

To: **Mayor and City Council**  
 Through: **Ryan Schroeder, City Manager**  
 From: **Manila Shaver, Chief of Police**  
 Date: **May 28, 2019**

## **Driving Diversion Program (DDP) Agreement**

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### **BACKGROUND INFORMATION:**

On July 1, 2009, the Minnesota Legislators created a pilot program called License Reinstatement Diversion Program (DDP), in which a handful of Cities, including West St. Paul, were able to participate. The program was in response to the growing number of drivers falling into a financial abyss for one reason or another after receiving some sort of traffic violation, but continued to drive to attend work, school, and church, get groceries, etc. These drivers often received subsequent violations and soon their fines accumulated to more than they could reasonably pay. Even if these revoked or suspended drivers wanted to obtain a valid driver’s license again, they often could not pay their excessive fines before applying for their reinstated license, a requirement of the State.

The DDP program is privately operated by Diversion Solutions, LLC and incorporates several components to assist revoked and suspended drivers in becoming lawful drivers once again, including a fine payment program whereby drivers would make installment payments on their traffic and court fines; an educational component to prevent future license and driving violations and assistance in obtaining proper vehicle insurance. There are certain violations such as a DWI conviction that would exclude a driver from being in the program.

The City has been involved in the DDP program since 2009. The results have been varied, usually based on an individual’s motivation to stay the course in completing the program. However, without such a program, revoked drivers owing excessive fines would be stuck in a cycle of driving, potentially receiving additional traffic violations, thereby keeping their licenses revoked or suspended, and receiving additional fines that they cannot pay.

**Driving Diversion Program Participants from 2009 to 2018 – Table 1.1**

CITY OF WEST ST. PAUL Participants Accepted		Age of Participant									
STATUS	Counted	<20	20-29	30-39	40-49	50-59	60-69	70-79	>79	Other	Total
PROGRAM SATISFIED	240		35	120	37	32	16	0	0	0	240
GOOD STANDING	2		0	1	1	0	0	0	0	0	2
No Response 30 days, reapply	133		22	64	28	14	4	1	0	0	133
Payments not made, Releasedfp	64		11	29	13	7	3	1	0	0	64
Received new citation, Releasedfp	11		1	6	2	0	2	0	0	0	11
<b>TOTALS</b>	<b>450</b>	<b>0</b>	<b>69</b>	<b>220</b>	<b>81</b>	<b>53</b>	<b>25</b>	<b>2</b>	<b>0</b>		

Table 1.1 depicts the status and result of West St. Paul's DDP participants from 2009 through 2018. Over half, 53% of the participants complete the program. The "No Response" category, which contains 133 individuals, was the result of the State of Minnesota's delay in responding to Diversion Solutions about an applicant's eligibility. Diversion Solutions, LLC is working on streamlining this process as not to lose these potential participants.

It should be noted, the 2019 Legislators are currently deciding the fate of the Driving Diversion Program. They may make it permanent, extend and/or expand the pilot program or abolish the program. Depending on their decision, it may affect our on-going agreement with Diversion Solutions LLC. However, Scott Adkisson, the President of Diversion Solutions, LLC, is confident the Minnesota legislators will support the program. In that case, at the termination of this proposed agreement (June 30, 2020), the City may elect to enter into a new agreement with Diversion Solutions, LLC.

Until the legislators make a decision and it becomes effective, the City needs a current agreement with Diversion Solutions, LLC as the current agreement ends on June 30, 2019. As such, our Driving Diversion Agreement needs to be renewed and is being presented to the Council for that purpose. The City Attorney has reviewed the agreement and has not noted any concerning language.

**FISCAL IMPACT:**

Fees paid by participants are split between the program sponsor (Diversion Solutions, LLC) to offset program costs, prosecution fees and the City.

**STAFF RECOMMENDATION:**

Renew the agreement by authorizing the City Manager to sign the agreement and adopt the attached draft resolution.