that the course will improve their driving “very much” and another 36% said it would improve their driving “some”. Only 6% said the course would have “little” or “no” impact on how they drive in the future (Table 2.7).

TABLE 2.7

<i>How will this course affect how you drive in the future?</i>		
	(N=11,000)	%
Will Improve Driving Very Much	6,352	57.8
Will Improve Driving Some	3,943	35.8
Little Impact on Driving	569	5.2
No Impact on Driving	132	1.2
No Response	4	<0.1

SUMMARY OF PARTICIPANT SATISFACTION WITH I-PIRP

As the tables above indicate, the response to the delivery of PIRP courses over the Internet was overwhelmingly positive. The key points are summarized below:

- ❖ 77% preferred the online PIRP course over the Classroom course compared to 7% who preferred the traditional Classroom delivery.
- ❖ 79% gave the I-PIRP course an overall rating of “excellent” (52%) or “good” (27%); only 2% rated the online course below average.
- ❖ 75% thought the I-PIRP course was “very interesting” (38%) or “interesting” (37%); only 5% said the online course was “boring”.
- ❖ 87% said the I-PIRP course was “very easy” (57%) or “easy” (30%) to use; only 3% said the online course was “hard” or “very hard” to use.
- ❖ 94% thought that the I-PIRP course would have a positive impact on their future driving behavior; 58% said it will improve their driving “very much” and 36% said it will improve their driving “some”. Only 6% of the drivers who completed a PIRP course online thought it would have “little” or “no” impact on how they drive in the future.

SUMMARY OF SURVEY RESULTS FOR INDIVIDUAL I-PIRP SPONSORS

The results of the analyses of the surveys completed by the drivers who took online PIRP courses offered by the 11 sponsors between January 1 and December 31, 2012 are summarized below in Table 2.8. Across all 11 sponsors (identified as Sponsors A-K), the majority of drivers said they took the online PIRP course to receive a reduction in their insurance. The proportions ranged from 54% (F) to 86% (C).

The majority of the participants who completed I-PIRP courses offered by each of the sponsors provided positive feedback regarding their experience in taking the online course.

- ❖ Between 64% (E) and 93% (I) “really like” or “like” the online course over the classroom course
- ❖ Between 69% (A) and 93% (F) gave the course an overall rating of “excellent” or “good”
- ❖ Between 68% (K) and 90% (F) thought the course was “very interesting” or “interesting”
- ❖ Between 71% (A) and 95% (J) thought the course was “very easy” or “easy” to use

The final question in the table below provides information on whether the drivers felt the I-PIRP course they completed would have an effect on their driving in the future. Over 92% of the drivers who completed programs offered by 10 out of 11 of the sponsors thought that the course will improve their driving “very much” or “some” in the future; a large proportion (79%) of the drivers who took courses offered by the remaining sponsor (I) also thought their driving would improve.

TABLE 2.8

I-PIRP Participant Satisfaction Survey: Summary of Results by Course Sponsors

I-PIRP SPONSORS	A %	B %	C %	D %	E %	F %	G %	H %	I %	J %	K %
<i>Reason for taking the course?</i> Insurance Reduction	67.4	81.3	85.5	55.0	75.5	54.0	75.9	62.4	65.0	77.2	65.9
<i>Preferred course delivery method?</i> Really Like/Like Online Over Classroom	69.2	79.1	74.7	83.5	64.2	86.2	73.3	79.6	93.4	82.2	66.4
<i>Overall rating of course?</i> Excellent/Good	68.6	82.2	71.0	84.9	73.2	92.9	82.4	79.4	80.4	83.6	77.0
<i>How interesting was course?</i> Very Interesting/ Interesting	68.5	72.2	68.5	81.5	73.8	89.9	78.2	71.3	77.1	78.0	68.4
<i>How easy was course to use?</i> Very easy/easy	70.7	91.7	90.7	90.1	79.0	93.7	89.0	88.7	80.9	94.7	87.1
<i>How will course affect future driving?</i> Will improve driving very much/some	92.6	94.7	94.0	97.4	94.9	98.4	95.8	94.8	79.2	95.3	93.6

CHAPTER 3: COMPARISON OF INTERNET & CLASSROOM DELIVERY METHODS

As indicated previously, this pilot study involved two major tasks. The first major task was a survey of participant satisfaction with the I-PIRP course, while the second major task was to determine whether the impact of I-PIRP on driver behavior is comparable to that found for drivers completing the traditional Classroom course. The results from Task 1 are presented above in Chapter 2. This chapter presents the results of the analyses conducted under the second task.

The initial section of this chapter describes the research design and methodology used to 1) examine the 18-month pre/post period convictions and crashes associated with the Internet and Classroom methods for delivering the PIRP course and 2) compare the results of the post-period analyses of convictions and crashes for the Internet and Classroom methods. The second section of the chapter presents the results of the analyses conducted to examine the 18-month pre/post period on convictions and crashes for the Internet and Classroom delivery methods. The final section of the chapter presents the results of the analyses conducted to determine whether the Internet method of delivering the PIRP course is comparable to the Classroom delivery method in terms of the impact on driver behavior.

STUDY METHODOLOGY

The hypothesis of this component of the study is that the Internet method of delivering the PIRP course is comparable to the Classroom PIRP delivery method in regard to its impact on driver behavior after course completion. Testing this hypothesis involved determining the number of convictions and crashes that occurred among the Internet and the Classroom PIRP course participants in the 18 months following completion of the course. Based on the number of participants who have completed an Internet PIRP course annually since its inception in May 2009 and the availability of driving history data for those participants, 11 PIRP sponsors were included in this study. For analysis purposes, each of the sponsors was randomly assigned a letter code of A through K, matching the letter code from the participant satisfaction survey. To represent all Internet and all Classroom PIRP participants, regardless of sponsor, two aggregate groups, one comprised of 3,000 Internet PIRP participants and one comprised of 3,000 Classroom PIRP participants, were also included in the study.

Selection of Internet and Classroom PIRP Participants

The initial step in developing the detailed study plan was to establish criteria for the inclusion of motorists in the study who had completed either an Internet or Classroom PIRP course. Only New York State licensed drivers were deemed eligible; drivers who had died or had moved out of state during the study timeframe were not eligible. Drivers who had participated in an I-PIRP course other than the sponsors included in the study were also not eligible for the pilot study.

Study Timeframe

The next step was to determine the specific time period from which the study participants who had completed the sponsor's Internet or Classroom PIRP course would be selected in order to obtain a sample size sufficient for analysis purposes. Since the research design requires the availability of data for the 18-month period immediately after the completion of the course, the post-period was defined as

the most recent 18-month period for which conviction and crash data were available. This was determined by taking into account the time delays between when the violation or crash occurred and when the conviction or crash was entered onto the driver's record. Allowing for time delays in data entry, purge policies, and other issues, it was determined that both the Internet and Classroom PIRP participant groups for each sponsor in the pilot study would be drawn from all eligible motorists who completed a PIRP course with one of the 11 sponsors between July 1, 2010 and December 31, 2010. As a result, depending on the actual date of PIRP participation, the 18-month post-period for each participant was selected from the time period July 2010 to June 2012.

Data and Data Source

To conduct the analyses for this study, a variety of data were obtained from the DMV driver's license file. The data elements needed for the study included:

- Motorist ID/CID
- PIRP program identifier
- PIRP method of delivery (Internet or Classroom)
- Date of PIRP program completion
- Traffic violation convictions – VTL (or other) code, date of violation, date of conviction
- Crashes with date of occurrence

PIRP Participant Sample Selection

Using the driver license file data set provided by the DMV, the records for drivers who had completed a PIRP course with one of the 11 sponsors between July 1 and December 31, 2010 were selected and a data set of these drivers was generated for each of the 11 sponsors and the aggregate group. Records were deleted from the data sets for drivers who had completed PIRP (either Classroom or Internet) multiple times within three years; records were also deleted from the data sets for drivers under 18 years of age or older than 99 years of age.¹

A random sampling procedure was used to draw the appropriate samples of PIRP participant drivers for each of the 11 sponsors and the aggregate group who completed PIRP during the six-month period, July 1, 2010 - December 31, 2010. This time frame enabled the researchers to identify the 18 months of post-driving history needed for analysis. Since not all of the 11 sponsors could provide a sample of 3,000 Internet PIRP completers for this six-month time period, smaller sample sizes were selected for some of the sponsors based on their total number of completers during this six-month period. As a result, for five of the PIRP sponsors, a sample of 3,000 Internet completers and 3,000 Classroom completers were drawn. For each of the remaining six sponsors, smaller sample sizes, ranging from 450 to 1,000 participants, were selected for the Internet completers and the Classroom completers. As indicated previously, each of the sponsors was randomly assigned a letter code of A through K for analysis purposes.

¹ Drivers under 18 years of age were deleted because, in general, they did not have the 18-month prior period of driving history required for the study. Drivers over 99 years of age were deleted due to possible data entry errors with respect to birth dates.

Data Analyses and Statistical Testing

The initial set of analyses for this component of the study involved an analysis of the driving histories of the Internet and Classroom PIRP participants for each of the 11 sponsors and the aggregate group. The goal of these analyses was to determine the impact on driver behavior of both the Internet and Classroom versions of the PIRP course given by each of the 11 sponsors. The specific objectives of the analyses were to:

- Examine the driving histories of the Internet and Classroom PIRP completers for each of the 11 sponsors and the aggregate group with regard to the difference between convictions that occurred in the 18-month period after PIRP completion and the 18-month period before PIRP completion
- Examine the driving histories of the Internet and Classroom PIRP completers for each of the 11 sponsors and the aggregate group with regard to the difference between crashes that occurred in the 18-month period after PIRP completion and the 18-month period before PIRP completion

To determine whether any changes observed in convictions and crashes between the pre and post 18-month periods were statistically significant, McNemar's test for repeated measures was used. This statistical procedure is used whenever the same individuals are measured twice; in this case, they were measured before and after course completion.

The second set of analyses focused on the post-period convictions and crashes of the Internet and Classroom PIRP completers. To determine whether the impact of the Internet and Classroom PIRP delivery methods produced comparable results with regard to convictions and crashes in the 18-month post-period, two types of analysis were conducted: a descriptive or tabular analysis and a z test for the difference of proportions from independent samples.

Tabular analysis is a simple statistical procedure that considers only the presence or absence of a post-PIRP conviction and the presence or absence of a post-PIRP crash. The results provide a general, easy to understand, representation of the post-period differences between the Internet completers and the Classroom completers. In contrast, the z test for the difference of proportions from independent samples is a statistical procedure that allows for the comparison of the delivery methods when considering the presence or absence of a post-PIRP conviction and the presence or absence of a post-PIRP crash. The statistical testing of the results from the z test for the difference of proportions was done at the level of significance of .10 or stronger (i.e., $z = +1.64$ or higher / -1.64 or lower). Using this statistical procedure, analyses were conducted to examine differences in the 18-month post-study period between the Internet completers and the Classroom completers for the 11 PIRP sponsors and the aggregate group with regard to both convictions and crashes.

INTERNET PIRP PARTICIPANTS: RESULTS OF ANALYSES

An overview of the Internet PIRP (I-PIRP) participants with regard to their pre/post-driving behavior related to convictions and crashes for each of the 11 sponsors and the aggregate group is provided in Tables 3.1 and 3.2.

Pre-Period/Post-Period Convictions

Pre-Period Convictions

- The proportion of I-PIRP completers who had convictions in the 18-month pre-period ranged from a low of 12% (Sponsor C) to a high of 37% (Sponsor H).
- 22% of the I-PIRP completers in the aggregate group had convictions in the 18-month pre-period.

Post-Period Convictions

- All 11 sponsors individually, as well as the aggregate group, experienced decreases in the proportion of I-PIRP completers who had at least one conviction in the 18-month post-period compared to the 18-month pre-period. The McNemar test showed that the decrease experienced by each of the 11 sponsors and the aggregate group was statistically significant at the .10 level ($p=0.000$).
- In sum, there was a statistically significant decrease in the proportion of drivers with convictions between the pre-period and post-period, regardless of the sponsor of the I-PIRP course.

TABLE 3.1
I-PIRP Participant Groups by Sponsor
Pre-Period/Post-Period Convictions

Sponsor	Drivers with Convictions		McNemar Test	
	Pre-Period (N = ≤ 3,000)	Post-Period (N = ≤ 3,000)	χ^2	p
Sponsor A	18.4%	12.8%	13.6*	0.000
Sponsor B	19.3%	12.8%	62.2*	0.000
Sponsor C	11.7%	8.5%	20.5*	0.000
Sponsor D	35.6%	24.3%	38.6*	0.000
Sponsor E	22.2%	16.1%	15.6*	0.000
Sponsor F	33.5%	23.3%	34.0*	0.000
Sponsor G	26.6%	20.9%	12.2*	0.000
Sponsor H	37.3%	23.8%	26.4*	0.000
Sponsor I	24.5%	17.0%	66.2*	0.000
Sponsor J	19.8%	14.9%	31.7*	0.000
Sponsor K	29.1%	19.8%	97.8*	0.000
Aggregate Group	21.8%	17.3%	24.7*	0.000

*Statistically significant at the .10 level

Pre-Period/Post-Period Crashes

Pre-Period Crashes

- The proportion of I-PIRP completers who had crashes in the 18-month pre-period ranged from a low of 7% (Sponsor C) to a high of 11% (Sponsors D, E, G).
- 10% of the I-PIRP completers in the aggregate group had convictions in the 18-month pre-period.

Post-Period Crashes

- Nine of the 11 sponsors (Sponsors B, C, E, F, G, H, I, J, K) experienced a decrease in the proportion of I-PIRP completers who had at least one crash in the 18-month post-period compared to the 18-month pre-period. The McNemar test showed that only Sponsor K (chi-square=2.7, p=0.099) experienced a statistically significant decrease at the .10 level.
- The aggregate group also experienced a statistically significant decrease in the proportion of I-PIRP completers with at least one crash between the pre-period and post-period (chi-square=5.6, p=0.018).
- Two of the 11 sponsors (Sponsors A and D) experienced an increase in the proportion of I-PIRP completers who had at least one crash in the 18-month post-period compared to the 18-month pre-period. Neither of these increases was statistically significant.
- In sum, only the I-PIRP participants who completed Sponsor K's course and the aggregate sample of I-PIRP participants experienced significant changes in crashes between the 18-month pre-period and the 18-month post-period; 9% of Sponsor K's I-PIRP completers had crashes in the post-period compared to 10% in the pre-period and 8% of the aggregate group had crashes in the post-period compared to 10% in the pre-period.

TABLE 3.2
I-PIRP Participant Groups by Sponsor
Pre-Period/Post-Period Crashes

Sponsor	Drivers with Crashes		McNemar Test	
	Pre-Period (N = ≤ 3,000)	Post-Period (N = ≤ 3,000)	χ^2	p
Sponsor A	8.1%	8.4%	0.0	0.859
Sponsor B	8.6%	7.7%	1.8	0.174
Sponsor C	7.0%	6.1%	1.9	0.169
Sponsor D	11.1%	11.7%	0.2	0.665
Sponsor E	10.8%	9.4%	1.1	0.286
Sponsor F	10.3%	8.6%	1.7	0.188
Sponsor G	11.2%	9.5%	1.7	0.194
Sponsor H	9.8%	7.6%	1.5	0.225
Sponsor I	9.6%	8.8%	1.0	0.311
Sponsor J	8.8%	7.7%	2.5	0.116
Sponsor K	10.0%	8.8%	2.7*	0.099
Aggregate Group	9.6%	8.0%	5.6*	0.018

*Statistically significant at the .10 level

CLASSROOM PIRP PARTICIPANTS: RESULTS OF ANALYSES

As described above, the methodology used to conduct the analyses of the pre/post period convictions and crashes of the Classroom PIRP participants was identical to that used to analyze the pre/post period convictions and crashes of the Internet PIRP participants. The results of the analyses for the Classroom PIRP participants are presented in Tables 3.3 and 3.4.

Pre-Period/Post-Period Convictions

Pre-Period Convictions

- The proportion of Classroom PIRP completers who had convictions in the 18-month pre-period ranged from a low of 5% (Sponsor C) to a high of 31% (Sponsor J).
- 20% of the Classroom PIRP completers in the aggregate group had convictions in the 18-month pre-period.

Post-Period Convictions

- Similar to the I-PIRP participants, all 11 sponsors and the aggregate group experienced a decrease in the proportion of Classroom PIRP completers who had at least one conviction in the 18-month post-period compared to the 18-month pre-period. The McNemar test showed that the decrease experienced by each of the 11 sponsors was statistically significant at the .10 level (chi-square ranged from 3.9 to 61.2; p ranged from 0.000 to 0.048).
- The decrease experienced by the aggregate group (from 20% to 16%) was also statistically significant at the .10 level (chi square=19.2, p=0.000).
- In sum, there was a statistically significant decrease in the proportion of drivers with convictions between the pre-period and post-period, regardless of the sponsor of the Classroom PIRP course.

TABLE 3.3
Classroom PIRP Participant Groups by Sponsor
Pre-Period/Post-Period Convictions

Sponsor	Drivers with Convictions		McNemar Test	
	Pre-Period (N = ≤ 3,000)	Post-Period (N = ≤ 3,000)	χ^2	p
Sponsor A	15.9%	11.4%	9.9*	0.002
Sponsor B	18.1%	15.1%	13.0*	0.000
Sponsor C	4.7%	2.9%	15.2*	0.000
Sponsor D	22.3%	18.6%	6.4*	0.011
Sponsor E	19.8%	16.7%	4.2*	0.041
Sponsor F	28.4%	23.9%	6.6*	0.010
Sponsor G	24.4%	18.5%	13.8*	0.000
Sponsor H	22.4%	18.0%	3.9*	0.048
Sponsor I	20.3%	13.8%	61.2*	0.000
Sponsor J	31.3%	24.9%	7.3*	0.007
Sponsor K	29.6%	24.7%	24.3*	0.000
Aggregate Group	20.1%	16.4%	19.2*	0.000

*Statistically significant at the .10 level

Pre-Period/Post-Period Crashes

Pre-Period Crashes

- The proportion of Classroom PIRP completers who had crashes in the 18-month pre-period ranged from a low of 6% (Sponsor C) to a high of 16% (Sponsor J).
- 9% of the Classroom PIRP completers in the aggregate group had convictions in the 18-month pre-period.

Post-Period Crashes

- Six of the 11 sponsors (Sponsors C, F, H, I, J, K) experienced a decrease in the proportion of Classroom PIRP completers who had at least one crash in the 18-month post-period compared to the 18-month pre-period. The McNemar test showed that only Sponsor H (chi-square=2.8, p=0.096) and Sponsor J (chi-square=6.8, p=0.009) experienced statistically significant decreases at the .10 level.
- The aggregate group of Classroom PIRP completers also experienced a slight decrease that was not statistically significant (Chi square=0.5, p=0.462).
- Five of the 11 sponsors (Sponsors A, B, D, E, G) experienced an increase in the proportion of completers who had at least one crash in the 18-month post-period compared to the 18-month pre-period. However, none of these increases was statistically significant.
- In sum, only drivers who completed Classroom PIRP courses provided by Sponsors H and J experienced significant changes in crashes between the 18-month pre-period and the 18-month post-period. The Classroom PIRP completers for Sponsor H were less likely to have crashes in the 18-month post-period (10%) than in the 18-month pre-period (13%). Similarly, the Classroom PIRP completers for Sponsor J were less likely to have crashes in the 18-month post-period (11%) than in the 18-month pre-period (16%).

TABLE 3.4
Classroom PIRP Participant Groups by Sponsor
Pre-Period/Post-Period Crashes

Sponsor	Drivers with Crashes		McNemar Test	
	Pre-Period (N = ≤ 3,000)	Post-Period (N = ≤ 3,000)	χ ²	p
Sponsor A	9.6%	10.5%	0.3	0.571
Sponsor B	9.6%	10.1%	0.4	0.504
Sponsor C	6.2%	5.6%	0.8	0.362
Sponsor D	8.5%	9.9%	1.3	0.262
Sponsor E	10.1%	10.3%	0.0	0.878
Sponsor F	9.2%	8.7%	0.2	0.680
Sponsor G	8.0%	8.6%	0.2	0.619
Sponsor H	12.9%	9.6%	2.8*	0.096
Sponsor I	9.3%	9.0%	0.2	0.649
Sponsor J	16.4%	10.7%	6.8*	0.009
Sponsor K	10.2%	9.7%	0.4	0.513
Aggregate Group	9.3%	8.8%	0.5	0.462

*Statistically significant at the .10 level

COMPARISON OF INTERNET & CLASSROOM DELIVERY METHODS: RESULTS OF ANALYSES

Analyses were conducted to compare the post-period convictions and crashes of the two groups of PIRP participants: those who completed the Classroom course and those who completed the Internet course. As described previously, two statistical procedures were used to examine differences between the Internet PIRP participants and the Classroom PIRP participants with respect to both post-period convictions and post-period crashes. Summarized in Tables 3.5 and 3.6, the results of the analyses are presented below.

Post-Period Convictions

- The tabular analysis indicates that the I-PIRP completers for five of the 11 sponsors (Sponsors B, E, F, J, K) were less likely than the Classroom PIRP completers to have had at least one conviction in the 18-month post-period. The z test for the difference of proportions showed that the difference between the Internet and Classroom completers for Sponsors B, J and K were statistically significant (the z-scores ranged from +2.57 to +5.34).
- The Classroom PIRP completers for the remaining six sponsors (Sponsors A, C, D, G, H, I) were less likely than the I-PIRP completers to have had at least one conviction in the 18-month post-period. The z test for the difference of proportions showed that the difference between the Internet and Classroom completers for Sponsors C, D, H, and I were statistically significant at the .10 level (the z-scores ranged from -2.13 to -9.33).
- The aggregate sample of Internet PIRP completers was slightly more likely than the aggregate sample of Classroom PIRP completers to have had at least one conviction in the post-period (17% compared to 16%) but the difference was not statistically significant.
- In sum, the analyses of the Internet and Classroom PIRP completers show that the two delivery methods are comparable in terms of impact on convictions.

TABLE 3.5
Comparison of PIRP Delivery Methods by Sponsor
Internet Versus Classroom: Convictions

Drivers with Post-Period Convictions	Tabular Analysis		z Test for Difference of Proportions	
	Internet (N=3,000)	Classroom (N=3,000)	z- score	p
Sponsor A	12.8%	11.4%	-0.89	0.372
Sponsor B	12.8%	15.1%	+2.57*	0.010
Sponsor C	8.5%	2.9%	-9.33*	0.000
Sponsor D	24.3%	18.6%	-3.11*	0.002
Sponsor E	16.1%	16.7%	+0.36	0.717
Sponsor F	23.3%	23.9%	+0.32	0.752
Sponsor G	20.9%	18.5%	-1.35	0.177
Sponsor H	23.8%	18.0%	-2.13*	0.033
Sponsor I	17.0%	13.8%	-3.40*	0.001
Sponsor J	14.9%	24.9%	+5.34*	0.000
Sponsor K	19.8%	24.7%	+4.50*	0.000
Aggregate Group	17.3%	16.4%	-0.93	0.352

*Statistically significant at .10 level

Post-Period Crashes

- The tabular analysis indicates that the I-PIRP completers for eight of the 11 sponsors (Sponsors A, B, E, F, H, I, J, K) were less likely than the Classroom PIRP completers to have had at least one crash in the 18-month post-period. The z test for the difference of proportions showed that only the differences between the Internet and Classroom completers for Sponsor B ($z=+3.36$) and Sponsor J ($z=+2.12$) were statistically significant at the .10 level.
- The aggregate sample of I-PIRP completers was also slightly less likely than the aggregate sample of Classroom PIRP completers to have a crash in the post-period (8% compared to 9%) but this difference also was not statistically significant.
- The Classroom PIRP completers for the remaining three sponsors (Sponsors C, D, G) were less likely than the I-PIRP completers to have had at least one crash in the 18-month post-period. The z test for the difference of proportions showed that the differences between the Internet and Classroom completers for these three sponsors were not statistically significant.
- In sum, the comparison of the 18-month post-periods for the Internet and Classroom PIRP completers shows that for nine of the 11 sponsors (Sponsors A, C, D, E, F, G, H, I, K) and for the aggregate group there is effectively no difference between the two delivery methods with regard to crashes after course completion.

TABLE 3.6
Comparison of PIRP Delivery Methods by Sponsor
Internet Versus Classroom: Crashes

Drivers with Post-Period Crashes	Tabular Analysis		z Test for Difference of Proportions	
	Internet (N=≤3,000)	Classroom (N=≤3,000)	z-score	p
Sponsor A	8.4%	10.5%	+1.50	0.135
Sponsor B	8.7%	10.1%	+3.36*	0.001
Sponsor C	6.1%	5.6%	-0.77	0.442
Sponsor D	11.7%	9.9%	-1.30	0.195
Sponsor E	9.4%	10.3%	+0.68	0.499
Sponsor F	8.6%	8.7%	+0.08	0.937
Sponsor G	9.5%	8.6%	-0.70	0.483
Sponsor H	7.6%	9.6%	+1.07	0.283
Sponsor I	8.8%	9.0%	+0.23	0.821
Sponsor J	7.7%	10.7%	+2.12*	0.034
Sponsor K	8.8%	9.7%	+1.11	0.265
Aggregate Group	8.0%	8.8%	+1.12	0.264

*Statistically significant at .10 level

CHAPTER 4: SUMMARY AND DISCUSSION

This effectiveness study of the I-PIRP pilot was conducted by the Institute for Traffic Safety Management and Research (ITSMR) using a research design approved by the New York State Department of Motor Vehicles. The design was based on the New York State Vehicle and Traffic Law, Articles 12-B and 12-C and the Commissioner of Motor Vehicles' Regulations Parts 138.4(e) and 141. The study was comprised of two major components: 1) a survey of participant satisfaction with the I-PIRP course, and 2) a comparison of the Internet and Classroom delivery methods to effectively deliver the PIRP course.

SUMMARY OF FINDINGS

Survey of Participant Satisfaction

The research question addressed by this component of the study was: Are participants satisfied with PIRP courses delivered over the Internet? Information to address this question was collected through a survey of drivers who completed an I-PIRP course in 2012 with one of 11 sponsors. More than 208,000 drivers completed such a survey in 2012.

A random sample of 11,000 surveys completed by the drivers who took PIRP courses over the Internet in 2012 provide clear evidence that this course delivery method is a very popular alternative to the traditional Classroom method; 77% of the drivers preferred the online presentation over the Classroom. In addition, the large majority of drivers found the courses interesting (75%) and easy to use (87%) and nearly eight out of ten rated the courses as good or excellent overall. Another strong indicator of the drivers' satisfaction with I-PIRP and the potential impact of I-PIRP courses on traffic safety is the large majority (94%) who believed their driving would improve as a result of taking the online course.

Comparison of Internet & Classroom Delivery Methods

The hypothesis of this component of the study was that the Internet method of delivering the PIRP course is comparable to the Classroom PIRP delivery method in regard to its impact on driver behavior after course completion. Testing this hypothesis involved determining the number of convictions and crashes that occurred among the Internet and the Classroom PIRP course participants in the 18 months following completion of the course and assessing whether the impact of the Internet delivery method on driver behavior is comparable to that found for drivers completing the traditional Classroom course.

The results of the comparison analysis of the Internet and Classroom PIRP completers support the study hypothesis that the two delivery methods are comparable with regard to their impact on driver behavior after course completion. In reaching this determination, the initial step in the analysis process involved examining the driving histories of the Internet and Classroom PIRP completers for each of the 11 sponsors included in the study, while the second step in the analysis process focused on the post-period convictions and crashes of the Internet and Classroom PIRP completers. Key findings can be summarized as follows:

Pre/Post Period Convictions

- ❖ With regard to post-period convictions, both delivery methods resulted in reductions in convictions after course completion for all 11 sponsors, with the reduction experienced by each sponsor being statistically significant.
- ❖ Both the Internet PIRP and the Classroom PIRP aggregate groups also experienced statistically significant reductions in convictions in the post-period.

Pre/Post Period Crashes

- ❖ With regard to post-period crashes, nine of the 11 PIRP sponsors experienced reductions among their Internet completers (one reduction was statistically significant) and six of the 11 sponsors experienced reductions among their Classroom completers (two were statistically significant). The increases in crashes experienced by the Internet completers of two sponsors and the Classroom completers of five sponsors were not statistically significant.
- ❖ The aggregate group of Internet PIRP completers experienced a statistically significant decrease in the proportion with at least one crash between the pre-period and post-period. The aggregate group of Classroom PIRP completers also experienced a slight decrease; however, the change was not statistically significant.

Comparison of Post-Period Convictions of Internet and Classroom PIRP Completers

- ❖ With regard to drivers who had convictions after course completion, seven of the 11 PIRP sponsors showed statistically significant differences between the Internet and Classroom delivery methods. However, those differences were split between the Internet and Classroom completers. While three of the Internet groups were less likely than the Classroom groups to have at least one conviction in the 18-month post-period, four of the Classroom groups were less likely than the Internet groups to have at least one conviction in the 18-month post-period.
- ❖ The aggregate sample of Internet PIRP completers was slightly more likely than the aggregate sample of Classroom PIRP completers to have at least one conviction in the post-period (17% compared to 16%) but the difference was not statistically significant.
- ❖ In sum, the analyses of the Internet and Classroom PIRP completers show that the two delivery methods are comparable in terms of impact on convictions.

Comparison of Post-Period Crashes of Internet and Classroom PIRP Completers

- ❖ With regard to drivers who were involved in crashes after course completion, there were no significant differences between the two delivery methods for nine of the 11 PIRP sponsors. For the remaining two sponsors, the Internet completers were less likely than the Classroom completers to have at least one crash in the 18-month post-period; these differences were statistically significant.
- ❖ The aggregate sample of Internet PIRP completers was slightly less likely than the aggregate sample of Classroom PIRP completers to have a crash in the post-period (8% compared to 9%) but the difference was not statistically significant.
- ❖ In sum, the analyses of the Internet and Classroom PIRP completers show that the two delivery methods are comparable in terms of impact on crashes.

Summarized below in Table 4.1, the overall findings from the comparison of the Internet and Classroom delivery methods show that the two delivery methods are comparable with respect to the impact on driver behavior after completion of the course.

TABLE 4.1
Comparison of PIRP Delivery Methods by Sponsor
Post-Period Convictions and Crashes

Drivers with:	Tabular Analysis		z Test for Difference of Proportions	
	Internet (N=≤3,000)	Classroom (N=≤3,000)	z-score	p
Post-Period Convictions				
Sponsor A	12.8%	11.4%	-0.89	0.372
Sponsor B	12.8%	15.1%	+2.57*	0.010
Sponsor C	8.5%	2.9%	-9.33*	0.000
Sponsor D	24.3%	18.6%	-3.11*	0.002
Sponsor E	16.1%	16.7%	+0.36	0.717
Sponsor F	23.3%	23.9%	+0.32	0.752
Sponsor G	20.9%	18.5%	-1.35	0.177
Sponsor H	23.8%	18.0%	-2.13*	0.033
Sponsor I	17.0%	13.8%	-3.40*	0.001
Sponsor J	14.9%	24.9%	+5.34*	0.000
Sponsor K	19.8%	24.7%	+4.50*	0.000
Aggregate Group	17.3%	16.4%	-0.93	0.352
Post-Period Crashes				
Sponsor A	8.4%	10.5%	+1.50	0.135
Sponsor B	8.7%	10.1%	+3.36*	0.001
Sponsor C	6.1%	5.6%	-0.77	0.442
Sponsor D	11.7%	9.9%	-1.30	0.195
Sponsor E	9.4%	10.3%	+0.68	0.499
Sponsor F	8.6%	8.7%	+0.08	0.937
Sponsor G	9.5%	8.6%	-0.70	0.483
Sponsor H	7.6%	9.6%	+1.07	0.283
Sponsor I	8.8%	9.0%	+0.23	0.821
Sponsor J	7.7%	10.7%	+2.12*	0.034
Sponsor K	8.8%	9.7%	+1.11	0.265
Aggregate Group	8.0%	8.8%	+1.12	0.264

*Statistically significant at .10 level

CONCLUSION

This I-PIRP pilot effectiveness study produced three key outcomes:

- 1) Response to the delivery of PIRP courses over the Internet was overwhelmingly positive
- 2) Pre/Post period analyses of convictions and crashes showed reductions in both measures for both Internet and Classroom PIRP completers for the 11 sponsors included in the study
- 3) Comparison of the Classroom and Internet delivery methods to effectively deliver the PIRP course showed similar results, indicating that the two delivery methods are comparable with regard to their impact on driver behavior after course completion

Based on these outcomes, it is recommended that both the Internet and Classroom methods of delivering the PIRP course continue to be offered to the public.

APPENDIX A

NYS Vehicle and Traffic Law Article 12-B

Commissioner of Motor Vehicles' Regulations - Part 138

§399-a

business. If the registration is only suspended, the holder may cover up the sign instead of removing it.

2. No person shall permit the display of any sign required to be displayed by this article or regulations promulgated thereunder indicating to the public that an official repair shop is operating unless a repair shop registration has been issued to that person and is currently valid.

ARTICLE 12-B

APPROVAL OF MOTOR VEHICLE ACCIDENT PREVENTION COURSES

Section	
399-a.	Statement of
399-b.	purpose.
399-c.	Definitions.
399-d.	Approval by the
399-e.	commissioner. Application
399-f.	for approval. Standards for
399-g.	course approval.
	Proof of
	effectiveness.
	Regulations.

§ 399-a. Statement of purpose. The purposes of this article are to further highway safety by preserving the quality and efficacy of the accident prevention course programs. These purposes will be accomplished by establishing strict criteria for initial and continual course sponsorship approval.

§ 399-b. Definitions. For the purposes of this article, the following terms shall have the following definitions:

1. "Sponsoring agency" shall mean an organization which owns a motor vehicle accident prevention course approved by the commissioner.
2. "Delivery agency" shall mean an organization which conducts a sponsoring agency's approved motor vehicle accident prevention course.
3. "Instructor" shall mean an individual employed by a delivery agency to teach an approved accident prevention course.
4. "Accident prevention course" or "course" shall mean the accident prevention course curriculum or specialized course curriculum which has been approved by the commissioner.
5. "Completion certificate" shall mean a document which cannot be altered and which is provided to the student who successfully completes the accident prevention course.
6. "Specialized course" shall mean a course aimed primarily at enhancing safety within a specific occupation or for a specific category of vehicles.

§399-c. Approval by the commissioner. The commissioner must approve an accident prevention course before any person attending and successfully completing such course may qualify to receive mandatory insurance

reduction benefits in accordance with subsection (a) of section two thousand three hundred thirty-six of the insurance law. The commissioner shall base the decision to approve a course upon the requirements set forth in this article and any additional requirements as the commissioner deems necessary.

§ 399-d. Application for approval. 1. An agency or organization seeking approval as a motor vehicle accident prevention course sponsoring agency shall apply to the commissioner for approval. Such applications shall be made in writing and on forms prescribed by the commissioner. The application shall include at a minimum: the title or name of the course, the name of the organization submitting the application, proof of course ownership, and the names and addresses of all owners, officers, and directors of the agency or organization, and such other information or material as the commissioner may prescribe. An application shall not be considered to be complete until all information and material required by this chapter and by regulation of the commissioner has been submitted.

2. The commissioner shall either approve or deny an application for course approval no later than ninety days following submission of a completed application. In the event the commissioner takes no action on an application after ninety days following submission of a completed application, the application shall be deemed denied.

§ 399-e. Standards for course approval 1. To be approved, a course must:

- (a) Have been given for at least two years by the applicant agency or organization prior to submission of an application.
- (b) Provide at least three hundred twenty minutes of instruction, with a certified instructor present. The requirement that a certified instructor be present shall not be applicable to a program approved pursuant to article twelve-C of this title. Nothing in this section shall prevent the use of audio/visual aids as part of the course presentation prescribed by the commissioner.
- (c) Provide a description of the minimum qualifications of all managers and instructors who will be hired by the applicant.
- (d) Provide each instructor with an instructor's manual and provide student workbooks and/or manuals for each course participant.
- (e) Provide a copy of a completion certificate which is designed to prevent and is capable of preventing fraud and forgery, and which is approved by the commissioner for the purpose of verifying course completion for submission to insurance companies.
- (f) Provide proof of effectiveness pursuant to section three hundred ninety-nine-f of this article.

2. The commissioner is authorized to suspend or revoke approval of a sponsoring agency should the commissioner find that the sponsoring agency, its delivery agency or its instructors have been found to be in violation of any applicable laws or regulations.

§ 399-f

§ 399-f. Proof of effectiveness. Proof of effectiveness shall be verifiable research documentation submitted by the applicant for sponsorship showing evidence of effectiveness comparable to that of the national safety council's defensive driving course as determined by the commissioner in terms of reduced convictions or accidents or both. This research documentation shall employ accepted research principles and include treatment and non-treatment control groups comprised of samples of the representative driver base. In order to establish verifiable effectiveness, each sample group should be comprised of a minimum of three thousand drivers selected randomly. The documentation shall include conviction or accident data for each motorist for a period of at least eighteen months prior to the course completion date and at least eighteen months subsequent to such date, and equivalent time periods for non-treatment control groups. The documentation shall also include a description of the sampling and analytic procedures used, and the motorist identification number and course completion date for all course attendees. The applicant for sponsorship shall provide, at the request of the commissioner and at the applicant's expense, all driving record data and analysis used in the development of the submitted research documentation. Submission of any fraudulent or intentionally misleading data will disqualify that organization and all owners and principals from participating or approval in the accident prevention course for a period of ten years from submission date. The commissioner may, by regulation, provide for a smaller sample group for specialized courses.

§ 399-g. Regulations. The commissioner shall promulgate such rules and regulations as are necessary to effectuate the provisions of this article. In addition to any requirements expressly authorized by this article, such regulations may include but not be limited to requirements and standards with respect to: delivery agencies and instructors; classroom facilities; suspension or revocation of approval; appeal of suspension or revocation; course administration and advertising; monitoring of courses and instructors; and reevaluation of course effectiveness pursuant to section three hundred ninety-nine-f of this article.

ARTICLE 12-C

ACCIDENT PREVENTION COURSE INTERNET, AND OTHER
TECHNOLOGY PILOT PROGRAM

Section	
399-k.	Accident prevention course internet technology pilot program.
399-l.	Application
399-m.	Pilot program scope and duration.
399-n.	Regulations.
399-o.	Report by commissioner.

PART 138

MOTOR VEHICLE ACCIDENT PREVENTION COURSE (REPEALED &
NEW 5/31/00)

Sec.

138.1	Introduction
138.2	Definitions
138.3	Point reduction benefits
183.4	Course approval
138.5	Sponsoring agency approval
138.6	Delivery agency approval
138.7	Qualifications for instructors
138.8	Classroom facilities
138.9	Suspension or revocation; appeals
138.10	Sponsoring agency course administration
138.11	Delivery agency course administration
138.12	Monitoring of course and instructors
138.13	Course advertising

138.1 Introduction. Section 2336 of the Insurance Law provides that the Department of Motor Vehicles will approve and monitor motor vehicle accident prevention courses for liability and collision insurance premium reduction. A course which has been approved by the Department for liability and collision insurance premium reduction shall also be eligible to provide point reduction pursuant to the provisions of this Part and Part 131 of this Title. Article 12-B of the Vehicle and Traffic Law sets out certain standards for preserving the quality and efficacy of the accident prevention course program.

138.2 Definitions. For the purpose of this Part, the following terms shall have the following meanings:

(a) Sponsoring agency shall mean an organization which owns an approved motor vehicle accident prevention course approved by the Commissioner pursuant to this Part. A sponsoring agency shall be responsible for the delivery and administration and compliance with all applicable laws, rules, and regulations relative to the motor vehicle accident prevention course.

(b) Delivery agency shall mean an organization which conducts a sponsoring agency's approved motor vehicle accident prevention course.

(c) Department shall mean the New York State Department of Motor Vehicles.

(d) Instructor shall mean an individual employed by a sponsoring agency or delivery agency to teach an approved motor vehicle accident prevention course who meets the qualifications set out in Section 138.7 of this Part.

(e) Accident prevention course or course shall mean the motor vehicle accident prevention course or specialized course curriculum which has been approved by the Department in accordance with standards set out in this Part.

(f) Specialized course shall mean a course aimed primarily at enhancing safety within a specific occupation or for a specific category of vehicles within that occupation.

(g) Completion certificate shall mean a document which cannot be altered and which is provided to the student who successfully completes the motor vehicle accident prevention course.

138.3 Point reduction benefits. Section 131.5 of this Title permits drivers to be eligible for point reduction on their driving record if they have completed an approved course. Upon receipt of electronic student completion data and two dollars (\$2) from the sponsoring agency to cover the Department's administrative costs, notice of program completion will be entered on a motorist's driving record. The Department will enter a maximum reduction of four points on the driving record, if appropriate, for each motorist certified as having attended and completed a motor vehicle accident prevention course. All required documentation must be transmitted by the sponsoring agency to the Department in a manner prescribed by the Department.

138.4 Course approval.

(a) An organization seeking approval as a motor vehicle accident prevention course sponsoring agency shall apply to the Commissioner for approval in writing on forms prescribed by the Department. No one may conduct a course unless the course has been approved by the Department of Motor Vehicles in accordance with the standards set out in this Part.

(b) An organization which proposes to offer a motor vehicle accident prevention course for point and insurance reduction benefits must submit a completed application to the Department for approval in accordance with standards set out in this Section and Section 138.5 of this Part.

(c) An application shall not be considered to be complete until all information and materials required by this Part and Article 12-B of the Vehicle and Traffic Law have been submitted. The Department shall either approve or deny an application for course approval no later than 90 days following submission of a completed application. In the event the Department takes no action on an application after 90 days following submission of a completed application, the application shall be deemed denied.

(d) To be approved by the Department, a course must meet all of the following criteria:

- (1) The course must have been given for at least two (2) years by the applicant agency or organization prior to the submission of an application to the Department.
- (2) The applicant organization must provide, at its own expense, verifiable research documentation showing evidence of the course's effectiveness in terms of reduced convictions or accidents or both, based on the criteria set forth in this section for initial course approval.
- (3) The course must provide a minimum of 320 minutes of instruction with a certified instructor present. The instruction must include active learning techniques (i.e., student participation). If the course is conducted in one day, a minimum 30-minute break must be allowed in addition to the instruction time. Such instruction must address the following subject areas:
 - (i) the concept of collision prevention, including a discussion of the factors involved in traffic situations;
 - (ii) alcohol and drug use as a contributing factor in motor vehicle collisions;
 - (iii) accident prevention techniques;
 - (iv) the use of occupant restraints;
 - (v) the risk factors involved in driver attitude and behavior such as speeding, reckless and aggressive driving, and improper lane use, etc.;
 - (vi) traffic laws in New York State;
 - (vii) physical and mental condition of drivers (i.e., age, vision, hearing, mobility, illness, fatigue, etc.)
 - (viii) conditions and strategies of driving; and
 - (ix) city versus suburban driving and rural versus expressway driving.
- (4) The course must use up-to-date audio/visual aids such as films, slides, and videotapes which should not use more than 25% of the presentation time. The balance of the presentation time shall be led by a qualified instructor in an approved classroom based on standards set out in Section 138.8 of this Part.

(5) No course may be offered in New York State by more than one sponsoring agency.

(e) Evaluation of motor vehicle accident prevention course. This subdivision shall apply to all sponsoring agencies applying for initial course approval.

(1) All sponsoring agency applicants shall supply the Department with proof of effectiveness consisting of verifiable research documentation employing accepted research principles in order to evaluate the impact of the New York State Point and Insurance Reduction Program. The evidence shall be specific to the course submitted, and shall not be more than five (5) years old.

(2) An independent audit of course evaluations may be requested by the Department to be performed at the expense of the sponsoring agency.

(3) The Department may conduct its own evaluation of any approved course offered for point and insurance reduction benefits.

(4) Submission of any fraudulent or intentionally misleading data will disqualify that organization and all owners and principals from participating or approval in the accident prevention course for a period often (10) years from the submission date.

(5) The effectiveness of the course will be measured in terms of reduced convictions or accidents or both, based on the course attendees (the treatment group) as compared to a matched group of motorists who did not attend an accident prevention course (the control group) during the same time frame. This documentation shall be based on motorist records from the jurisdiction in which the course was given. The following criteria shall be used for the purpose of this evaluation and all renewal evaluations required under Section 138.5(£) of this Part:

(i) Treatment group

(a) Each treatment group shall be comprised of a minimum of 3,000 randomly selected motorists from course attendees. For specialized courses, the sample treatment group shall be comprised of a minimum number of 1,000 randomly selected drivers.

(b) The documentation shall include conviction or accident data for each motorist for a minimum of eighteen (18) months prior to the course completion date.

(c) The documentation shall include conviction or accident data for each motorist for a minimum of eighteen (18) months subsequent to the course completion date.

(ii) Control group

(a) Each control group shall be comprised of a number of motorists equal to that of the treatment group, but with no previous course attendance, similar to the treatment group by sex, age, geographic region, and, if possible, number of convictions or accidents during the time frame equal to the treatment group.

(b) The documentation shall include conviction or accident data for each motorist for a time frame prior to the dummy attendance date equal to that of the treatment group.

(c) The documentation shall include conviction or accident data for each motorist for a time frame subsequent to the dummy attendance date equal to that of the treatment group.

(iii) Statistical procedures

(a) A normally accepted statistical procedure, applicable to the type of data and evaluative design used, which compares quantifiable measures of performance before and after intervention, for a treatment and control group may be used.

(b) The level of significance shall be at .10 or stronger.

(iv) Miscellaneous

(a) The documentation shall contain a description of the sampling and analytic procedures used.

(b) The documentation shall include the motorist identification number and the course completion date for all course attendees should the Department of Motor Vehicles need to verify course effectiveness using different motorists and statistical procedures.

(c) Applicants must supply, upon request, any background documentation that serves as the basis for evaluation of the course, such as drivers' abstracts, reports or other materials.

138.5 Sponsoring agency approval.

(a) An organization that owns a course must obtain approval from the Department before the course can qualify for point and insurance reduction benefits.

(b) An application for approval of a sponsoring agency shall be made in writing to the Department and must include:

- the title or name of the course,
- the name of the organization submitting the application,
- proof of course ownership; and
- the names and addresses of all owners, operators, managers, partners, officers and directors of the agency or organization and, if such persons have ever used or have ever been known by another name, such name or names must also be submitted.

(c) An application shall not be considered to be complete until all information and materials required by this Part and Article 12-B of the Vehicle and Traffic Law have been submitted.

(d) The Department will not approve a sponsoring agency with a course name that is the same as the name of any other approved course or is so similar to the name of any other approved course that confusion or deception would result.

(e) Upon approval, a sponsoring agency will be subject to a two-year probationary period, during which compliance with this Part will be assessed. Final approval will be based upon successful completion of the probationary period.

(f) Sponsoring agency approval must be renewed every five (5) years in accordance with the standards set forth in section 138.4(e) of this Part. An approved specialized course is exempt from this provision and need not be renewed every 5 years. However, if the Department determines that an approved specialized course does not adequately address the standards as set forth in this Part, the specialized course may be required to submit a course effectiveness study as defined in section 138.4 of this Part.

(g) To obtain approval as a sponsoring agency, an applicant must:

- all
- (1) provide the Department with a description of the minimum qualifications of managers and instructors who will be hired or approved by the applicant;
 - (2) provide and require a minimum of six hours of instructor training programs , including in-service refresher workshops at least every two (2) years, to ensure competency in delivering the course in the areas set out in Section 138.4(c)(3) of this Part. These programs must also address teaching methodologies and

psychology of learning, as well as a discussion of all applicable laws, regulations, and policies; the instructor training programs must also include a demonstration of the teaching abilities of each instructor; applicants must submit a full description of the instructor training course, including the number of hours and a copy of the curriculum;

(3) provide each instructor with an instructor's manual and provide student workbooks and/or manuals for each course participant as necessary to follow and participate in the course; each workbook shall have prominently displayed the sponsoring agency's name and telephone number;

(4) provide, for the Department's approval, a sample course completion certificate which is designed to and capable of preventing fraud and forgery, for the purpose of verifying course completion for submission to insurance companies;

(5) establish and maintain a record keeping system compatible with the Department's requirements for data entry of course completion information.

(6) establish appropriate lines of communication with the Department in order to provide efficient and effective administration of the course;

(7) provide and maintain an office in New York State for the operation and supervision of such course, to provide customer assistance and to keep program records open to the inspection of the Department during the sponsoring agency's normal business hours, or by appointment at a time and place acceptable to the Department;

(8) submit copies to the Department of any and all written policies and procedures related to the administration of the program.

(9) comply with Section 1304 of the Not-for-Profit Corporation Law if the applicant organization is a foreign not-for-profit corporation or Section 1304 of the Business Corporation Law if it is a foreign profit making corporation;

(10) submit to the Department copies of the forms filed with the appropriate county clerk if the sponsoring agency is an individual, partnership and/or D/B/A;

(11) supply the Department with a copy of the certificate of incorporation filed with the Secretary of State if the sponsoring agency is a corporation, or a charter issued by the New York State Board of Regents, if applicable; and

(12) ensure that all instructors are qualified at all times to teach the accident prevention course by establishing and maintaining an account with the Department's License Event Notification Service (LENS), which monitors the driving records of selected motorists. In any case where the instructor's driving privileges are suspended, revoked, or expired, the Department will notify the sponsor.

138.6 Delivery agency approval.

(a) All delivery agency applications must be reviewed and approved by an approved sponsoring agency before the delivery agency may conduct a course which qualifies for point and insurance reduction benefits.

(b) In order to be approved by a sponsoring agency, a delivery agency must:

- (1) have at least one qualified instructor on staff pursuant to Section 138.7 of this Part;
- (2) have one or more classrooms which meet standards set out in Section 138.8 of this Part;
- (3) offer a course approved pursuant to Section 138.4 of this Part;
- (4) comply with Section 1304 of the Not-for-Profit Corporation Law if the delivery agency is a foreign not-for-profit corporation or Section 1304 of the Business Corporation Law if the delivery agency is a foreign profit making corporation;
- (5) submit to the sponsoring agency copies of the forms filed with the appropriate county clerk if the delivery agency is an individual, partnership and/or D/B/A;
- (6) submit to the sponsoring agency a copy of the certificate of incorporation filed with the Secretary of State if the delivery agency is a corporation or, if applicable, a copy of the charter issued by the New York State Board of Regents; and
- (7) submit to the sponsoring agency the federal employer tax identification numbers and/or federal social security account numbers of the owners, operators, managers and instructors and any other paid employee who is involved in the administration or delivery of any approved motor vehicle accident prevention course.

(c) No delivery agency shall represent itself as a driving school unless it has a valid driving school license issued by the Department pursuant to Part 76 of the Commissioner's Regulations. A copy of the current driving school license shall be submitted to the sponsoring agency and kept on file.

(d) As a condition of approval, all delivery agency managers, owners, operators, officers, partners and employees must sign a prepared statement, provided by the sponsoring agency, acknowledging the fact that they have read and agree to comply with this Part and all other applicable laws, regulations, policies and procedures.

138.7 Qualifications for instructors.

(a) All instructor applications must be reviewed and approved by the sponsoring agency before the instructor may conduct a course which qualifies for point and insurance reduction benefits. The instructor must provide the federal social security number to the sponsoring agency.

(b) An instructor of a motor vehicle accident prevention course must:

- (1) have a driver's license valid for operation in New York State;
- (2) have at least three years of licensed driving experience;
- (3) have no driver's license suspension or revocation within the five (5) years prior to becoming an instructor (with the exception of an indefinite suspension which can be terminated by the performance of an act by the licensee) and no alcohol related driving conviction within the seven (7) years prior to becoming an instructor;
- (4) have a high school or equivalency diploma;
- (5) be at least nineteen (19) years of age;
- (6) complete a sponsoring agency's instructor preparation course (as required by Section 138.5(g)(2) of this Part) before conducting the course and participate in refresher workshops at least once every two (2) years in order to insure an understanding of appropriate learning concepts and the utilization of these concepts; and
- (7) have not been convicted within ten (10) years prior to becoming an instructor of a felony or crime involving violence, dishonesty, degeneracy, moral turpitude,

deceit, or fraud, including but not limited to theft, forgery, making false written statements, rape, perjury, fraud or bribery. Sponsors shall solicit and collect this information on instructor application forms. No instructor application shall be deemed complete until the applicant has disclosed this information and signed the dated application.

138.8 Classroom facilities.

(a) A delivery agency approved by a sponsoring agency must provide a classroom which is clean, adequately lighted, heated, ventilated and free from visible and/or audible distractions. Adequate rest room facilities must be available to all students. Classrooms must have adequate seating facilities for the maximum number of students enrolled in any such course with no classroom having a seating capacity for fewer than ten (10) students. The classroom must be equipped with fully functional audio/visual equipment which is clearly visible from all seating areas.

(b) In no case shall any class have more than forty (40) enrolled students.

(c) Each classroom must have at least fifteen (15) square feet of open floor space available per enrolled student.

(d) A delivery agency must have the address of each classroom on file with its sponsoring agency who will make this information available to the Department upon request. No delivery agency may change class locations or hold any class without prior approval of the sponsor, in accordance with this section.

(e) Classroom facilities must be free from interference or distractions to instruction and closed to the general public.

(f) Classrooms must comply with all applicable local fire, sanitation and building requirements.

(g) To the extent required by the Americans with Disabilities Act ("ADA"), the course must be available to any qualified handicapped individual, as defined by the ADA, seeking access to the program.

(h) No classroom shall be approved by a sponsoring agency where the place of business is conducted in any non-traditional classroom location (such as a house, trailer, bar or grill, personal residence, residence room in a hotel, restaurant, diner, billiard hall, bowling alley, gasoline station, garage, tour bus, comedy club, or strip club,). A sponsoring agency may consult with the Department before approving a classroom location, when a question arises as to what is a suitable facility for conducting an accident prevention course.

(i) The instructor's full name, delivery agency name, telephone and code number, sponsoring agency name and telephone number shall be prominently displayed in the classroom during class time.

(j) No delivery agency classroom shall be approved by a sponsoring agency if it is within a building owned or leased by the State or county in which motor vehicle registrations or licenses to drive motor vehicles are issued to the public.

138.9 Suspension or revocation of approval; hearings.

(a) The Department may suspend or revoke approval of a sponsoring agency or delivery agency for any of the following causes:

- (1) the Department determines that the sponsoring agency, its delivery agencies or instructors have failed to comply with any of the provisions of this Part or any applicable law or a sponsoring agency has failed to provide oversight of its delivery agencies in accordance with this Part;
- (2) a course which, after evaluation, proves ineffective or which contains any changes which have not been approved;
- (3) a sponsoring agency or delivery agency has made a material false statement or concealed a material fact in connection with an application or has knowingly presented false or misleading information to the Department, or to the general public;
- (4) failure or refusal of a manager, owner, operator, officer, partner, or employee of the sponsoring agency or delivery agency to permit the Department or its representatives to inspect any of the offices, records, classrooms or courses;
- (5) failure or refusal of a manager, owner, operator, officer, partner, or employee of the sponsoring agency to report every motorist's completion of an accident prevention course to the Department or, in the case of a delivery agency or instructor, to the sponsoring agency;
- (6) failure or refusal of the managers, owners, operators, officers, partners, or employees of the sponsoring agency to produce approval and/or termination records for delivery agencies and instructors when requested to do so by the Department;
- (7) failure or refusal to maintain standards in accordance with this Part for instructors or to secure the services of qualified instructors or to secure the use of equipment sufficient to maintain the delivery agency or classes;

(8) failure to advise the Department within thirty (30) days of a change in the sponsoring agency's ownership, name or address;

(9) failure of the managers, owners, operators, officers, partners, or employees of the sponsoring agency to submit to the Department upon request on or before an established deadline any forms, reports, or approvals to conduct the course;

(10) provision of a course completion notification to the Department, or, in the case of a delivery agency or instructor, to a sponsoring agency, for a person who has not completed the course;

(11) provision of a course completion certificate to a person who has not completed the course;

(12) failure to terminate an instructor when the sponsoring agency becomes aware of the fact that such instructor's driving privileges have been suspended, revoked or restricted or that such instructor does not meet the standards set out in this Part;

(13) conviction for any felony or crime involving fraudulent activity by any manager, owner, operator, officer, partner, employee or instructor of the sponsoring agency or delivery agency;

(14) teaching the course in locations that have not been approved in accordance with section 138.8 of this part;

(15) failure to display an instructor's full name, delivery agency name, telephone, and code number, sponsor's name and telephone number in the classroom during class time; or

(16) failure of the sponsoring agency to monitor its delivery agencies and instructors as required by section 138.10 of this Part and, in cases where evidence of impropriety is discovered, failure to take appropriate steps to correct the impropriety or terminate the delivery agency or instructor if necessary. In cases where allegations of fraudulent or criminal activity are presented, (including but not limited to, false advertising, short classes, fraudulent sale or issuance of completion credit or certificates to those who are not legally entitled to receive them) failure to provide timely notification to the Department and, upon request, investigate the matter.

(b) An instructor shall have his or her status suspended or revoked by the sponsoring agency, the delivery agency or the Department for any of the following causes:

(1) the instructor's presentation does not adequately address subject areas set out in Section 138.4(d)(3) of this Part;

(2) a false statement is provided on the instructor's application or any other materials submitted to the sponsoring agency, delivery agency or the Department;

(3) the instructor's driving record is inconsistent with the qualifications for an instructor as set out in Section 138.7 of this Part;

(4) the instructor's classroom practices are found to be in violation of any of the provisions of this Part;

(5) the instructor conducts the class while under the influence of alcohol or illegal drugs;

(6) after evaluation, the instructor's classroom performance is ineffective; or

(7) the instructor has been convicted of any fraudulent activity related to the program, or is convicted of any crime involving violence, rape, dishonesty, deceit, indecency, degeneracy, moral turpitude or fraud, including but not limited to theft, forgery, making false statements, perjury or bribery.

(c) If the approval of a sponsoring agency is suspended or revoked by the Department, all delivery agencies and classroom operations of the sponsoring agency will also be suspended or revoked. If the approval of a delivery agency is suspended or revoked by the sponsor or the Department, all instructors and classroom operations of the delivery agency will also be suspended or revoked.

(d) No approval of a sponsoring agency, delivery agency or instructor shall be denied, revoked or suspended by the Department without an opportunity to be heard, such hearing to be held pursuant to Part 127 of the Commissioner's Regulations and at such time and place as the Commissioner shall prescribe. A hearing must be requested in writing within thirty (30) business days of receipt of notification of suspension or revocation from the Department. Any request filed after the 30 day deadline shall not be considered. If such request for a hearing be made, the suspension or revocation shall be stayed pending completion of the hearing.

138.10 Sponsoring agency course administration.

An approved sponsoring agency must:

(a) perform all administrative functions in connection with the course in accordance with this Part and applicable law;

(b) approve instructors who are qualified in accordance with the standards set out in Section 138.7 of this Part prior to their teaching the course;

(c) approve delivery agencies in accordance with standards set out in Section 138.6 of this Part;

(d) apply to the Department for approval based on standards set out in Section 138.4 of this Part for any proposed additions or deletions to an approved course curriculum;

(e) allow and enable the Department to audit the program records of the approved course and to monitor and evaluate any and all portions of the program during reasonable business hours;

(f) notify the Department in writing within thirty (30) business days of any suspension or revocation of approval of a delivery agency or instructor when the suspension or revocation resulted from a violation of any provision of this Part;

(g) advertise its course in compliance with the requirements set out in Section 138.13 of this Part;

(h) maintain student completion records for a period of three (3) years and provide duplicate completion certificates if necessary upon request. Student records shall include at least the following information:

(1) student's complete name and motorist identification number as it appears on the driver's license;

(2) student's date of birth;

(3) student's current mailing address;

(4) student's dates of enrollment, re-enrollment, if applicable, and course completion;

(5) student security document number.

(i) monitor and oversee actions taken by the delivery agencies and/or instructors with respect to the conduct of the course;

(j) issue course completion certificates within forty five (45) business days of course completion to each and every motorist who successfully completes the course;

(k) report each and every motorist who successfully completes the course to the Department within sixty (60) business days of course completion;

(l) assist the Department in maintaining a database of active delivery agencies and instructors of the sponsoring agency by supplying the Department with a complete list of active delivery agencies and instructors (i.e., those who have taught the course at least once in the prior 12 months) four times annually electronically in a manner prescribed by the Commissioner; Such lists shall include information such as instructor name, address, date of birth, telephone number, social security number, date of instructor training, date of approval, date of re-certification, if applicable, delivery agency code, classroom locations and names of delivery agency contact persons;

(m) comply with the Americans with Disabilities Act to the extent applicable;

(n) collect class schedules from delivery agencies no less than thirty (30) days prior to holding any class;

(o) provide the Department, upon request, with a schedule of class dates, times, instructor names, and locations;

(p) ensure that the course is conducted in a serious and professional manner;

(q) approve all classroom space in accordance with Section 138.8 of this Part;

(r) submit to the Department federal employer tax identification numbers and/or federal social security account numbers for all delivery agency owners, managers, instructors and employees of the delivery agency and sponsoring agency, as required by Tax Law § 5(2);

(s) submit to the Department proof of workers' compensation and/or disability benefits insurance, as required by Workers' Compensation Law and Disability Benefits Law.

(t) provide each instructor with an instructor manual during instructor training and each student with a workbook during class;

(u) implement a system of preventing, detecting and responding to allegations of fraud and violations of this Part; This shall include but not be limited to regular on-site monitoring of delivery agencies, instructors, and classroom facilities, contacting a sampling of students to ensure class attendance and quality delivery, reviewing class rosters and sign-in sheets for inaccuracies and peculiarities when submitted by agencies, periodically pull and review records, and do away with pre-signed temporary completion certificates;

(v) pre-approve receipts to be issued to every student by delivery agencies at the conclusion of the course in lieu of temporary certificates; the receipts are to be used only as an acknowledgment of the payment of course fees and attendance for the minimum number of hours required by law, and shall not be used as a substitute for official completion certificates; such receipts must be legible and include the sponsoring agency's name and telephone number, delivery agency's name and telephone number and code number, class date, time and location, and instructor's full name; and

(w) monitor all delivery agencies and instructors. In any case where evidence of impropriety exists, the sponsoring agency shall take steps to correct the impropriety. Where allegations of fraudulent or criminal activity (including, but not limited to, false advertising, short classes, issuing completion credit or certificates to those not legally entitled) are presented, the sponsoring agency shall provide timely notification to the Department and, upon request, investigate the matter. A delivery agency or any delivery agency employee or instructor shall not be used as a resource by a sponsoring agency for the purpose of investigating the alleged fraud or criminal activity of delivery agencies or instructors.

138.11 Delivery agency course administration. A delivery agency approved by a sponsoring agency must:

(a) perform all administrative functions in connection with the course in accordance with this Part;

(b) ensure that each course begin with the distribution of a Departmental statement (Form C-32A) to each student describing point and insurance reduction benefits;

(c) permit only qualified and sponsoring agency-approved instructors to conduct the courses for point and insurance reduction benefits;

(d) provide the sponsoring agency with all information necessary for the issuance of course completion certificates and for notification to the Department of each motorist who completes the course; This information must be submitted in accordance with the requirements of the sponsoring agency;

(e) refund any tuition collected from persons enrolled in the course in any case in which the course is not conducted;

(f) allow the Department both to audit the program records of the approved course and to monitor and evaluate any and all portions of the program;

(g) advertise its course in compliance with the requirements set forth in Section 138.13 of this Part;

(h) provide the sponsoring agency with a schedule of class dates, locations, times and instructor names no less than thirty (30) days prior to holding any class; Delivery agencies are not permitted to hold a class unless this requirement has been met. Under no circumstance may any delivery agency or instructor use a classroom facility that has not been approved by the sponsoring agency in accordance with section 138.8 of this part;

(i) have an instructor approved by the sponsoring agency teach each course conducted in accordance with section 138.7 of this part;

G) have, and make available upon request, written policies and procedures for handling student records for the course;

(k) not allow any person to conduct a course who is not employed by the sponsor-approved delivery agency and approved by the sponsoring agency;

(l) allow the Department and/or the sponsoring agency to make periodic inspections of classroom facilities;

(m) cooperate with representatives of the Department and/or sponsoring agency and upon request, exhibit all records, instructional aids or such materials as may be requested;

(n) retain a roster of each class for a period of three (3) years. The roster shall include the name of the attending motorist, printed legibly, and signed. Motorists shall sign the roster sheet at the beginning of class and when returning to class after each break. If the class is administered in two sessions, the attending motorist shall sign the roster for each session;

(o) comply with the Americans with Disabilities Act to the extent applicable;

(p) submit to the sponsoring agency federal employer tax identification numbers and/or federal social security account numbers of all delivery agency managers, owners, operators, officers, partners, employees or instructors;

(q) submit to the Department proof of workers' compensation insurance for all delivery agencies who employ a number of employees as required under Workers' Compensation Law; and

(r) sign the following statement, which each sponsoring agency shall have printed on every class attendance roster, to be signed by the course instructor and delivery agency representative, if different from one another. The statement shall read: "Under penalty of law, I attest to the fact that the motorists whose names and signatures appear on this class attendance roster have successfully completed the number of hours as required under Article 12-B of the Vehicle and Traffic Law, and that any false information on this roster will be used as evidence in a court of law and/or administrative proceeding."

138.12 Monitoring course and instructors.

(a) Sponsoring agencies and delivery agencies shall allow and cooperate with the Department's supervision and monitoring of motor vehicle accident prevention courses conducted for point and insurance reduction benefits in order to maintain high course standards and to insure the integrity of the program. Monitoring of programs by the Department, the sponsoring agency and the delivery agencies shall encompass the following areas:

(1) the parameters of program delivery - to insure adherence to a sponsoring agency's approved course, use of visual aids, classroom time spent by the instructors, and other measures to insure that the participant receives a complete and effective course in full compliance with all applicable laws and regulations;

(2) professional assessment and critique of the instructor's presentation, communication skills, active learning techniques, classroom management, and teacher effectiveness, to insure quality of instruction as a means of achieving the purpose of reducing highway fatalities, injuries, and property damage.

(b) The Department and/or the sponsoring agency will determine the necessity for periodic seminars or other upgrading activities to assist an instructor or instructors in improving presentation.

(c) The sponsoring agency shall conduct a minimum six (6)hour in-service, classroom workshop at least once every two (2) years to update all approved instructors on course revisions, instructional methodologies, changes in applicable state laws/regulations and administrative procedures. A record of workshop attendance shall be kept on file with the sponsoring agency for a period of at least three (3) years.

138.13 Course advertising.

(a) Any form of advertising (including verbal or written statements, promotional materials, brochures, leaflets, newspaper and magazine ads, yellow page ads, radio and television publicity, receipts, Internet web pages, or any other medium which makes reference to the accident prevention course or point and insurance reduction benefits) by a sponsoring agency and/or delivery agency must conform with all of the following standards:

(1) A sponsoring agency is responsible for the content of the advertising of its delivery agencies with regard to the point and insurance reduction program. Sponsoring agencies shall review and approve all delivery agency advertising to ensure compliance with this Part or provide pre-approved advertising materials for delivery agencies to use.

- (2) All advertising must indicate that the course is six (6) hours in length.
- (3) Point/Insurance Reduction Program advertising shall not be combined with any other advertising such as driving school or insurance agency advertising unless it has been approved by the sponsoring agency in order to protect the public from potentially confusing or misleading information.
- (4) No sponsoring agency, delivery agency, instructor or employee may publish, advertise or imply that the completion of the course conducted for point reduction will result in the "erasing" or "masking" of any information from a motorist's driving record. Communication with course participants must clearly indicate that while certain Departmental administrative actions based upon a motorist's point accumulation may be prevented, all traffic convictions will continue to be displayed on the motorist's driving record.
- (5) No sponsoring agency, delivery agency, instructor or employee may make false or misleading claims or statements in any of its advertisements.
- (6) All course advertising must identify the sponsoring agency and delivery agency.
- (7) Any material in Departmentally produced literature may be quoted without attribution, provided the quote retains its original meaning. Any presentation of Departmental material which implies or creates a meaning other than the meaning offered by the Department is prohibited.
- (8) The only acceptable reference to the Department is that the sponsoring agency's course is approved by the New York State Department of Motor Vehicles. Words which convey partnership, such as "in cooperation with," "supervised by," "recommended by," or "endorsed by" the Department of Motor Vehicles may not be used. No sponsoring agency, delivery agency, instructor or employee shall falsely advertise or represent itself to be an agent or employee of the Department or of New York State unless the sponsoring agency is a State agency or the State agency is an approved delivery agency offering courses to its employees. No delivery agency may use the words "DMV approved" in their advertising unless they specifically state that the sponsoring agency's course has been approved by the DMV for point and insurance reduction purposes.
- (9) No sponsoring agency or delivery agency shall conduct business or display or distribute any advertising material within a building owned or leased by the State or county in which motor vehicle registrations or licenses are issued to the public.

(10) No organization shall advertise point or insurance reduction benefits in any manner until such time as such advertising has been approved in accordance with this Part.

(11) No sponsoring agency or delivery agency shall use any name other than its approved name for advertising or publicity purposes. No delivery agency may use the words "driving school" unless it is licensed in accordance with Part 76 of the Commissioner's Regulations.

(12) A copy, recording or videotape of any advertisement shall be kept on file by a sponsoring agency or delivery agency for three (3) years along with a record of when and where it was used or distributed;

(13) Advertising shall reflect the serious nature of the motor vehicle accident prevention course and, in no way, either through the text of the advertisement or through the name of the course, diminish the subject matter of the course. Advertising shall not refer to gimmicks or enticements, such as comedy or free gifts, or to any benefits other than point and insurance reduction.

(14) Permission to re-publish any content of the Department's web site shall be obtained from the Department's Internet Office. The Department will provide an image to use as a link to the site. The Department's web site may not be placed within any other web site frames.

(15) Comparative statistics or claims which state or imply that one sponsoring agency is more effective than another are not to be used. The effectiveness of one sponsoring agency's approved course may not be statistically compared to another approved course.

(16) No implicit or explicit claims which are not supported by documentation are permissible. Such documentation and the proposed advertising must be reviewed and approved by the sponsoring agency in accordance with the standards of this section before they may be used.

(17) Sponsoring agencies or delivery agencies should consider including the following topic guidelines in their advertising:

(i) Persons are eligible once in 18 months for point reduction, even if the point reduction benefit is not used. Points which are reduced remain on a motorist's record, but are not counted by the Department in determining further administrative actions against the license.

(ii) Point reduction does not affect mandatory action such as license revocation for three speeding convictions within 18 months.

(iii) Point reduction does not affect suspensions or revocations already in place

(18) Insurance reduction:

(i) The only acceptable reference to insurance reduction is that successful completion of the course provides a 10% reduction, for three years, in the base rate of the motorist's current automobile liability, no-fault and collision premiums.

(ii) Quotes or references to specific dollar amounts saved are not acceptable.

(iii) Implicit or explicit claims that reduction may be less than or greater than 10% annually are not acceptable.

(iv) No implicit or explicit claim may be made that repeating the course more frequently than once every three (3) years yields an improvement over the 10% reduction in liability and collision insurance rates for each three (3) consecutive years.

(v) Any statement must include the requirement that the person completing a course must be the principal operator of the insured vehicle in order to be eligible for reduction.

(b) The Department reserves the right to review and approve all advertising based on the standards set out in this section.

APPENDIX B

NYS Vehicle and Traffic Law Article 12-C

Commissioner of Motor Vehicles' Regulations - Part 141

ARTICLE 12-C

New York State Vehicle and Traffic Law

ACCIDENT PREVENTION COURSE INTERNET, AND OTHER TECHNOLOGY PILOT PROGRAM

399-k Accident prevention course internet technology pilot program.

399-1 Application.

399-m Pilot program scope and duration.

399-n Regulations.

399-o Report by commissioner.

§ 399-k. Accident prevention course internet technology pilot program. The commissioner shall establish and implement a comprehensive pilot program to review and study internet, and other technologies as approved by the commissioner, as a training method for the administration and completion of an approved accident prevention course for the purposes of granting point and insurance premium reduction benefits.

§ 399-1. Application. Applicants for participation in the pilot program established pursuant to this article shall be among those accident prevention course sponsoring agencies that have a course approved by the commissioner pursuant to article twelve-S of this title prior to the effective date of this article and which deliver such course to the public. Provided, however, the commissioner may, in his or her discretion, approve applications after such date. In order to be approved for participation in such pilot program, the course must comply with the provisions of law, rules and regulations applicable thereto. The commissioner may, in his or her discretion, impose a fee for the submission of each application to participate in the pilot program established pursuant to this article. Such fee shall not exceed seven thousand five hundred dollars. The proceeds from such fee shall be deposited in the accident prevention course internet technology pilot program fund as established by section eighty-nine-g of the state finance law.

§ 399-m. Pilot program scope and duration. The commissioner shall conduct a pilot program designed to evaluate utilizing internet, and other technologies as approved by the commissioner, for delivering accident prevention courses for point and insurance premium reduction benefits to the public by permitting qualifying applicants to participate in the pilot program for a period of five years.

§ 399-n. Regulations. 1. The commissioner is authorized and directed to promulgate any rules and regulations necessary to implement the provisions of this article and to insure that internet, and other technology as approved by the commissioner, delivered accident prevention courses established pursuant to this article can validate: student identity at registration and throughout the course; participation throughout the course; that the time requirements are met; and successful completion of the course. Provided, however, that any rules and regulations promulgated pursuant to this

article shall not stipulate any particular location for delivery of an accident prevention course or limit the time of day during which such course may be taken. 2. The commissioner is authorized to impose a fee upon each accident prevention course sponsoring agency approved for participation in the pilot program, which shall not exceed eight dollars for each student who completes an accident prevention course by means of the pilot program established pursuant to this article.

§ 399-o. Report by commissioner. Within five years of the establishment and implementation of this article, the commissioner shall report to the governor, the temporary president of the senate and the speaker of the assembly on the accident prevention course internet, and other technology as approved by the commissioner, pilot program and its results. Such report shall include recommendations as to the future use of internet and other technologies as an effective way, in addition to classroom presentation, to deliver to the public approved accident prevention courses, and qualifications for participants in such approved internet and other technology-delivered programs.

Part 141 (15 NYCRR 141) --Effective 3/26/08

STATE OF NEW YORK

DEPARTMENT OF MOTOR VEHICLES

Pursuant to the authority contained in Sections 215(a), 399-1 and 399-n of the Vehicle and Traffic Law, and Section 2336 of the Insurance Law, the Commissioner of Motor Vehicles hereby amends the Regulations of the Commissioner of Motor Vehicles as follows:

* * * * *

A new Part 141 is added to read as follows:

MOTOR VEHICLE ACCIDENT PREVENTION COURSE BY INTERNET OR OTHER TECHNOLOGIES (ALTERNATE DELIVERY METHODS)

- 141.1 Introduction
- 141.2 Definitions
- 141.3 Point reduction benefits
- 141.4 Eligibility to deliver ADM course
- 141.5 ADM course approval
- 141.6 Monitoring
- 141.7 Evaluation
- 141.8 ADM course requirements
- 141.9 Change control
- 141.10 Information security guidelines
- 141.11 ADM course administration
- 141.12 Suspension and revocation of approval; hearings
- 141.13 ADM course advertising

141.1 Introduction. Section 2336 of the Insurance Law provides that the Department of Motor Vehicles will approve and monitor motor vehicle accident prevention courses for liability and collision insurance premium reduction. A course which has been approved by the Department for liability and collision insurance premium reduction shall also be eligible to provide point reduction pursuant to the provisions of this Part and Part 131 of this Title. Article 12-B of the Vehicle and Traffic Law sets out certain standards for preserving the quality and efficacy of the accident prevention course program. Article 12-C provides that the Commissioner shall establish and implement a comprehensive pilot program to review and study the Internet, and other technologies as approved by the Commissioner, as a training method for the administration and completion of an approved accident prevention course for the purposes of granting point and insurance reduction benefits. Courses approved under Article 12-C are eligible for the same point and insurance reduction benefits as those approved under Article 12-B. The pilot program shall continue for five years after the date that the pilot program is established and implemented.

141.2 Definitions. For the purpose of this Part, the following terms shall have the following meanings:

(a) Department shall mean the New York State Department of Motor Vehicles.

(b) Commissioner shall mean the Commissioner of Motor Vehicles.

(c) Sponsoring agency or Sponsor shall mean an organization which owns an approved motor vehicle accident prevention course approved by the Commissioner pursuant to this Part and Part 138. A sponsoring agency shall be responsible for the delivery and administration and compliance with all applicable laws, rules, and regulations relative to the motor vehicle accident prevention course.

(d) Accident prevention course or course shall mean the motor vehicle accident prevention course that has been approved by the Department in accordance with standards set forth in this Part and Part 138.

(e) Part 138 refers to 15 NYCRR Part 138.

(f) ADM Technical Specifications Document shall mean Appendix A, which provides technical policies, procedures and standards related to the application and administration of ADM courses.

(g) Alternate Delivery Method, ADM Course and ADM shall mean the motor vehicle accident prevention course approved by the Commissioner and delivered by the Internet, interactive programming or other alternate delivery method as defined in this part.

(h) Point and Insurance Reduction Program (PIRP) is a commonly used reference to the motor vehicle accident prevention course, and is based on the primary course benefits. DMV publications and advertising generally refer to the course as the PIRP course.

(i) IPIRP shall refer to the Internet Point & Insurance Reduction Program, a commonly used reference to the motor vehicle accident prevention course taught by Internet or other technologies determined by the Commissioner of Motor Vehicles.

(j) Delivery agency shall mean an organization approved by the sponsoring agency and the Department to deliver the Sponsor's DMV approved ADM course in accordance with this part.

(k) Pilot program or pilot shall mean the Department's five year study of the use of Internet and other technologies to deliver motor vehicle accident prevention courses for point and insurance premium reduction benefits (ADM courses). The five-year period will begin on a date to be determined by the Commissioner. This date shall be known as the implementation date.

(l) Personal validation shall mean a method or methods used to positively identify the person registering for, participating in and completing the motor vehicle accident prevention course.

(m) Proctored examination shall mean that the student appears in person at a location approved by the sponsor and the department to prove their identity and validate their participation throughout the ADM course by completing a final examination.

(n) Suspension shall mean the withdrawal, for a definite period of time, of a sponsoring agency's approval by the Department to conduct the motor vehicle accident prevention course.

(o) Revocation shall mean the permanent withdrawal of a sponsoring agency's approval by the Department to conduct the motor vehicle accident prevention course.

(p) Completion certificate shall mean a document which cannot be altered and which is provided to the student who successfully completes the motor vehicle accident prevention course. ADM course certificates will specifically identify the means by which the course was delivered.

141.3 Point reduction benefits. Article 12-C permits drivers to be eligible for point reduction if they have completed an approved ADM course. Upon receipt of electronic student completion data and eight dollars (\$8) from the sponsoring agency, notice of program completion will be entered on a motorist's driving record. The Department will enter a maximum reduction of four points on the driving record for each motorist certified as having attended and completed an approved motor vehicle accident prevention course, in accordance with the provisions of Part 141.5 of this Title. All required documentation must be transmitted by the sponsoring agency to the Department in a manner prescribed by the Commissioner.

141.4 Eligibility to deliver an ADM course. (a) An accident prevention course may be delivered by a sponsoring agency using an alternate delivery method that does not require students to be present in a classroom. The Commissioner may approve such method if it can be determined that the sponsor is capable of delivering the course via an alternate method that includes testing and security measures that are at least as secure as those present in the classroom course, as established in Part 138.

(b) General criteria. The Department shall review each application to assess the methodology, the sponsor's mastery of the ADM, its internal controls and its overall ability to successfully deliver the course in a manner consistent with consumer service and the aims of the motor vehicle accident prevention course. Approval of one sponsor's ADM does not constitute approval of the same delivery method by a different sponsor.

(c) Applicants may apply immediately upon the date this part takes effect. No course will be approved until the completed application is received, reviewed by the Department and a determination to approve it has been made.

(d) ADM course applicants must be an active sponsoring agency that has a classroom course approved by the Commissioner pursuant to Article 12-B of the Vehicle and Traffic Law and Part 138 prior to April 16, 2005, or, in the Commissioner's discretion, any time after such date. The Commissioner may, in his or her discretion, approve ADM course applications that have received classroom course approval after such date.

(e) The Commissioner may, in his or her discretion, require that sponsoring agencies continue to deliver their DMV approved classroom course throughout the duration of their approval to conduct an ADM course.

(f) The Department reserves the right to deny participation in the ADM pilot if adverse material is uncovered during the application review process which indicates that the sponsor is not of the high moral and financial character required to operate an ADM course.

141.5 ADM Course Approval. (a) An organization which proposes to offer an ADM course for point and insurance reduction benefits must submit a completed application to the Department for approval in accordance with standards set forth in this Section. An application shall not be considered to be complete until all

information, materials and fees required by this Part and Article 12-C of the Vehicle and Traffic Law have been submitted.

(b) To be approved by the Department, an ADM course shall meet all of the following criteria:

(1) Sponsors must establish ownership rights to the ADM course they plan to deliver in New York State. Once approved, that ADM course may not be delivered in New York State by any other sponsor.

(2) The course shall provide a minimum of 320 minutes of instruction. The instruction must include active learning techniques (i.e., requiring student participation).

(3) The ADM course must provide instruction in the following subject areas:

(i) Collision prevention; including a discussion of the factors involved in traffic situations.

(ii) Alcohol and drug use as a contributing factor in motor vehicle collisions.

(iii) Accident prevention techniques.

(iv) The use of occupant restraints.

(v) The risk factors involved in driver attitude that trigger behavior such as speeding, reckless and aggressive driving, and improper lane use.

(vi) Traffic laws in New York State.

(vii) Physical and mental condition of drivers (i.e., age, vision, hearing, mobility, illness, and fatigue).

(viii) Conditions and strategies of driving.

(ix) City versus suburban driving and rural versus expressway driving.

(x) Work zone safety and aggressive driving recognition and avoidance.

(4) Sponsors shall provide a detailed transcript of the course, including all content, sections, logical breaks, internal controls, proposed audio/video clips (including time duration). Course topic sequencing may be different from the approved classroom course as long as it does not detract from the logical flow and educational value of the course.

(5) Sponsors shall provide test questions, including 30 personal identity validation questions, 100 content/environmental questions, as well as 100 proctored exam questions (where applicable), as defined in Section 141.8 of this part. Additionally, sponsors shall provide information on when validation will occur and what validation methods they propose to use.

(6) Each sponsoring agency shall submit no more than one ADM course to the Department for approval at a time. When the sponsor's primary ADM course has been reviewed and approved or denied by the Department, the sponsor may submit a separate new application for the additional ADM in accordance with the standards set forth in this part.

(7) Advertising shall not appear during any part of the ADM course, including, but not limited to the registration, instruction, testing, validation or completion periods, nor shall any distracting material that is not related to the topic being presented, in accordance with Section 141.5 of this part and Part 138 of this title be permitted.

(8) Sponsors shall provide DMV with appropriate access to the course for the purposes of reviewing the materials and internal controls. All changes to course material must be approved in accordance with Section 141.9 of this part, prior to implementation by the sponsor. Once approved, the sponsor must provide a new course transcript script to be used in the monitoring of course.

(9) Application forms and supporting materials. The ADM course application form shall be prescribed by the Commissioner, and shall include, but not be limited to the following:

(i) Business ownership information

(a) Sponsor Name and NYS location of operation

(b) PIRP sponsoring agency code

(c) Business Federal Employer Identification Number and legal form of business

(i.e. corporation, partnership, D/B/A, etc.)

(d) Name, title, role and legal residential mailing address of all owners, operators, managers, partners, officers and directors of the sponsoring agency. If these individuals have been known by another name, submit the alternate name. Individuals, such as managers, operators, partners and officers, who actively participate in the operations and management of the business must be identified. Controlling shareholders must be identified. Not-for-profit corporations that are incorporated with the New York State Department of State, and which include businesses beyond the motor vehicle accident prevention course, may provide information on their most recent IRS Form 990, Parts V-A and V-B, in lieu of providing residential mailing addresses.

(ii) Contact Information

(a) Name of application contact person.

(b) Mailing address of contact person.

(c) Office phone and alternate phone number of contact person.

(d) E-mail address of contact person.

(e) Name of alternate contact if primary contact person is not available.

(f) Phone number and e-mail of alternate contact person.

(g) List of sponsor approved delivery agents (if applicable) to offer alternate delivery method.

(h) Proposed NYS specific registered domain name that has at least one of the principals listed as a point of contact and approved name of the sponsoring agency as the site registrant.

(iii) Required fees

(a) Non-refundable application fee of seven thousand five hundred dollars (\$7,500) must be submitted with each application in the form of a certified check. The proceeds from such fee shall be deposited in the accident prevention course internet technology pilot program fund as established by Section eighty nine-g of State Finance Law.

(b) An initial bond, or a letter of credit, in the amount of \$100,000 naming DMV as the beneficiary, which would be paid to the sponsor in the event of a security or data breach or to DMV in the event the sponsor ceases doing business in NYS during the pilot period, and/or to reimburse fees paid by students in cases where the sponsor is unable to provide the course. Applicants need not provide the bond or letter of credit with their initial application materials, though this requirement must be satisfied before DMV will grant final approval to conduct an ADM course. Sponsors that do not provide the bond or letter of credit with application materials will be advised in writing by DMV when all other application requirements have been satisfied and approval is imminent. The sponsor must then submit the bond or letter of credit in order to be finally approved. DMV will notify the sponsor when course delivery may commence. The sponsors must submit proof of bond renewal on an annual basis.

(iv) Application materials

(a) Online curriculum viewable at the domain name proposed, if applicable.

(b) Sample curriculum in the non-Internet medium proposed (Video, CD Rom, other), if applicable.

(c) Written statement indicating ownership of the curriculum and ownership or usage rights to the methods that will be used to deliver the program (i.e. if using proprietary biometric technology to validate identity and participation, sponsor must provide evidence that they have rights to use that proprietary technology for this purpose).

(d) Ten sets of user names and passwords that will be valid throughout the pilot review phase by DMV and or designated monitoring agents to review and approve content.

(e) Phone number where customer service will be available.

(f) Hours of operation of customer service (online and via toll free number).

(g) Plan on offering customer service and technical assistance (online and via toll free number).

(h) A detailed description of how the sponsor will ensure identity authentication at the time of registration and throughout the course, including proposed test bank of questions and answers.

(i) Security and risk management plan. Sponsor's policy on how student information will be safeguarded, policies regarding record keeping, data use, retention, storage, security, backup and recovery.

G) Sponsor's method to secure confidential student information, and to ensure continuous Internet or other ADM course delivery.

(k) Proposed policy/procedure for participation, hardware/software requirements, method of payment, C-32A brochure, privacy policies and penalties for fraudulent activity by the student that will be disclosed to the student before they are allowed to enroll.

(l) Sponsor's authorized signature, indicating agreement to terms and conditions of the pilot, and agreement to financial and background check of the principals and the sponsoring agency.

(c) Disqualifying application information

(1) An application will be denied or prior approval will be suspended or revoked if any person listed on the application has been convicted of a felony or any other crime involving fraudulent activity or violence.

(2) If it is established that any information provided in the application is fraudulent, the application shall be denied, or, if previously approved, sponsoring agency approval will be revoked. In either case, the applicant shall not be permitted to file an application for ten (10) years from the date of denial or revocation.

(d) Non-transferability. Sponsoring agency approval to conduct an ADM course is not transferable under any circumstances. Both the sponsoring agency approval and ADM course approval are tied directly to the sponsoring agency business named on the application form, including all ownership information. An organization that acquires another sponsor's course must submit an application and seek approval in accordance with the standards set forth in this part.

(e) Change of officers, contact persons, contact information or address.

(1) The Department must be notified in writing within ten (10) days of any change of any information provided on the original application forms. An amended application form, with signature, must be submitted with the written notification of change.

(2) The Department must be notified in writing within ten (10) days of any changes in any owners, operators, managers, partners, officers and directors or controlling shareholders of the sponsoring agency.

(3) Failure to notify the Department of such changes shall be grounds for immediate suspension of sponsoring agency approval.

(4) Transfer of ownership will require the new owner(s) to file a new application with the Department in accordance with the eligibility requirement and approval standards set forth in Sections 141.4 and 141.5 of this Part. The transferred course may not be delivered until the Commissioner has approved the new application. The prior owner's ADM course approval shall be revoked immediately upon transfer of ownership.

141.6 Monitoring ADM courses. The Department shall maintain high course standards to insure the integrity of the program. Sponsoring agencies shall allow and cooperate with the Department's, or the Department's designee's supervision and monitoring of motor vehicle accident prevention courses conducted for point and insurance reduction benefits. Sponsors must allow the Department or its designee to make periodic unscheduled inspections of all sponsor facilities and records related to the delivery and administration of the ADM course.

(a) The Department, the Department's third party monitor, if one is selected, and the sponsors shall monitor the following areas:

(1) The parameters of program delivery and adherence to a sponsoring agency's approved course, to timeframes and internal controls and other measures to ensure that the participant receives a complete and effective course in full compliance with all applicable laws and regulations.

(2) Sponsoring agencies are responsible for policing their own program, in addition to any monitoring conducted by the Department or a third party monitor selected by the Department. Sponsors shall implement sufficient controls to ensure that the approved ADM course, including any time frames, testing, identity and participation validation techniques, as well as customer service and support functions, remain accurate and functional at all times. System failures, unapproved changes, or absence of internal controls may result in suspension of the sponsor's ADM course.

(b) If the Department is unable to engage a third party monitor, the sponsoring agencies shall procure an independent third party monitor to ensure program integrity at their own expense. The Department will notify the sponsors when they will be required to procure a monitor or when a Department monitor has been secured.

(1) A third party monitoring contract may include, but not be limited to the following types of oversight, as determined by the Commissioner:

- (i) Third party monitor visits the sponsor locations on an annual basis to review compliance with DMV course requirements.
- (ii) Sponsors will give the third party access to information consistent with that provided to DMV.
- (iii) Third party monitor completes each course offering twice per quarter so as to verify all requirements are being met.
- (iv) Third party monitor receives regular data transmission according to a defined record format of student reporting requirements for ADM. The monitor will analyze data for trends and patterns of abuse.
- (v) At least two onsite audits of the sponsor's data hosting/reporting process, policies and implementation, during the 1st and 3rd year of the pilot to ensure data collected, stored and reported is consistent with what the sponsor received.
- (vi) During the onsite audit, third party monitors will review Sponsor's security of motorist personal information to ensure adherence to security policies defined in Appendix A

(c) In the event that a course is monitored and found to be deficient, a review of data transmission is found to be suspect, or the review of the sponsor's hosting/reporting or security process appears deficient, a report of such deficiencies shall be reported in writing to both the Department and sponsor within 24 hours of identification. When notified of a deficiency, sponsors must investigate, and where a deficiency is confirmed, provide the DMV with a remediation plan within 10 business days. The Sponsor shall have 30 calendar days to correct the deficiency.

(d) DMV may periodically audit any and all sponsor records and third party monitor records related to the ADM course.

(e) DMV may, in the discretion of the Commissioner, approve all third party monitors, including those procured by the sponsor. Monitors shall cooperate with the Department's supervision and monitoring of ADM courses and shall allow the Department access to all records related to such courses. DMV shall have the ability to contact sponsor's third party monitors directly, without prior approval of the sponsor.

(f) DMV reserves the right to review and approve the use of a third party database information for the purpose of validating student identity, including any contracts, agreements, security protocols and policies, and may consult the third party credit bureau or government data provider without permission from the sponsor.

141.7 ADM Course Evaluation. (a) Consistent with the requirements in 138.4(e), sponsors will be required to evaluate the effectiveness of their ADM course, as well as their classroom based course. The timing of when the evaluation must be done may occur anytime within the five year period, when the number of students have completed the course provides a sufficient sample to evaluate per Section 138.4(e). Sponsors are expected to evaluate their ADM course once over the 5 year period. In the event sufficient sampling cannot be done due to the number of students completing the course, DMV will accept a smaller ADM sample. Course effectiveness

documentation must be completed and submitted to the Department no less than 60 business days prior to the end of the pilot program.

(b) In order to evaluate motorists' responses to the ADM delivery methods, sponsors will be required to collect data for each student completer for these factors:

- (1) Overall course satisfaction.
- (2) Perception that course was interesting.
- (3) Perception that course was easy to use.
- (4) Perception that the course will positively influence their future driving performance.

(c) Appendix A defines the student completion data requirements in detail

(d) The student completion information, as described in this section and in Appendix A, shall be reported in a manner prescribed by the Commissioner.

141.8 ADM Course Requirements. (a) Course Timing: The ADM course shall include built-in timers to ensure that 320 minutes of instruction have been attended and completed by the student. Timers shall be built into online and interactive courses in order to prevent a motorist from advancing to the next page or section in less than the amount of time it would take the average person to read or be exposed to that page or section. Timers shall be incorporated into the verification process so that if a telephone verification system is used, the student cannot complete the validation piece of each section until the amount of time that it would take an average person to complete such section has passed.

Each sponsoring agency application, submitted in accordance with section 141.5, must include a specific plan for how instruction time will be calculated. In addition, a record of such calculations, including all instruction time, will be recorded and stored by the sponsor and made available to the third party monitor and the Department for monitoring and quality control purposes. This information, as part of each student's completion record, must clearly differentiate actual interactive instruction time from non-instruction time such as log-in procedures, administrative tasks, help functions, validation processes, and audio/visual media download times. This information shall also be used by the sponsor in fulfilling its monitoring responsibilities as defined in section 141.6 of this part. The sponsor shall store this data for a minimum of five (5) years.

(b) In-person testing alone shall not be sufficient proof that the motorist participated in the 320-minute course.

(c) The ADM course shall use the following methods to ensure that the course instructional time will take 320 minutes. In order to demonstrate that the course provides sufficient content, the ADM shall use the following methods:

(1) Word count. The sponsor shall count the total number of words in the text or written sections of the course and divide by 100, the estimated number of words a student can read per minute. The result will be total minimum time for written material.

(2) Multimedia presentations. For audio/visual presentations, the total time, in minutes, it takes the multimedia presentations to play.

(3) Charts and graphs. The ADM can allow one minute for each chart or graph.

(4) Simulations and Exercises. The calculated time of simulation or exercise, allowing sufficient time for the user to follow along at the required pace.

(5) Personal and Content Questions. The sponsor may allow up to 45 seconds for personal question responses and up to 60 seconds for content question responses.

(6) Sponsors can propose alternate time calculation methods so long as sponsors can demonstrate that the course meets the 320 minute minimum requirement.

(d) Customer service and support

(1) ADM courses shall provide toll free telephone lines staffed by knowledgeable customer service staff that can assist with routine questions. Staff shall be knowledgeable about policy, procedural, technical and content matters.

(2) ADM courses delivered exclusively online shall also provide online assistance, in addition to telephone support, through the use of frequently asked questions and/or online chat access or equivalent real time communication.

(3) ADM courses delivered exclusively by interactive means, other than the Internet, shall also provide interactive assistance, in addition to telephone support, through the use of frequently asked questions and/or real time interactive communication.

(e) Identity Validation

(1) Sponsors are required to validate a student's identity as part of the ADM. The specific methods chosen are based on each sponsor's solution, and are based on points assigned to each method, as determined by the Commissioner and as set forth in Appendix A:

(i) Biometrics must include methods such as facial recognition, key stroke analysis, voice print or fingerprint.

(ii) Proctored examination after the 320 minute course.

(iii) In person contact at the time of registration or at delivery agent location for course delivery.

(iv) Phone contact by prompting students to contact sponsor during course delivery to answer personal or content questions.

(v) Third party database questions are answered by the student against a third party credit bureau or government database as a means to validate identity only.

(vi) Online/Instant message by prompting student using internet or PC based training to join a discussion group or answer validation questions.

(vii) Personal questions are answered by student as a means to validate identity.

(viii) Content questions are answered by student as a means to validate participation.

(ix) Pay per view buttons uses features of digital cable TV to have a user interface for students to answer validation questions during the course.

(x) E-mail can be used to transmit user name and password or to provide a link to the user for course access.

(2) Sponsors shall choose a minimum combination of validation techniques (from section b above) in designing their ADM course. The Department, as set forth in Appendix A, shall assign relative point values to each technique to assess the security and integrity of each sponsor's validation solution.

(3) In the event sponsors have alternate validation techniques, DMV shall review such alternates and determine if they will be added to the list of techniques "in paragraph (1) above.

(f) Personal validation for purposes of identity and participation for ADM courses.

(1) When sponsors elect to use personal and/or content questions as defined in Section 141.8(c)(5), the validation system shall incorporate the following requirements:

(i) Sponsor shall maintain a test bank of not less than thirty (30) personal validation questions.

(ii) The ADM course shall ask a minimum of ten (10) personal validation questions throughout the course. Questions shall be generated randomly from the test bank for each student and shall not be repeated.

(iii) Personal validation questions will be asked throughout the course, at a minimum at the beginning of each session and at appropriate intervals during the course. At least one personal validation question shall appear in each major unit or section, not including a final examination.

(iv) The student must correctly answer the personal validation question within forty five (45) seconds for Internet/interactive validation and thirty (30) for telephone validation.

(g) In order to ensure that a student has participated throughout the course, sponsors shall maintain a bank of one hundred (100) content and environment questions relating to the material presented in each section. The ADM course shall ask a minimum of twenty (20) content and environment questions throughout the course. Questions shall be generated randomly from the test bank for each student.

(1) The content/environment questions shall be short answer, multiple choice, or a combination of these forms. The questions shall be designed so the answer may not be determined by the student without having viewed the actual the material presented in each section or sub section.

- (i) The student must correctly answer the content/environment questions within sixty (60) seconds for Internet/interactive validation and forty five (45) seconds for telephone validation.
- (ii) In no case may a personal or content/environment question identify, in any way, the correct answer to the question.
- (iii) Students who, in their first attempt, fail to answer the minimum number of content/environment questions correctly may be asked additional questions (adding to the minimum time requirement) so long as they answer at least 75% correctly in one of the two subsequent attempts that will be permitted in the Internet course. If proctored testing is used, students who fail to answer the minimum number of content/environment questions correctly are allowed one (1) subsequent retest. Students who fail to correctly answer any personal identity question in the Internet course shall have one (1) subsequent attempt to answer the question before being excluded from the course. The same standard will apply to personal identity questions in the proctored test environment.
- (iv) In such case where a student is allowed to retake any content/environment question in an effort to answer 75% of the questions correctly, the ADM course shall present a different question from its test bank.
- (v) Students shall not be permitted to attempt the same question in any subsequent attempt. The ADM course may not repeat a content/environment question until it has asked all the questions from its test bank.
- (vi) The student shall be excluded from the course if they fail to answer at least 75% of the content/environment questions correctly after three (3) attempts at taking the test online or two (2) attempts at taking the proctored exam (including initial test and one retest). Retests must be completed within 28 days from the initial completion of the education portion of the course. A student that has been excluded from the course for failing to attain a passing score shall, in the discretion of the sponsor, be eligible to enroll in and start a new course. The sponsor may, in its discretion, choose to waive a fee or allow the student to enroll in a new course without paying an additional course fee. Students who have been excluded from the course and are allowed to enroll in a new course must complete the entire course.
- (vii) Students shall be excluded from the course where the sponsor's DMV approved biometric identification methods cannot verify student identity in two attempts. Failure to confirm identity after two (2) attempts shall result in the motorist being excluded from the program. If the identity verification is not made due to a technology failure, the student shall not be excluded from the course. The sponsor shall address the technology failure and allow two (2) opportunities for biometric identity verification to be made. If the identity verification is not made and the student has been excluded from the class, the

sponsor may, in its discretion, choose to waive the course fee or allow the student to enroll in a new course without paying an additional course fee. Students who have been excluded from the course and are allowed to enroll in a new course must complete the entire course.

(2) Proctored testing requirements. If proctored testing is used by a sponsor as a means of validating student identity and participation, the sponsor must apply for approval in a manner prescribed by the Commissioner. Standards may include but not be limited to:

(i) Locations must be approved by the Department.

(ii) Proctors must have an independent relationship with the sponsor, as well as those taking the test.

(iii) Students must present two forms of identification, one being their NYS driver's license photo identification

(iv) Students must sign in, indicating agreement with the sponsor's terms and conditions, including identity and participation validation questions as outlined in Section 141.8 of

(v) Proctors must monitor student testing in person. Testing must be completed within 30 calendar days of completing the instructional portion of the ADM course.

(h) Internet/interactive delivery specific requirements

(1) A student receipt shall be displayed online and available for printing, whether such receipt is provided at the time of in person registration or e-mailed to the student. The receipt is not proof of official course completion, which must be mailed to the student via regular or express mail. The receipt is only intended to show payment for course and must state so.

(2) Students must complete the ADM course within 30 calendar days of registration. Students who do not successfully complete the course shall be excluded from the program for non-completion and shall forfeit course fees. The sponsor may, in its discretion, choose to waive a fee or allow the student to enroll in a new course without paying an additional course fee. Students who have been excluded from the course and are allowed to enroll in a new course must complete the entire course.

(3) In cases where an online course requires in-person validation and/or testing, the motorist must appear and complete that requirement within 30 calendar days of completing the instructional portion of the ADM course.

(4) Sponsors shall accommodate various Internet connection bandwidth rates so the program is accessible to the greatest number of motorists statewide. Bandwidth and processing speed may affect download times for multimedia presentations. Download and processing time shall not be factored into the overall minimum instruction time.

(5) The graphical interface shall be user-friendly. Scrolling should be limited to up and down; students shall have the ability to log on and off and navigate freely to previously viewed material.

(6) Consistent with NYS Americans with Disabilities Act (ADA) Web Requirements, whenever video or audio is playing, a text stream of the spoken word will be visible where appropriate.

(7) Each sponsor must offer the ADM from a single Uniform Resource Locator (URL)/global address on the world wide web. The sponsor can accept students directed from another site, so long as it is clear on the ADM's website who the ADM sponsor is. Sub-domains of the ADM's registered domain may deliver content as long as the sub domain is registered to and hosted by the ADM sponsor.

(8) Sponsors must make available printable fact sheets (in lieu of a workbook) that summarize key learning points from each module.

(i) Additional requirements for video/non-interactive courses.

(a) A video ADM course shall be subject to the same identity and participation validation criteria required of Internet /interactive courses as defined in Section 141.8 of this Part.

(b) In addition, all ADM courses that do not use the Internet, or other interactive delivery and Biometric identification validation will be required to include a proctored exam, in addition to the personal and/or content questions asked during the course.

(c) All video ADM courses will also provide a workbook, or summary of key learning points from each module that the student will be allowed to carry into the proctored exam.

(d) A video/non-interactive ADM course is exempt from the 25% maximum timeframe for audio/visual content required in this Part.

141.9 Change Control. (a) Changes to the ADM curriculum or internal controls shall not be made by the sponsor without prior approval of the Department.

(1) A sponsor that wishes to change their course must request such change in writing. A request must include:

(i) Reason for the change

(ii) Complete description of the change

(iii) The impact of the change on the 320 minute course requirement, on the content of the section in which it is placed, and on the overall course.

(iv) The impact of the change on course delivery, security, and validation.

(2) The Department will review the change to determine if it is warranted. Changes impacting timeframes, delivery method, and security must be tested prior to approval. Changes may be implemented immediately upon approval.

(3) Implementing any change without prior written approval from the Department shall be grounds for suspension of approval to deliver the ADM course or of sponsoring agency approval.

(4) The Department may request additional information relating to proposed changes described in this section.

(5) The Department may periodically require that updates to the course curriculum be made by the sponsor, particularly in relation to changes in law, statistics and traffic safety trends.

(i) Sponsors are encouraged to update their course curriculum on an annual basis to include the latest laws, statistics and traffic safety trends.

141.10 Information Security Guidelines. (a) Protection of student confidential information is of paramount importance to the Department. Sponsors and their delivery agents where applicable, must ensure client information is kept confidential and secure. This includes securing purchase information (such as credit card), identity information (such as motorist ID, personal information questions and answers), and records maintained to validate student/sponsor compliance with the requirements, including any client reported information on tests and surveys.

(b) Sponsors and their delivery agents, where applicable, must comply with the Driver Privacy Protection Act (DPPA). Violations of the New York State Personal Privacy Protection Law and the Driver Privacy Protection Act (DPPA) may result in sponsor suspension and may result in federal prosecution. In addition, sponsors and their delivery agents must also comply with NYS Information Security Breach and Notification Act, Sec 208, NYS Technology Law, and Sec. 899-aa NYS General Business Law.

(c) If there is any breach of security, the affected sponsor and/or delivery agent must notify the Department as soon as practical after the security breach, providing details of the incident(s) and what steps were taken to address the security breach in a timely manner.

(d) DMV Information Security officials will review each sponsor's security plan prior to course approval. After approval has been granted, the Department, the sponsor's monitor or a third party under contract to DMV reserves the right to audit the sponsor's ADM information security practices, security of office sites, systems and test areas on a periodic basis, or when circumstances warrant.

(e) Sponsors shall maintain records for the ADM course separately from their classroom course data, or structure their data systems to differentiate between the courses. Course records and data, with the exception of biometric data, shall be retained by the sponsor for a period of not less than five (5) years from the date of course completion. Biometric data shall be retained by the sponsor for a minimum of five (5) business days, and no longer than thirty (30) calendar days from the date of course completion.

(f) Sponsors that are approved to offer more than one ADM course must be able to delineate between the courses.

141.11 ADM course administration. An approved sponsoring agency must: (a) perform all administrative functions in connection with the course in accordance with this Part and applicable laws;

(1) Provide student participation data in a manner prescribed by the Commissioner.

(2) Provide, for the Department's approval, a sample course completion certificate which is designed to and capable of preventing fraud and forgery, and which designates the type of ADM course completed, and which shall be used to verify course completion for submission to insurance companies.

(3) Establish appropriate lines of communication with the Department in order to provide efficient and effective administration of the course.

(4) Keep program records open to the inspection of the Department during the sponsoring agency's normal business hours, or by appointment at a time and place acceptable to the Department.

(5) Submit copies to the Department of any and all written policies and procedures related to the administration of the program.

(6) Maintain student completion records, including footprint data, for a period of five (5) years and provide duplicate completion certificates, if necessary, upon request. Student records shall include the items related to course completion as set forth in Appendix A.

(7) Issue course completion certificates within fourteen (14) business days of course completion to each and every motorist who successfully completes the course.

(8) Report each and every motorist who successfully completes the course to the Department within thirty (30) business days of course completion.

(9) Notify student in advance of all of the requirements necessary to successfully complete the course, including technical requirements and final date for completion. The completion date on the certificate is the date when all requirements have been met.

(10) Publish privacy rights at the beginning of the course materials.

(11) For internet courses, motorists must type "I Agree" to acknowledge and agree to all course completion requirements and the sponsor's privacy policy information required under Sections 141.5 and 141.10 of this Part. For in person registration or during the proctored test, students must sign an agreement acknowledging and agreeing to all course completion requirements and the sponsor's privacy policy information required under Sections 141.5 and 141.10 of this Part.

(12) Provide an enrollment contract that student must read and acknowledge prior starting instruction, where appropriate. Enrollment contract shall explain the course, minimum instruction times, all fees associated with the course, completion procedures, minimum technology requirements and other relevant information as prescribed by the Commissioner, including the course benefits and limitations as described in the Department's C-32A publication. The contract will also include an affirmation by student that they will complete the entire course without assistance; will abide by all terms of the contract; will not knowingly accept a course completion certificate if the course has not been completed

(13) In any case where a sponsoring agency is unable to provide the course or any part of the course, the student must be given the option of receiving a full refund of all course fees. In addition to the option of a full refund, students may be given the opportunity to reschedule the course if and when it becomes available.

Suspension or revocation of approval; hearings. (a) The Department may suspend or revoke approval of a sponsoring agency or delivery agency, or the approval of an ADM course, for any of the following causes:

(1) The Department determines that the sponsoring agency, its delivery agencies or instructors have failed to comply with any of the provisions of this Part, Appendix A or any applicable law, or a sponsoring agency has failed to provide oversight of its program in accordance with this Part;

- (i) A course, which after evaluation pursuant to the standards contained in section 141.7 of this Part, proves ineffective or which contains any changes which have not been approved.
- (ii) A sponsoring agency has made a material false statement or concealed a material fact in connection with an application or has knowingly presented false or misleading information to the Department, or to the general public.
- (iii) Failure or refusal of a manager, owner, operator, officer, partner, or employee of the sponsoring agency, or its delivery agents if applicable, to permit the Department or its representatives to inspect any of the offices; records, or courses.
- (iv) Failure or refusal of a manager, owner, operator, officer, partner, or employee of the sponsoring agency to report every motorist's completion of an accident prevention course to the Department.
- (v) Failure or refusal of the managers, owners, operators, officers, partners, or employees of the sponsoring agency, or its delivery agents if applicable, to produce any program related records when requested to do so by the Department or by a monitor under contract with the Department.
- (vi) Failure to advise the Department within ten (10) days of a change in the sponsoring agency's ownership, name or address, or any business information defined in section 141.5(J).
- (vii) Failure of the managers, owners, operators, officers, partners, or employees of the sponsoring agency to submit to the Department, upon request, on or before an established deadline, any forms, reports, or approvals to conduct the course, including the intentional manipulation of requested data.
- (viii) Failure to comply with Part 141.9 change control requirements.
- (ix) Provision of a course completion notification to the Department, for a person who has not completed the course in accordance with the standards set forth in this Part.

- (x) Provision of a course completion certificate to a person who has not completed the course in accordance with the standards set forth in this Part.
- (xi) A judgment or conviction for any felony or crime by any manager, owner, operator, officer, partner, employee of the sponsoring agency. At the discretion of the Department, after a review of the crime the factors that lead to a conviction, the Department may issue a waiver.
- (xii) Alteration of ADM participation data collected by the sponsor and reported to the Department in accordance with this Part and its accompanying technical specifications as set forth in Appendix A.
- (xiii) Failure of the sponsoring agency to monitor the delivery of its program and, in cases where evidence of impropriety is discovered, failure to take appropriate steps to correct the impropriety.
- (xiv) The ADM course presentation does not adequately address subject areas set forth in Section 141.5 of this Part.
- (xv) Failure to renew and/or maintain the \$100,000 bond or submit proof of renewal on an annual basis as required in section 141.5 of this Part.
- (xvi) Suspension or revocation of sponsoring agency approval applies to all versions of the course being delivered by the sponsor, including classroom and ADM course delivery.
- (xvii) Failure to disclose all fees associated with the course, or a change in fees associated with the course, at any time after the motorist agrees to the terms and conditions of the course at the time of registration.

(2) No approval of a sponsoring agency, shall be denied, revoked or suspended by the Department without an opportunity to be heard, such hearing to be held pursuant to Part 127 of the Commissioner's Regulations and at such time and place as the Commissioner shall prescribe. A hearing must be requested in writing within thirty (30) business days of receipt of notification of denial, suspension or revocation from the Department. Any request filed after the thirty (30) day deadline shall not be considered. If such request for a hearing is made, the suspension or revocation shall be stayed pending completion of the hearing.

(3) Upon suspension or revocation, the sponsor shall provide any unreported student course completion data, including any footprint information.

141.13 Course advertising. (a) Any form of advertising (including verbal or written statements, promotional materials, brochures, leaflets, newspaper and magazine ads, yellow page ads, radio and television publicity, receipts Internet web pages, pop up ads or any other medium which makes reference to the accident prevention course or point and insurance reduction benefits) by a sponsoring agency and/or delivery agency must conform with the following standards:

(1) Advertising shall reflect the serious nature of the motor vehicle accident prevention course and, in no manner, either through the text of the advertisement or through the name of the course, diminish the subject matter or serious nature of the course. Advertising shall not refer to gimmicks or enticements, such as comedy or free gifts, or to any benefits other than point and insurance reduction.

(2) The only acceptable reference to the Department is that the sponsoring agency's course is approved by the New York State Department of Motor Vehicles. Words which convey partnership, such as "in cooperation with," "supervised by," "recommended by," or "endorsed by" the Department of Motor Vehicles may not be used. No sponsoring agency may advertise or imply that it is associated with or is an agent or employee of the Department. No representative of the ADM sponsoring agency shall knowingly allow the use of advertising that could lead the public to believe that they or their sponsor are an employee, representative or agent of the Department.

(3) No sponsoring agency course shall be permitted to conduct business or advertise under any name that has not been approved by the Department, pursuant to Articles 12-B and 12-C of the Vehicle and Traffic Law. No sponsoring agency or delivery agency may use the words "driving school" in its name in advertising unless it is licensed in accordance with Part 76 of the Commissioner's Regulations.

(4) No sponsoring agency may advertise in any manner until approved by the Department. No organization shall advertise point or insurance reduction benefits in any manner until such time as the course has been approved by the Department.

(5) A sponsoring agency is responsible for the content of the advertising of its delivery agencies with regard to the point and insurance reduction program. Sponsoring agencies shall review and approve all delivery agency advertising to ensure compliance with this Part or provide pre-approved advertising materials for delivery agencies to use.

(6) All advertising must indicate that the course is a minimum of 320 minutes in length.

(7) Point/Insurance Reduction Program advertising shall not be combined with any other advertising, such as driving school or insurance agency advertising, unless it has been approved by the sponsoring agency, in accordance with this section, in order to protect the public from potentially confusing or misleading information.

(8) No sponsoring agency may publish, advertise or imply that the completion of the course conducted for point reduction will result in "erasing", "masking" or deleting any information from a motorist's driving record. Communication with course participants must clearly indicate that while certain Departmental administrative actions based upon a motorist's point accumulation may be prevented, all traffic convictions, as well as the points designated for such convictions, will continue to be displayed on the motorist's driving record. Sponsors shall inform students about the New York State Driver Responsibility Assessment (DRA) and indicate that completing a course will not affect mandatory fines or assessments such as the DRA.

(9) No sponsoring agency or employee may make false or misleading claims or statements in any of its advertisements.

(10) All course advertising must identify the sponsoring agency and the ADM method.

(11) Any material contained in literature produced by the Department may be quoted without attribution, provided the quote retains its original meaning. Any presentation of Departmental material which implies or creates a meaning other than the meaning intended by the Department is prohibited.

(12) No sponsoring agency, delivery agency, or employee shall falsely advertise or represent itself to be an agent or employee of New York State unless the sponsoring agency is a State agency offering a DMV approved course to its employees.

(13) No sponsoring agency or delivery agency shall conduct business or display or distribute any advertising material within a building owned or leased by the State or county in which motor vehicle registrations or licensees are issued to the public.

(14) A copy, recording or videotape of any advertisement shall be kept on file by a sponsoring agency or delivery agency for five (5) years along with a record of when and where it was used or distributed.

(15) Permission to re-publish any content of the Department's web site shall be obtained from the Department's Internet Office. The Department will provide an image to use as a link to the site. The Department's web site may not be placed within any other web site frames.

(16) Comparative statistics or claims that state or imply that one sponsoring agency is more effective than another are not to be used. The effectiveness of one sponsoring agency's approved course may not be statistically compared to another approved course for advertising and promotional purposes.

(17) No implicit or explicit claims that are not supported by documentation are permissible. Such documentation and the proposed advertising must be reviewed and approved by the sponsoring agency in accordance with the standards of this section before they may be used.

(18) The Commissioner may, in his or her discretion, require a sponsoring agency or its delivery agency to modify or discontinue advertising that is deemed inappropriate, false or misleading.

(19) Sponsoring agencies or delivery agencies should consider including the following topic guidelines in their advertising:

(i) Persons are eligible to receive point reduction once in 18 months. Points which are reduced remain on a motorist's record, but are not counted by the Department in determining further administrative actions against the license.

(ii) Point reduction does not affect actions mandated by statute, such as license revocation for three speeding convictions within 18 months.

(iii) Point reduction does not affect suspensions or revocations already in place.

(iv) The only acceptable reference to insurance reduction is that successful completion of the course provides a 10% reduction, for three years, in the base rate of the motorist's current automobile liability, no-fault and collision premiums.

(v) Quotes or references to specific dollar amounts saved are not acceptable.

(vi) Implicit or explicit claims that reduction may be less than or greater than 10% annually are not acceptable.

(vii) No implicit or explicit claim may be made that repeating the course more frequently than once every three (3) years yields an improvement over the 10% reduction in liability and collision insurance rates for each three (3) consecutive years.

(viii) Any statement must include the requirement that the person completing a course must be the principal operator of the insured vehicle in order to be eligible for reduction.

EXPLANATION: Material underlined is new regulation; material in brackets is old regulation to be omitted.

This amendment shall take effect immediately upon appearing in the New York State Register.

APPENDIX A

IPIRP Specification Document**Introduction*****Background***

New York State (NYS) Vehicle & Traffic Law (V&T) was amended to allow the Department of Motor Vehicles (DMV) to conduct a 5-year pilot program to assess the delivery of the Motor Vehicle Accident Prevention Course, commonly referred to as Point and Insurance Reduction Program (PIRP) via Alternate Delivery Methods (ADMs). Approved NYS classroom PIRP Sponsors may participate in the IPIRP pilot by meeting state requirements, included herein, and adhering to regulations set forth in Part 141 of the Commissioner's regulations.

To distinguish the current classroom based program from the Alternate Delivery Method (ADM) Program, NYS is naming this pilot program "IPIRP", to specifically reference the Internet as described in the enabling legislation. NYS is not limiting the pilot methods to the Internet, in the Commissioner's discretion, so long as providers can ensure that all the pilot program requirements are met. NYS has 13 approved public sponsors delivering classroom training. Only approved providers can participate in the IPIRP; although new sponsors wishing to participate can apply to be a IPIRP provider at any time. Application processing preference may be given to existing, approved classroom sponsors.

Requirement Overview

The enabling legislation, Chapter 751 of the Laws of 2005, charged DMV with developing a pilot program that ensures:

- Student identity is validated at registration.
- Student participation is validated throughout the course.
- The 320 minute time requirement for the course is met.
- Students successfully complete the course.

The DMV has established the following general requirements:

- Only approved, existing classroom sponsors will be eligible to participate in the pilot program.
- Approved sponsors want to participate in the pilot must follow the proposed application process.
- Sponsors shall have the responsibility of identity validation, as well as validating course participation.
- Sponsors shall be required to meet information security guidelines.
- IPIRP course delivery shall have specific requirements.
- IPIRP pilot review and study evaluation shall be required.

Goals of the Pilot

The success of the pilot will be based on the following three goals of the program; Interactive Interface, Expansion of Traffic Safety Awareness and Use of Identification Technologies. Each of these goals shall have several measures to evaluate the effectiveness of alternate delivery methods, as described below. Sponsors will use a common set of questions developed by DMV to collect this information from students.

Interactive Interface shall assess whether a course delivered in a non-classroom environment can engage the course participant. This goal shall be measured as follows:

- Participant satisfaction with the course. This will be measured using a Likert based scale where success will be determined when a participant rates the course good or excellent. Overall, it is expected that this rating will occur at least 80% of the time.
- Participant believes course was interesting. Without an instructor to engage the student, the course material presentation becomes very important. This shall be measured when the participant rates the course as interesting or very interesting using a Likert based scale. Overall, it is expected that this rating will occur at least 80% of the time.
- Participant believes ADM course was easy to use and instructions understandable. Given the independent nature of the course delivery, overall participant satisfaction will be impacted by how easy and trouble free the learning experience was. This will be measured using a Likert scale and success will be measured when the participant selects easy or very easy to use. Overall, it is expected that this rating will occur at least 80% of the time.

The goal of Expansion of Traffic Safety Awareness recognizes that if a course is made available using alternate technology and it is convenient for the participant, there will be an increase in the number of completers of Accident Prevention Courses. This goal will be measured as follows:

- Number of New Completers. This will be measured based on the number of actual completers of alternate technology. This shall be measured by the number of completers for each sponsor for both ADM and classroom based offerings. A measure of success shall be that the ADMs experience double digit growth (as a % of all offerings) each year they are available.
- Impact of Course. This will be measured by the completer's opinion on whether the course is likely to influence how they will drive in the future. This will be measured using a Likert based scale where success is determined when a participant indicates the course will improve their driving some or very much. Overall, it is expected that this rating will occur at least 80% of the time. DMV shall develop a uniform survey instrument for this purpose that all Sponsors shall use.
- Impact/Improvement. This shall be measured by the sponsors when they complete their PIRP effectiveness studies at the end of the 5 year pilot, or when due, depending upon the requirements spelled out in this Part, in Vehicle & Traffic Law, Article 12-B and also in Commissioner Regulations, section 138. Each sponsor will be required to demonstrate the effectiveness of its ADM course, as is also required for classroom courses, by measuring a significant impact in accident and conviction reduction in the 18 months after completing the course. Depending upon the number of completers, DMV may accept a smaller population than is required in the regulations if an insufficient number of completers is available.

The goal of Evaluate Identification Technologies is to measure usage with a variety of alternate instructional delivery methods. DMV shall measure this goal as follows:

- Number of alternate techniques employed. This shall be measured based on the number of different types of technologies employed by the various sponsors. Technology usage shall cover both the delivery method (internet, CD, etc.) as well as types of validation techniques used by each sponsor. A measure of success shall be the number of multiple media and validation techniques employed by all sponsors. The more variation employed by sponsors, the more successful the pilot will be deemed in terms of this measure.

- Robustness/reliability of various methods. This shall be measured based on whether the sponsor continues to offer a particular media or technique from the beginning of the pilot, until the end of the pilot and shall be partially based on consumer use and satisfaction. If a technology is robust enough, it is likely to be continued throughout the pilot period and over time, have more and more participants being drawn to the technology. Overall, it is expected that all approved pilot programs continue for the 5 year pilot as initially approved (except for content updates), and that consumer satisfaction with alternate techniques does not decline over the 5-year period.

Both the state and the sponsors will compile these measures during and at the conclusion of the pilot as appropriate. These goals and measures shall be the basis for the DMV's report to the Legislature and Governor at the conclusion of the pilot.

Data/Security Requirements

General Requirements

The data security of the administration of the overall Motor Vehicle Accident Prevention Course program in NYS is guided by a variety of regulations at both the Federal and State level. Generally all of the regulations and standards are consistent with each other. In any instance where they may be disparate, the more stringent standard will preempt the lesser standard. Recognizing that technology and standards evolve over time, NYS shall require sponsors to adhere to promulgated rules and regulations and state standards governing the program and strive to adhere to national standards and guidance documents related to this program. The actual standards that apply shall be based on each individual sponsor's solution. In the event conflicting requirements appear or sponsors require additional guidance as to which standards apply specifically to their solution, contact Driver Program Regulation (see contact information in closing section) for clarification.

Federal Regulations

Federal regulations detailing the Driver's Privacy Protection Act are contained under 18 USC §2721 et. seq., which are available on DMV's website at www.nysdmv.com. These rules detail permissible uses of personal information that is disclosed for use in motor vehicle accident prevention courses, as well as other uses. All sponsors and their agents participating in the program shall be required to execute a Non-Disclosure Affidavit with DMV as part of the application process.

Federal regulations related to fraud and related activity in connection with computers are contained under Title 18 of the United States Code, Part 1, Chapter 47, section 1030. These rules detail types of computer related offenses that will be punishable if found to occur during the pilot period.

National Standards

National organizations that promulgate standards related to this pilot program, and specific standards, include, but are not limited to:

National Institute of Standards and Technology (NIST) www.nist.org Biometric Data

800-76	Specification for Personal Identity Certification
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Inter National Committee For Information Technology Standards (INCITS) www.incits.org

377	Information Technology- Finger Pattern Based Interchange Format
379	Information Technology- Iris Image Interchange Format
385	Information Technology- Face Recognition Format for Data Interchange
395	Information Technology- Biometric Data Interchange Formats - Signature/Sign Data (Project 1603)
396	Information Technology- D Hand Geometry Format for Data Interchange (Project 1643)
398	Information Technology- Common Biometric Exchange Formats Framework (Project 1622)
409.1:200x	Information Technology- Biometric Performance Testing and Reporting- Part 1: Principles and Framework (Project 1602)
409.2:200x	Information Technology- Biometric Performance Testing and Reporting- Part 2: Technology Testing and Reporting (Project 1602)
409.3:200x	Information Technology- Biometric Performance Testing and Reporting- Part 3: Scenario Testing and Reporting (Project 1602)

State Laws- DMV

The general legal authority for the Department of Motor Vehicles to require and implement the IPIRP pilot exists under Article 12-C (Accident Prevention Course Internet Technology Pilot Program) of the New York State Vehicle and Traffic Law (V&T). Given the use of personal identification information, sponsors shall also be subject to New York State Technology Law §208, the Information Security Breach and Notification Act, which requires notification when a person without valid authorization has acquired personal information.

State Regulations–DMV

The NYS Department of Motor Vehicles regulations are referred to as 15 NYCRR Part 138, related to the classroom course and 15 NYCRR Part 141, the PIRP Internet/ADM pilot.

State Standards - OFT & CSCIC

The NYS Office for Technology (OFT) and NYS Office of Cyber Security and Critical Infrastructure Coordination have established Information Technology and Security policies and standards as they relate to developed systems in NYS, whether done in-house or by an outside entity.

OFT policies can be found at the following URL: www.oft.state.ny.us and include the following:

002-001- Guidelines for Internet Privacy

P04-002-: Statewide Technology Policy- Accessibility of State Agency Web-based Intranet/Internet Information and Applications

S04-001-NYS Mandatory Technology Standard - Accessibility of State Agency Web-based Intranet/Internet Information and Applications

CSCIC policies can be found at the following URL: <http://www.cscic.state.ny.us/lib/policies/> and include the following:

P03-002 v.2.1 "Information Security Policy"

Sponsors participating in the pilot shall comply with the entire Information Security Policy, and the DMV policies listed below, except for those elements that clearly apply to state employees only. DMV will provide copies of the confidential DMV policies to sponsoring agencies upon receipt of a signed Non-Disclosure Affidavit, so as to ensure confidentiality of information contained in these policies.

DMV Policies

The following is a summarized list of confidential DMV policies that shall be adhered to by the sponsors. DMV may, over the course of the pilot, add other DMV or NYS security requirements as new related and applicable policies are issued. These documents are not to be shared outside of the sponsor's organization or to be used for any other purpose than IPIRP.

Modem Policy	Connecting a dial-up modem (a device computers use to transfer data using telephone lines) to a computer system on the DMV network, even when approved, can be a potential security risk. When modem usage is approved certain guidelines must be followed when technically feasible. Exemption from these guidelines maybe approved in writing when it is not technically feasible to follow. This will apply to transmission of completer data if File Transfer Protocol (FTP) is utilized during phase 2 (see later section on data transmission).
Equipment Disposal Policy	There is a risk of disclosure of sensitive information through careless disposal or re-use of equipment. Storage devices such as tape, diskettes or CDs, containing sensitive information must be physically destroyed or securely overwritten to prevent the unauthorized disclosure of sensitive DMV information, depending on the sensitivity level of the data stored thereon. Storage Devices at the very minimum must be re-formatted before disposal or reuse by another user.
User Password Security Policy	<p>Password protection ensures the integrity of the files and applications by protecting against unauthorized access to programs and data.</p> <p><i>Example: If a PC is left unprotected, unauthorized persons gaining access could read, add, delete, or change data records or make changes to the datafiles or applications.</i></p> <p>It is the responsibility of each sponsor to reasonably protect against unauthorized activities performed by their employees' user IDs. Each user is responsible for the data that resides on his/her computer and for any activities performed through use of that computer or other password protected device.</p>

Guidance Documents

The following organizations have proposed related standards that are included here as recommended best practices.

Top 10	Open Web Application Security Project available at: http://www.owasp.org/index.php/OWASP_Top_Ten
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17799-2005	Information Technology- Code of Practice for Information Security Management (INCITS/ISO/IEC) available at www.incits.org
800-26	NIST: Guide for Information Security Program Assessments and System Reporting Form available at www.nist.org

Data Collection Requirements

ADM Participation Data

NYS is requiring all sponsors to collect and report certain standardized data on each course participant for the duration of the pilot. The data captured must be reported to DMV in an un-altered manner, based on how it was captured from the students. Data found to be altered shall result in sponsor being suspended or revoked. Data will be collected on the following:

- Sponsor & Delivery Agency Code
- Motorist Identification
- Course Start & End Date and Time
- Length of PIRP course
- Number of Sessions
- Validation Method Used
- Participant Questions and Answers
- Type of Alternate Training
- Participant Satisfaction with Training

All data listed under "IPIRP Student Participant Information" shall be required to be retained by the sponsor from the beginning of the pilot program to the end of the 5 year study, except where otherwise specified. DMV may add additional values or elements once sponsors submit applications for their unique course. The initial data dictionary of the required retained elements is below:

"IPIRP Student Participant Information" — Data Dictionary

Data/Column Name	Data Type- Length - Value	Description
Sponsor Code	Char (2)	Sponsor Code on License File
Delivery Agency Code	Char (3)	Agency Code on License File
Motorist Last Name	Char (25)	Last Name of motorist as appears on the photo driver license
Motorist First Name	Char (25)	First Name of motorist as appears on the photo driver license
Motorist Middle Initial	Char (1)	Middle Initial as appears on photo driver license
Motorist Client ID	Char (9)	ID From NYS driver's license
Motorist Date of Birth	Char (10) (mm/dd/yyyy)	Check DOB w/CID to ensure accurate posting of completion information to license file trailer.
Start Date	Char (10) (mm/dd/yyyy)	Date Motorist Started Course
Start Time	Char (6) (hhmm AM/PM)	Start Time of IPIRP Course

Data/Column Name	Data Type- Length - Value	Description
End Date	Char (10) (mm/dd/yyyy)	Date Motorist Ended Course
End Time	Char (6) (hhmm AM/PM)	End Time of IPIRP Course
Total Time	Num(4)	Total Time in Minutes Start to End
Number of Sessions	Num(2)	Total number of user sessions from start time to end time
Date Reported to DMV	Char (10) (mm/dd/yyyy)	Date the completer data was reported to DMV by the sponsor
Completed Course	Logical (1)	Y=Yes N=No
Method of Validation 1	Char (2)	Initial Acceptable Values: 01 =Biometric- face recognition 02 = Biometric -key stroke 03 = Biometric -fingerprint 04 = Biometric -voice print 10= Proctored Test 11 = In person 12 = Third Party Database questions 13 = Phone contact 14 =Online /Instant messenger tools 15 =Personal questions 16 = Content questions 17 = Pay per view "remote buttons" 18 =Email
Method of Validation 2	Char (2)	Initial Acceptable Values: 01 = Biometric -face recognition 02 = Biometric -key stroke 03 =Biometric -fingerprint 04 =Biometric -voice print 10= Proctored Test 11= In person 12=Third Party Database questions 13= Phone contact 14 = Online /Instant messenger tools 15 =Personal questions 16 = Content questions 17 = Pay per view "remote buttons" 18 =Email
Method of Validation 3	Char (2)	Initial Acceptable Values: 01 = Biometric- face recognition 02 = Biometric -key stroke 03 =Biometric -fingerprint 04 = Biometric -voice print 10= Proctored Test 11 = In person 12 = Third Party Database questions 13 = Phone contact

Data/Column Name	Data Type-Length-Value	Description
		14 = Online / Instant messenger tools 15 = Personal questions 16 = Content questions 17 = Pay per view "remote buttons" 18 = Email
Valid Question 1*	Char (3)	Unique sponsor question code approved by DMV
Student Answer 1	Char (1)	Student Answer to unique question
Valid Question 2	Char (3)	Unique sponsor question code approved by DMV
Student Answer 2	Char (1)	Student Answer to unique question
Valid Question 3	Char (3)	Unique sponsor question code approved by DMV
Student Answer 3	Char (1)	Student Answer to unique question
Valid Question 4	Char (3)	Unique sponsor question code approved by DMV
Student Answer 4	Char (1)	Student Answer to unique question
Valid Question 5	Char (3)	Unique sponsor question code approved by DMV
Student Answer 5	Char (1)	Student Answer to unique question
Valid Question 6	Char (3)	Unique sponsor question code approved by DMV
Student Answer 6	char (1)	Student Answer to unique question
Valid Question 7	Char (3)	Unique sponsor question code approved by DMV
Student Answer 7	Char (1)	Student Answer to unique question
Valid Question 8	Char (3)	Unique sponsor question code approved by DMV
Student Answer 8	Char (1)	Student Answer to unique question
Valid Question 9	Char (3)	Unique sponsor question code approved by DMV
Student Answer 9	Char (1)	Student Answer to unique question
Valid Question 10	Char (3)	Unique sponsor question code approved by DMV
Student Answer 10	Char (1)	Student Answer to unique question
Valid Question 11	Char (3)	Unique sponsor question code approved by DMV
Student Answer 11	Char (1)	Student Answer to unique question
Valid Question 12	Char (3)	Unique sponsor question code approved by DMV
Student Answer 12	Char (1)	Student Answer to unique question
Valid Question 13	Char (3)	Unique sponsor question code approved by DMV
Student Answer 13	Char (1)	Student Answer to unique question

Data/Column Name	Data Type- Length - Value	Description
Valid Question 14	Char (3)	Unique sponsor question code approved by DMV
Student Answer 14	Char (1)	Student Answer to unique question
Valid Question 15	Char (3)	Unique sponsor question code approved by DMV
Student Answer 15	Char (1)	Student Answer to unique question
Valid Question 16	Char (3)	Unique sponsor question code approved by DMV
Student Answer 16	Char (1)	Student Answer to unique question
Valid Question 17	Char (3)	Unique sponsor question code approved by DMV
Student Answer 17	Char (1)	Student Answer to unique question
Valid Question 18	Char(3)	Unique sponsor question code approved by DMV
Student Answer 18	Char (1)	Student Answer to unique_question
Valid Question 19	Char (3)	Unique sponsor question code approved by DMV
Student Answer 19	Char (1)	Student Answer to unique question
Valid Question 20	Char (3)	Unique sponsor question code approved by DMV
Student Answer 20	Char (1)	Student Answer to unique question
Valid Question 21	Char (3)	Unique sponsor question code approved by DMV
Student Answer 21	Char (1)	Student Answer to unique question
Valid Question 22	Char (3)	Unique sponsor question code approved by DMV
Student Answer 22	Char (1)	Student Answer to unique question
Valid Question 23	Char (3)	Unique sponsor question code approved by DMV
Student Answer 23	Char (1)	Student Answer to unique question
Valid Question 24	Char (3)	Unique sponsor-question code approved by DMV
Student Answer 24	Char (1)	Student Answer to unique question
Valid Question 25	Char (3)	Unique sponsor question code approved by DMV
Student Answer 25	Char (1)	Student Answer to unique question
Valid Question 26	Char (3)	Unique sponsor question code approved by DMV
Student Answer 26	Char (1)	Student Answer to unique question
Valid Question 27	Char (3)	Unique sponsor question code approved by DMV
Student Answer 27	Char (1)	Student Answer to unique question
Valid Question 28	Char (3)	Unique sponsor question code approved by DMV

Data/Column Name	Data Type- Length - Value	Description
Student Answer 28	Char (1)	Student Answer to unique question
Valid Question 29	Char (3)	Unique sponsor question code approved by DMV
Student Answer 29	Char (1)	Student Answer to unique question
Valid Question 30	Char (3)	Unique sponsor question code approved by DMV
Student Answer 30	Char (1)_	Student Answer to unique question
Valid Question 31	Char (3)	Unique sponsor question code approved by DMV
Student Answer 31	Char (1)	Student Answer to unique question
Valid Question 32	Char (3)	Unique sponsor question code approved by DMV
Student Answer 32	Char (1)	Student Answer to unique question
Course Reason Code	Char (1)	Acceptable Values I = Insurance Reduction P = Point Reduction B = Both Points/Insurance Reduction T = Traffic Safety Awareness C = Court Mandated D = Court Mandated/Point Reduction R = Court Reduced Infraction O = Other
ADM Delivery Method	Char (1)	Acceptable Values 1 = Internet 2 = DVD/CDNHS Sale 3 = DVD/CD/VHS Rental 4 = Pay Per View 5 = PC at Delivery Agent/Equivalent
Previous PIRP Experience	Char (2) Acceptable Values 0-99	Number of Times Student has taken Accident Prevention Course Before
Satisfaction Code-Method	Char (1)	Acceptable Values 1 = Really Like ADM Over Classroom 2 = Like ADM Over Classroom 3 = No Preference 4 = Like Classroom over ADM 5 = Really Like Classroom over ADM 6 = First time attendee/not applicable
Satisfaction Code-Course	Char (1)	Acceptable Values 1 = Excellent Course 2 = Good Course 3 = Average Course 4 = Poor Course 5 = Worst Course Ever

Data/Column Name	Data Type-Length-Value	Description
Impact Code-Course Effectiveness	Char (1)	Acceptable Values 1=Will Improve Driving Very Much 2 = Will Improve Driving Some 3 = Little impact on Driving 4 =No impact on Driving
Participant Interest Code - Course	Char (1)	Acceptable Values 1= Very Interesting Course 2= Interesting Course 3 =Average Course 4=Boring Course 5 = Very Boring Course
Ease of Use Code-Course	Char (1)	Acceptable Values 1=Very Easy to Use 2 =Easy to Use 3 = Neither easy or difficult 4 = Hard to Use 5=Very Hard To Use

*Valid Question X number will be obtained from sponsor provided list of unique questions asked during the course, where required.

As per section 141.5 and 141.8.of this Part, each sponsoring agency application must include a specific plan for how instruction time will be calculated. A record of such calculations, including all instruction time, will be recorded and stored by the sponsor and made available to the third party monitor and the Department for monitoring and quality control purposes. This information, as part of each student's completion record, must clearly differentiate actual interactive instruction time from non-instruction time such as log-in procedures, administrative tasks, help functions, validation processes, and audio/visual media download times. Such record shall be maintained for five (5) years.

Data Submission

In the event a student begins, but does not complete the course, sponsors will complete as much information as possible (for example, start date and start time). DMV strongly recommends that sponsors DO NOT collect social security numbers, as they are not needed to match to the license record. As part of pilot participation, sponsors will be expected to transmit the required data either to DMV and/or a third party under contract to DMV. Data transmission is to be achieved in a manner and frequency to be determined by DMV. A sponsor's ability to properly collect, store and report this data shall be validated during the sponsor IPIRP curriculum review and approval process. Depending upon the format selected by the sponsor (internet, DVD or other), sponsors shall be required to capture, store and report additional information such as student footprint data or monitored exam data. DMV anticipates the process for completer data transmission to be implemented in a phased approach as follows:

Phase 1-The completer data will be sent in the existing (pre-IPIRP) format either via existing methods or via Secure FTP. The elements submitted to the DMV will be the same elements that are currently submitted to the DMV. However, the entirety of the elements listed above under "IPIRP Student Completer Information" must be retained. Sponsors shall use a unique delivery agent code to delineate the IPIRP completer from the

traditional classroom completer. Failure to correctly delineate the IPIRP completer from the traditional classroom completer may result in sponsor suspension.

Phase 2- The completer data will be submitted to the DMV or a third party approved by DMV. The elements of the data that need to be submitted shall conform to ALL of the elements listed under "IPIRP Student Completer Information". The format and data transmission specifics will be published by DMV under a separate "Technical Interface" document prior to Phase two to all participating IPIRP sponsors.

Student Footprint Logs (Internet/Phone Based Only)

To facilitate DMV's ability to audit the 320 minute time requirement, sponsors that offer computer based training shall be required to collect and store logs of student activity as they progress through the training. Data stored for each student, during each session must include:

Data/Column Name	Data Type- Length -Value	Description
Motorist Client ID	Char (9)	ID From NYS driver's license
Start Date	Char(10) (mm/dd/yyyy)	Date Motorist Started Course
Start Time	Char (6) (hhmm AM/PM)	Start Time of IPIRP Course
End Date	Char(10)(mm/dd/yyyy)	Date Motorist Ended Course
End Time	Char (6) (hhmm AM/PM)	End Time of IPIRP Course
Total Time	Char (5)	Calculated based on End Date/Time – Start Date/Time. Captures overall time from registration through completion, including proctored testing if required.
Last Module Completed	Char (2)?	Sponsor designated code for where in application student ended session
Total Instruction Time in Minutes	Char (3)	Calculated based on sponsor's approved calculation method. Excludes non-instruction time such as log-in procedures, administrative tasks, help functions, validation processes, and audio/visual media download times.

Sponsors will not be required to transmit this data, but are expected to store it and make it available to DMV, upon request, as needed. The logs must be stored in the format above and must be human readable.

Proctored Exam Logs (DVDNHS/CD Formats)

Data/Column Name	Data Type- Length- Value	Description
Motorist Client ID	Char (9)	ID From NYS Driver's license
License Document Number	Char (8)	Document number on lower right hand corner of front of license
Date of Exam	Char (10) (mm/dd/yyyy)	Date Motorist Started Exam
Start Time	Char (6) (hhmm AM/PM)	Start Time of Exam
End Time	Char (6) (hhmm AM/PM)	End Time of Exam

Total Time	Char (5)	Calculated based on End Date/Time -Start Date/Time
Person Validating Identity	Char (4)	Unique code identifying person who validated student identity at time of exam
Testing Facility Used	Char (4)	Unique code identifying the testing facility where exam administered
Monitoring Method 1	Char (1)	Type of monitoring used during proctored exam (1st method) using the following codes 1=Biometric Sample Collected 2=Student monitored by video 3=Student monitored by person
Monitoring Method 2	Char (1)	Type of monitoring used during proctored exam (2nd method) 1=Biometric Sample Collected 2=Student monitored by video 3=Student monitored by person

Storage of any biometric samples collected, or video of the exam completion, shall be maintained by the sponsor for a minimum of 5 business days from course completion but no longer than longer than 30 calendar days from course completion. These materials shall be made available to DMV and their representatives upon request.

Data Security Requirements

Personal Identification Information

Information that is considered personal information includes, but is not limited to, participant name, address, date of birth, motorist identification number, client identification number, social security number (if collected), credit card information, answers to personal and content questions, and biometric samples. Computer systems storing this information shall be protected against data theft and loss. Financial transactions shall be conducted securely, so that theft of personal-identification information is unlikely. In the event this information becomes compromised, sponsors are required to investigate the incident and determine what data has been compromised. Suspected or confirmed inappropriate access to or disclosure of personal identification data collected for IPIRP shall be reported to DMV's Director of Audit Services or designees by phone within 1 hour of detection. This notification shall be followed up in writing by fax or email within 24 hours of detection. The sponsor shall fully investigate the compromise and report the circumstances as well as the steps taken or proposed to be taken to prevent similar instances in the future. Failure by the sponsor to notify DMV of disclosure of participant personal information, as specified, will result in Sponsor suspension or revocation. Notification must be made to the following individuals:

DPR- Director, Driver Program Regulation (518) 486-
5572 Field Audit- Director or designee (518) 474-0881

If personal identification information has been compromised, the sponsor must provide assistance and information regarding identity theft, how the student can monitor their credit report and what resources exist for preventing and/or identifying and reporting any potential identity theft. In the event of a security breach, DMV will allow sponsors access to their bond for the purposes of breach notification and necessary follow through.

Security Reviews

Sponsors shall be required to undergo a security review as part of the sponsor approval process. DMV personnel will complete this security review, and it will involve a site visit and a series of interviews via telephone and/or email.

The Division of Field Investigation site visit will focus on a review of physical security and computer system access. The sponsor shall pay all costs for travel and lodging incurred by the Department of Motor Vehicles in connection with all security reviews.

The Information Security Office interviews will, at a minimum, review:

- System Description
 - Diagrams of the system, including data connections.
 - Where and how any custom source code is stored and secured. An inventory of data stores, such as files and databases
 - An inventory of sensitive or confidential data that is stored, processed or transmitted by the system.
- Security and Risk
 - A list of the DMV and vendor contacts in case of a security incident.
 - An inventory of the system vulnerabilities and what protection will be in place for each of the vulnerabilities.
 - Review of how DMV private or sensitive data is secured.
 - Procedures if seemed DMV data is compromised or lost.
- Backup and Recovery
 - Review of the vendor's backup plan.
 - Procedure for reconstructing data from other sources, if available.
 - Estimate of the recovery time from a disaster ("how soon do they need to come back up?") and the recovery steps.
 - The business continuity plan.
 - The disaster recovery plan for this application.
- Disposal
 - Procedures for disposing of confidential information, both paper and electronic.

The security review may include the release of sensitive information (e.g., a description and diagram of your system) as applicable.

Sponsors shall be provided with an opportunity to correct significant security vulnerabilities noted during the security review and a follow-up visit and/or other type of confirmation will occur to confirm that deficiencies have been remediated.

Sponsors that do not pass a security review shall not be allowed to offer courses via IPIRP/ADM until they do pass a security review. DMV reserves the right, over the course of the pilot, to conduct follow-up reviews to ensure that security standards identified during the original review continue to be maintained.

User Interface Requirements

NYS desires IPIRP courses that engage the user in the learning experience. Courses that are reviewed which do not require to student to "participate" in some fashion will not be approved. The user's graphical interface must be user friendly, which is demonstrated through:

- Ease of use.
- Length of time it takes for pages to load.
- Ability to play multimedia during the course (assuming student has appropriate hardware and software installed).
- Ability to log on and off the course site (or stop and start computer or video based courses), and navigate easily and freely to material previously covered.
- Easily understood policies & procedures regarding course and usage during the signup process.
- Scrolling should be limited to up and down where appropriate, versus also requiring the user to scroll left to right.
- No advertisements (including pop-ups) will be allowed during the entire course (including sign up, login, and course completion).

In an effort to encourage innovation and alternative methods, NYS will allow sponsors to choose which mandatory elements they will incorporate in their course delivery, within certain parameters, as defined below:

Audio/Visual Requirements

Participants will have varying Internet connection bandwidth rates, which must be taken into account in the overall ratio of multimedia to alternate content delivery (e.g. chart with text), where possible.

Timing requirements, as outlined in the table below, are based on successful completion of the minimum course duration of 320 minutes. DMV anticipates the course to be broken into 610 sections that can be completed at a reasonable pace. These sections would be logical groupings of material from the approved classroom curriculum. Minimum content will be determined based on the following methods as described below:

Timing of Content to Determine Minimum Time Requirements Met

Type of Content	Types of Materials /Specifications	Amount of Time Allowed
Multimedia	Audio and/or visual clips, where possible. Audio/visual should be in sync. Each clip shall be no more than 6 minutes in duration, except where approved by the department, Material in written text can also be available as audio (verbatim or ad lib), to be played at the students option, which will determine course timing. The total video should not exceed 25% of allowed time for online courses. Audio/visual clip download time	Actual play time of all audio/visual material.

Type of Content	Types of Materials /Specifications	Amount of Time Allowed
	shall not be unnecessarily long so as to disrupt the flow of the course or diminish the student's course experience.	
Simulations & Exercises	This can be "follow along" video or interactive audio/video that engages the user to evaluate a key learning point from the training (e.g. response time, range of motion, visual acuity, etc.)	Actual time of simulation or exercise, allowing sufficient time for user to follow along at required pace.
Charts & Graphs	Statistics included must be the most current available, and are expected to be updated annually at a minimum.	Allow 1 minute for each chart or graph.
Personal Questions	Collected from 3 rd party database, DMV license file (if approved), or as collected by the Sponsor at time of application.	Allow 45 seconds to answer each personal question.
Content Questions	Test bank questions are developed by the sponsor and approved by DMV.	Allow 60 seconds to answer each content question.
Written text	Including bulleted lists, captions, paragraphs, and other written material. Time allowed will be a word count, when audio augmentation is not available, will be based on a physical word count. The word count shall be divided by 100 words per minute.	The result of total words divided by 100. This will be the time allowed.

Recognizing that material on the Internet can vary widely, and that the emphasis is on student learning, DMV will consider alternate time calculation methods, at their discretion, so long as sponsors can demonstrate that the course meets the 320-minute requirement.

The responsibility for validating student identity, as well as student participation, shall be with the sponsors, and their delivery agents, if applicable. While DMV intends to monitor sponsor compliance through existing resources, and/or through a third party contractor, the sponsor shall be accountable for their compliance. Given that a variety of content delivery/validation methods exist today, and more are expected over the course of the pilot, DMV will set an initial, minimum threshold, which is as secure as the existing classroom course.

Customer Service Requirements

DMV shall require that:

- The cost of all services is spelled out to the motorist at the point of sale (course cost, customer service fees, certificate costs, technology costs, proctored exams, etc. where applicable). There shall be no hidden fees and fees shall not change after the student registers for the course and accepts the terms and conditions required by the regulation.
- The course delivery and participation validation method, and terms and conditions of course and course payment/refund policies shall be described to the participant prior to the sale.
- Customers shall agree to the terms and conditions, including language to be provided by DMV, by typing "I Agree" prior to the course commencing (or by signing agreement in person either at point of sale or during proctored exam after identity validated).

- Sponsors shall provide customer service telephone support, that is at a minimum, Monday through Saturday from 8 am to 4 pm EST. DMV will consider sponsor proposals to utilize an interactive voice message system in place of live contact or in conjunction with live contact. DMV will revisit this requirement after the pilot program has been operational for 6 months.
- Sponsors shall incorporate the contents of the DMV C-32A brochure, described in Part 138.11 of the Commissioner's regulations, into the course material. This can be covered during registration if desired.
- Sponsors shall make available a printable version of key learning points covered during the training to participants so that they may have a ready reference if desired.

Participant Validation

In order to meet the legislative intent, and to assure that rigorous course requirements are met (including identity validation and student participation), while allowing multiple delivery methods to be employed, DMV has assigned "point" values to the following validation techniques:

Participant Validation Technique Options Available To Sponsors In Designing Program

Method of Validation	Examples/Parameters of Validation Method	Points Assigned
Facial Recognition	Biometric -Hardware provided by sponsor and included in cost of course	6
Fingerprint	Biometric -Hardware provided by sponsor and included in cost of course	6
Handprint	Biometric --Hardware provided by sponsor and included in cost of course	6
Retina or Iris Scan	Biometric --.Hardware provided by sponsor and included in cost of course	6
Ear Scan	Biometric -Hardware provided by sponsor and included in cost of course	6
Keystroke Analysis	Biometric -Software provided by sponsor and included in cost of the course	5
Voice Print	Biometric - Software provided by sponsor and included in cost of the course	6
Other Biometric	Prior DMV approval required	To Be Determined
Proctored Exam	Students must pass a multiple choice test with a correct score of 75% or better in order to obtain a certificate. Students will be permitted to bring in sponsor provided material into the exam.	5
In Person Contact	Identity validated at time of registration, or if set up as a computer based training at delivery agent site, delivery of training	3
Phone Contact	Prompting student to dial an 800 number to answer content or identity questions.	2
Third Party Database	Using individualized questions based on data stored in a credit bureau or government database (this is unrelated to and separate	2

	from a 3 rd party monitoring organization)	
Online /Instant Message	Prompting student to answer questions through an online chat discussion group or when online technical assistance requested.	1
Personal Questions	Questions aimed at authenticating identity.	1
Content Questions	Questions aimed at determining student participation.	1
Pay Per View Buttons	Using features of cable TV to have user interface for answering personal or content questions.	1
Email	Sending technical assistance response or user names and password for site access. If both user name and password are transmitted in the same email, password must be changed when the participant first logs on.	1
Other Techniques	Prior DMV approval required	To Be Determined

Sponsors seeking approval for their IPIRP courses must have a minimum total of seven (7) or more points, using two or more of these techniques. Sponsors are free to suggest alternate techniques, although the actual points assigned will be based on a determination by DMV. Depending upon the robustness of the solution offered by the sponsor, DMV reserves the right to increase or decrease the point values above to reflect the quality of a particular sponsor's solution in meeting or exceeding the validation requirements. Participant private information, as defined in the personal identification section shall be encrypted. All authentication information shall be protected; for example, it should not be stored or transmitted in clear text.

Validation Requirements

This section details requirements not otherwise detailed in the previous sections, and focuses primarily on requirements for participant validation, and also data storage. Participant validation will focus on Biometrics, Proctored Exam, In Person Contact, Telephone Contact, Online Chat/Discussion Group, Personal and Content questions, Pay Per View and Email Requirements.

Biometrics

DMV shall allow a variety of Biometric Data Formats, so long as initial sample collection and periodic validation of ongoing participation against the original sample occur throughout the course at random intervals. DMV recognizes that many biometric standards are relatively new and that some available technologies in the marketplace may not strictly adhere to the standards. DMV expects the ADM pilot will allow sponsors the opportunity to explore alternate validation techniques, in lieu of requiring a proctored exam.

If a sponsor selects Biometrics as a validation technique, they will be required to capture at least 7 biometric samples over the 320 minutes of instruction. These 7 samples shall be stored for a minimum of 5 business days from course completion, and no longer than 30 calendar days from course completion, and shall be subject to DMV review. In the event DMV elects to review samples, the sponsor must provide the appropriate hardware and software in which to allow DMV to verify that validation was correct. This information shall be considered "personal information" and must be kept securely. For each sample, the sponsor must also associate the client identification number on the motorist's driver's license, date and time the sample was collected and by whom the sample was collected and/or verified by (as appropriate). Sponsors shall ensure that their biometric validation technique(s) is calibrated to be at least 90% accurate.

Students who fail to have their identity verified by the biometric technique after two (2) attempts shall be excluded from the course.

Proctored Exam

Unless biometrics are used in the ADM course, or sponsors can prove to DMV's satisfaction that rigorous identity validation and participation techniques are employed, a proctored exam shall be required.

Requirements for the proctored exam are as follows:

- Exam locations shall be approved by DMV, and can be provided as part of the sponsor application process. It is preferred that tests be administered at colleges, universities and other testing facilities that routinely offer proctored exams, however delivery agencies may also administer the proctored exam..
- To the degree possible, proctors shall be independent of the sponsor, as well as with those taking the test. Typically, exam proctors are educators, law enforcement personnel, supervisory administrative staff, lawyers, engineers, etc. that have no stake in the outcome of the exam. Delivery agencies may also administer the proctored exam..
- Students taking the proctored exam must present two forms of identity, with one being their NYS Driver's license photo identification. These must be validated against the schedule (name, motorist ID) and also visually against the photograph. Students must sign in, indicating agreement with the test requirements. Signatures must be validated against signatures on the student IDs. Students without proper identification, or who appear to be presenting false identification must be refused entrance into the test.
- During the exam, proctors must monitor student exam completion by either being in the room, in a different room separated by a glass window or via video monitoring.
- The exam location must be closed to the public and be free from distractions.
- Students will be given a sponsor developed multiple-choice exam. These exams will be uniquely generated from a random pool of 100 test questions, which are developed by the sponsor and approved by DMV. When submitting test questions for approval, sponsors shall identify where in their course curriculum the answer is contained. Sponsors are required to refresh questions every 6-12 months. Students must receive a passing score of 75% correct to pass the course. Students that fail the exam will be allowed one additional opportunity to pass the exam, which will be considered a "retest". Students will be allowed up to 60 minutes to take the exam and will be allowed to bring in materials printed from the sponsor's course.
- Students shall complete the proctored exam within 30 calendar days from completing the course, although within 1-14 days is preferable. Retests can be completed within 30 calendar days from the date of initial completion:

In Person Contact

This identity validation method refers to face-to-face contact between the student and either the sponsor staff or the delivery agency staff, identified in the sponsor's application. This can be at the point of sale or course delivery (computer based training). During this contact, sponsor staff is required to:

- Ask students to present two forms of identity, with one being photo identification in the form of a government issued driver's license or non-driver ID.
- The motorist must be validated visually against the photograph.
- Students must sign an agreement, indicating willingness to comply with course guidelines.
- Signatures must be validated against signatures on the student's government issued drivers license or non-driver ID.

- Students without proper identification, or who appear to be presenting false identification must be refused entrance into the course.

Phone Contact

Phone contact, for the purpose of this identity validation method, does NOT include customer service phone support described earlier in this document. This phone contact is selected by the sponsor as an additional validation/participation method. This method can either be the sponsor contacting the student while the course is being delivered, or by prompting the student to contact the sponsor at a toll free number.

Once the student contacts the sponsor, the student's identity is validated using personal questions and/or the student's participation is validated using content questions. These questions would be in addition to the proctored exam. In addition, the questions used for phone validation cannot be the same as those included in a proctored exam. It is preferred that when phone contact is initiated by the student, when prompted, that a live operator be available to answer the phone within a minute. Recognizing that 24 x 7 service may not be practical, sponsors can elect to utilize an automated service outside of the core customer service hours. See personal and content questions for more guidance on these requirements.

Sponsors shall be expected to capture specific data on each of these contacts, including participant identity information, date/time of contact, operator guiding the call and answers to personal/content questions as part of ADM participant information. This information should be stored electronically and be available for the entire 5 year pilot period. Sponsors shall implement security measures to ensure that personal validation information cannot be retained by operators or by contracted services, such as outsourcers in other countries.

Third Party Database Questions

This method refers to the sponsor's use of data elements from a third party database, primarily that of a credit bureau or a government agency, to develop individualized questions to be used in validating the identity of a student. Data sets may be made available to the sponsor for direct verification but the sponsor assumes the risks and responsibilities associated with securing this data, so it is preferable that the sponsor utilize the services of the data provider where verification can be made without the sponsor accessing the personal data from the third party database. At least one of the national credit bureaus is known to provide an identity verification service where verification is made without personal information being released by the credit bureau. Sponsors are expected to capture each third party validation question and whether the question was answered correctly, including a date and time stamp. Verification transaction information must be stored electronically and available to the Department for the 5 years of the pilot study. Sponsors must implement security measures to ensure that personal validation information is secured.

DMV reserves the right to review and approve the use of a third party database information for the purpose of validating student identity, including any contracts, agreements, security protocols and policies, and may consult the third party credit bureau or government data provider without permission from or knowledge of the sponsor.

Personal/Content Questions

Should sponsors opt to utilize phone contact, online personal or content questions or utilize "pay per view" cable buttons, students will be required to answer authentication questions correctly and within the prescribed timeframes as follows:

Proposed Validation of Student Identity & Participation

Type of Question	Number In Test Bank	Minimum# In Course	Correct Responses Required	Amount of Time To Read& Answer-PC Format	Amount of Time To Ask& Answer -Phone Contact
Personal identity	30	10	7	45 seconds	30 seconds
Content/environment	100	20	14	60 seconds	45 seconds

Personal questions may be asked throughout the course, and at a minimum, at the beginning of each session logon. Students are limited by the number of times they can incorrectly answer personal identity and content/environment questions. Questions will be asked as they relate to material presented in each section, and can either be after video clips or at the end of each sub-section or section. Students that fail to answer the minimum number of content/environment questions correctly can have additional questions asked (adding to the minimum time requirement) so as to proportionally be able to answer a correct number of questions in a subsequent attempt as appropriate. Students will have up to 3 complete opportunities (for a total of 10 personal or 20 content questions each) in order to "prove" participation.

E-mail Contact

Should sponsors opt to use email as a validation method, they will need to confirm that the e-mail was "received", by providing to the student both the hyperlink to "confirm" registration or to link to the course upon acceptance of payment. E-mail contact can also be used to transmit user sign-ons and passwords in order to access the course. The purpose of e-mail contact is to send information necessary to access the course to a participant provided address. The preferred method is for the user name and password to be transmitted in separate emails, but mailing both in a single email is acceptable if a password change is required upon initial log on to the sponsor site.

Online Contact

In the event sponsors wish to use some form of online contact with participants, the requirements of this option are:

- Participants must identify themselves in a manner that will allow them to be linked to the student participation database.
- Online contact can utilize participatory tools available on the Internet including but not limited to instant messaging, online whiteboards and collaboration software.
- During online contact, sponsors can ask personal/content questions or use this to provide online help.
- Sponsors must clearly demonstrate how they plan to implement and use this option, as well as how they plan to protect the information that is transmitted. Sponsors must not transmit private data using clear text; all private data must be encrypted and secured.

Web TV/Pay Per View

Given the advent of interactive TV and the ability to "vote" using digital cable, sponsors who opt to deliver their course as a pay per view option, can use this technology to validate participation. This can be done through the remote control by having students answer multiple choice personal questions or content questions. Participants must be identified in a manner that will allow them to be linked to the student ADM participant database. Sponsors can also consider participants being prompted to call a toll free number to answer personal and content questions at selected intervals during the course.

Other Portable Devices (Cell Phone/PDA)

Although we do not know of an accident prevention course being delivered through a PDA or cell phone, the features and functions of today's devices seem to support the delivery of a course, albeit the screen display is limited. Sponsors that opt to deliver their courses using this methodology can couple the device with interactive use of phone buttons to have students answer both personal and content questions during the course.

Future Technologies

Recognizing the explosion of portable personal devices, DMV remains open to alternate delivery methods over the duration of the pilot. DMV will continue to accept sponsors' applications, including technologies not specified herein, for alternate delivery methods throughout the duration of the 5-year pilot.

Sponsor Application Process

Participation in the IPIRP is voluntary; existing sponsors are not required to participate in the pilot. The two-step application process is designed to minimize development costs and potential delays during the review and approval process, while ensuring that the finished product adheres to the mandated requirements.

Step 1

Approved sponsors that desire to participate in the pilot must:

- Complete an IPIRP application form (to be provided by DMV to all approved classroom sponsors when Part 141 Commissioner's regulations are approved).
- Include a one time, \$7,500 non-refundable application fee in the form of a certified check or money order, payable to the Commissioner of Motor Vehicles- IPIRP Fund.
- Mail the application and fee to:

NYS Department of Motor Vehicles
Bureau of Driver Program Regulation, Room
412 6 Empire State Plaza
Albany, NY 12228

The application will be carefully reviewed by DMV associates to ensure completeness and adherence to the IPIRP requirements. It is anticipated that several follow-up discussions with appropriate sponsor staff will occur as a result of the application submitted and that these subsequent discussions will take at least one month. NYS reserves the right to return incomplete applications to sponsors for more information. Sponsors that have their application returned can resubmit their updated application at any time. The \$7,500 non-refundable application fee only needs to be paid once during the pilot program.

Step 2

Once DMV associates have reviewed the application, and all necessary questions have been addressed, the DMV will notify sponsors in writing that they have been approved to proceed with development. Once the sponsor has completed their IPIRP development, they must submit the finished product to DMV as follows:

- If Internet based, sponsors should submit the URL (web address) of the training, and 10 unique user names and passwords that can be used by DMV staff to review the curriculum.

- If an alternate delivery methodology is used, sponsors should submit 10 copies of the alternate medium that can be used by DMV staff to review the curriculum.
- Regardless of method, DMV will be testing the sponsors proposed validation and participation methodologies, so sponsors must submit appropriate materials (hardware, software, phone numbers, questions and answers, etc.) necessary for validation by up to 10 different associates.
- A bond, or letter of credit, in the amount of \$100,000, naming DMV as a beneficiary. Applicants need not provide the bond or letter of credit with their initial application materials, though this requirement must be satisfied before DMV will grant formal approval to conduct an ADM course. Sponsors that do not provide the bond or letter of credit with application materials will be advised in writing by DMV when all other application requirements have been satisfied and approval is imminent. The sponsor must then submit the bond or letter of credit in order to be formally approved. DMV will notify the sponsor when course delivery may commence. The sponsors must submit proof of bond renewal on an annual basis.
- The physical location(s) of the data server used to either deliver the course and/or store student participation data (detailed in data collection requirements section) and the responsible person (and their contact information) at this location. If the data server is out of state, NYS reserves the right to require sponsors to reimburse the state for the cost of travel to this site, and to any other site where related data may be stored, to verify security requirements are being met.

DMV anticipates that this review and approval process could take upwards of 60 days to complete. The length of time will be dependent upon the number of curriculums being reviewed at one time; DMV plans to assign the review to multiple individuals, and will assign based on a first in, first reviewed order.

DMV Review & Approval Process

All applications will be logged-in based on when received and tracked during the various reviews completed (curriculum, security, background, etc.). As stated previously, these will be reviewed in a first in, first out order. Cooperation by the sponsor in answering questions, scheduling and hosting the security review, and providing follow up or supplemental materials requested (if necessary) will assist in getting the application processed as quickly as possible. Continuous delays, errors and omissions in the application package will result in the application process slowing down.

Communication about application and programmatic deficiencies will be reported to the application contact person. If the sponsor would like this communication to go to multiple people, this must be noted on the application form. DMV plans to review both steps of the submission completely, and will note all items found non-compliant upon completion of the review, in writing to the contact person. Once a sponsor has successfully met all pilot requirements described herein, DMV will provide written approval allowing the sponsor to start the IPIRP/ADM course.

DMV reserves the right to deny participation in the ADM pilot if adverse material uncovered during the review indicates that sponsors are not of the high moral and financial character required to operate an ADM program. In the event DMV reaches this decision, written notice will be provided to the sponsor explaining our decision.

This decision will be subject to appeal.

Existing approved NYS sponsors are allowed to partner or create a co-venture with another company to provide the ADM course, so long as they have exclusive rights to deliver the course in NYS. In the event the partnership is with a non-NYS approved PIRP provider, the non-NYS provider would not be eligible to offer the same PIRP course, in the event they opted at a future date to apply to become a NYS classroom and/or ADM sponsor.

To the degree possible, DMV prefers to have at least two approved ADM sponsors before authorizing the start of the pilot. The start date selected will be provided in writing to all approved ADM sponsors, and will likely indicate a future date (approximately 14 days from the notice). Once the pilot officially starts, all subsequently approved ADM sponsors can start as soon as course approval has been received. The five year pilot will begin once the start date selected occurs.

Questions About Appendix A

Appendix A will be updated as needed to address DMV's and the sponsors' concerns. Questions about the specification can be put in writing and mailed to:

DPR-Room412
6 Empire
State Plaza
Albany, NY
12208

Fax: (518) 473-0160
Email: IPIRP@dmv.state.ny.us

The sponsor question and DMV response will be mailed to all sponsors with a pending application on file (sponsor is at step 1 or later). In the event the specification document is updated as a result of clarifications (or technology advancements), it will be mailed to all approved public sponsors.

APPENDIX C

I-PIRP Participant Survey Results by Sponsor

APPENDIX C

I-PIRP PARTICIPANT SURVEY RESULTS BY SPONSOR

I-PIRP COURSE SPONSORS	A	B	C	D	E	F	G	H	I	J	K
<i>What was your reason for taking this course?</i>	%	%	%	%	%	%	%	%	%	%	%
Insurance Reduction	67.4	81.3	85.5	55.0	75.5	54.0	75.9	62.4	65.0	77.2	65.9
Both Point/Insurance Reduction	10.2	5.1	7.2	18.1	15.0	25.1	9.6	12.9	9.6	12.0	12.2
Point Reduction	5.8	4.3	1.8	6.7	2.9	6.9	6.5	6.9	2.5	3.6	9.2
Traffic Safety Awareness	2.9	2.9	4.0	6.0	0.9	1.5	1.8	2.1	2.5	2.0	2.2
Court Mandated	2.1	1.1	1.3	2.8	1.3	6.4	1.5	3.4	0.8	1.1	2.6
Court Mandated/Point Reduction	2.5	1.1	0.0	3.9	1.5	0.0	1.7	5.2	0.8	1.4	2.8
Court Reduced Infraction	3.6	0.0	0.0	2.8	1.2	2.6	0.8	3.7	0.9	1.1	2.0
Other	5.5	4.2	0.0	4.7	1.7	3.5	2.2	3.4	17.9	1.6	3.1
No Response	0.0	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

I-PIRP COURSE SPONSORS	A	B	C	D	E	F	G	H	I	J	K
<i>How many times have you taken a DMV-approved point and insurance reduction course?</i>	%	%	%	%	%	%	%	%	%	%	%
0	27.8	11.1	0.1	0.0	14.7	50.8	0.0	0.0	48.4	19.7	17.0
1	16.7	21.0	29.5	49.0	26.4	21.0	49.4	62.0	23.9	28.7	35.3
2	19.7	24.3	19.0	24.1	25.6	15.2	21.6	20.4	11.6	25.3	22.3
3	15.9	16.8	17.6	11.8	12.8	7.4	12.9	8.1	7.7	12.4	11.9
4	10.3	11.2	15.1	7.6	10.0	3.2	7.5	4.4	3.9	7.0	6.6
5	4.7	6.8	17.1	3.6	4.9	1.4	4.2	2.5	2.5	3.3	3.7
6+	4.9	8.7	0.0	3.9	5.5	1.0	4.4	2.6	2.0	3.6	3.2
No Response	0.0	0.1	1.6	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0

I-PIRP COURSE SPONSORS	A	B	C	D	E	F	G	H	I	J	K
<i>Describe how much you liked the course delivery method.</i>	%	%	%	%	%	%	%	%	%	%	%
First time attendee/not applicable	14.7	11.0	0.0	10.5	13.0	10.2	12.4	15.9	23.5	10.8	16.4
Really Like ADM over Classroom	39.7	53.8	42.2	59.0	39.1	75.0	51.5	54.4	78.2	64.8	40.8
Like ADM Over Classroom	29.5	25.3	32.5	24.5	25.1	11.2	21.8	25.2	15.2	17.4	25.6
No Preference	18.3	17.7	17.1	11.2	20.0	10.6	20.6	17.6	5.2	12.5	25.0
Like Classroom over ADM	8.5	0.0	5.4	3.5	10.9	2.2	4.2	2.2	0.6	3.9	6.1
Really Like Classroom over ADM	4.0	3.2	2.7	1.8	4.9	1.0	1.9	0.6	0.8	1.4	2.1
No Response	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4

I-PIRP COURSE SPONSORS	A	B	C	D	E	F	G	H	I	J	K
<i>How would you rate the overall course including content and presentation?</i>	%	%	%	%	%	%	%	%	%	%	%
Excellent Course	34.1	51.0	49.6	56.1	43.3	79.5	54.1	46.0	57.0	64.9	42.3
Good Course	34.5	31.2	21.4	28.8	29.9	13.4	28.3	33.4	23.4	18.7	34.7
Average Course	25.6	16.3	25.1	13.6	22.1	6.4	15.4	19.3	19.4	14.3	20.9
Poor Course	2.9	1.5	2.2	0.9	2.5	0.4	1.4	0.9	0.1	1.3	1.0
Worst Course Ever	2.9	0.0	1.4	0.6	2.2	0.3	0.8	0.4	0.1	0.8	0.7
No Response	0.0	0.0	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4

I-PIRP COURSE SPONSORS	A	B	C	D	E	F	G	H	I	J	K
<i>How interesting did you find this course?</i>	%	%	%	%	%	%	%	%	%	%	%
Very Interesting Course	26.5	30.8	24.3	40.2	37.9	70.9	39.6	27.4	43.6	52.4	28.1
Interesting Course	42.0	41.4	44.2	41.3	35.8	19.0	38.6	43.9	33.5	25.6	40.3
Average Course	24.7	19.0	22.9	15.0	19.5	8.1	18.1	23.9	22.5	15.9	24.6
Boring Course	4.3	5.8	5.7	2.4	4.3	1.3	2.3	3.3	0.2	4.1	4.6
Very Boring Course	2.5	3.0	2.6	1.1	2.5	0.7	1.4	1.5	0.2	2.0	2.0
No Response	0.0	0.0	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4

I-PIRP COURSE SPONSORS	A	B	C	D	E	F	G	H	I	J	K
<i>How easy was this course to use?</i>	%	%	%	%	%	%	%	%	%	%	%
Very Easy to Use	30.6	59.7	52.8	57.6	48.6	78.4	56.8	54.7	61.9	78.3	51.1
Easy to Use	40.1	32.0	37.9	32.5	30.4	15.3	32.2	34.0	19.0	16.4	36.0
Neither Easy nor Difficult	24.8	6.4	6.8	8.0	13.6	4.6	8.5	9.6	18.8	4.0	9.9
Hard to Use	0.0	1.5	1.8	1.5	5.0	1.4	2.0	1.3	0.2	1.0	2.0
Very Hard to Use	4.5	0.4	0.5	0.4	2.4	0.3	0.5	0.4	0.1	0.3	0.6
No Response	0.0	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4

I-PIRP COURSE SPONSORS	A	B	C	D	E	F	G	H	I	J	K
<i>How will this course affect how you drive in the future?</i>	%	%	%	%	%	%	%	%	%	%	%
Will Improve Driving Very Much	47.9	55.7	41.8	65.5	64.6	84.7	62.5	52.2	46.0	71.6	51.8
Will Improve Driving Some	44.7	39.0	52.2	31.9	30.3	13.7	33.3	42.6	33.2	23.7	41.8
Little Impact on Driving	5.1	3.8	4.5	1.9	3.9	1.3	3.1	4.2	20.1	3.7	4.5
No Impact on Driving	2.3	1.5	1.3	0.7	1.2	0.3	1.1	1.0	0.7	1.0	1.5
No Response	0.0	0.0	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.4

