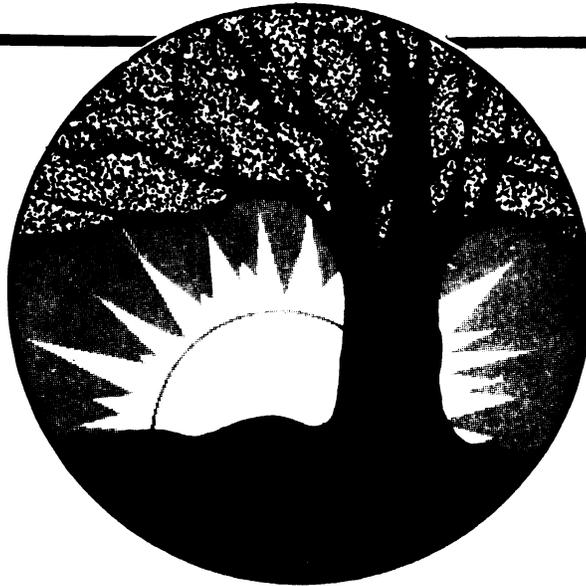


# PERFORMANCE AUDIT

Department of Safety  
May 2008



John G. Morgan  
Comptroller of the Treasury



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Comptroller of the Treasury  
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**John G. Morgan**  
Comptroller

May 29, 2008

The Honorable Ron Ramsey  
Speaker of the Senate  
The Honorable Jimmy Naifeh  
Speaker of the House of Representatives  
The Honorable Thelma M. Harper, Chair  
Senate Committee on Government Operations  
The Honorable Mike Kernell, Chair  
House Committee on Government Operations  
and  
Members of the General Assembly  
State Capitol  
Nashville, Tennessee 37243

Ladies and Gentlemen:

Transmitted herewith is the performance audit of the Department of Safety. This audit was conducted pursuant to the requirements of Section 4-29-111, *Tennessee Code Annotated*, the Tennessee Governmental Entity Review Law.

This report is intended to aid the Joint Government Operations Committee in its review to determine whether the department should be continued, restructured, or terminated.

Sincerely,

John G. Morgan  
Comptroller of the Treasury

JGM/dww  
07/076

State of Tennessee

# Audit Highlights

Comptroller of the Treasury

Division of State Audit

Performance Audit  
**Department of Safety**  
May 2008

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## AUDIT OBJECTIVES

The objectives of the audit were to determine weaknesses in data management systems; weaknesses in the timeliness of driver license issuance and analysis of driver license test questions; the impact of the federal REAL ID Act; whether the Office of Professional Standards and Internal Audit coordinate and report properly; the extent and cause of the continuing backlog in posting crash data; the sufficiency of Capitol Security; whether weigh station downtimes have improved; the timeliness of inspections of school buses, child care vehicles, and handgun schools; and compliance with Title VI of the Civil Rights Act of 1964.

## FINDINGS

### **The Driver License Issuance Division Does Not Have an Adequate Driver License Information System to Collect, Analyze, and Disseminate Needed Data That Would Facilitate Informed and Supportable Management Decisions**

The department's data collection system cannot supply management with complete, useful, and accurate customer services data for management and oversight purposes. While the department collects a great deal of information, it does not collect it in an efficient manner and cannot extract a lot of the information for management purposes (page 14).

### **Despite Initial System Implementation Two Years Ago, the Highway Patrol Still Lacks a Fully Integrated and Complete Data System Because of Poor Departmental Planning and a Lack of Commitment to Using the System by Management and Troopers Statewide**

The Highway Patrol's computer aided dispatch system does not do all the department needs in regard to keeping incident records, dispatching troopers efficiently, and monitoring trooper activities. In addition, the system may not be completely accurate and is not user friendly, discouraging use of and reliance on the system. Under the current system, the

department is losing opportunities for improving management and oversight of highway patrol activities (page 17).

**As Found in the 1997 and 2004 Performance Audits, the Driver License Issuance Division Continues to Have Problems Addressing Driver License Station Wait Times in Large Part Because It Does Not Have an Adequate Process to Monitor the Efficiency and Effectiveness of Customer Service**

The department does not have a data collection system that supplies complete, useful, and accurate customer service data about the process for issuing driver licenses. An electronic queuing software does not capture all of a customer's time spent in a driver license station. The department's information systems cannot provide information on wait and transaction times for specific services. Therefore, the department's ability to identify where customers have lengthy delays is limited, and resources may not be allocated according to stations' needs (page 22).

**More Than Half of Those Taking the Driver License Exam, Which the Driver License Issuance Division Has Not Ensured Is Statistically Reliable and Valid, Fail at Least Once, Thereby Contributing to Local Driver License Station Workloads and Wait Times**

The department has not reviewed the exam to ensure that it is statistically sound since it was first electronically created in 1991-1992. The driver license information system does not capture the data needed to analyze exam questions for reliability and effectiveness. If a test does not give a reliable estimate of an applicant's overall knowledge, applicants who really know enough to pass the test may fail while

applicants who do not may pass the test (page 27).

**As Found in the 2004 Performance Audit, the Department Is Not Tracking and Managing School Bus and Child Care Vehicle Inspection Data, Which Impedes Its Ability to Ensure the Safety of Children in School Buses and Child Care Vehicles**

The department is required to inspect school buses and child care vehicles for compliance with safety requirements every year. However, 17% of inspections in a three-year period were conducted more than a year after the previous inspection, and the department does not have a master list of all vehicles needing inspection to ensure that all buses and other vehicles are presented for inspection. Also program management does not oversee the scheduling and performing of inspections, tracking of inspections, or follow-up of inspections (page 30).

**As Previously Found in the 2004 Performance Audit, the Handgun Permits Office Does Not Verify Successful Completion of Handgun Safety Courses at Approved Handgun Safety Schools Prior to Issuing a Handgun Carry Permit**

State law requires applicants for handgun carry permits to submit proof of the successful completion of a department-approved handgun safety course. However, department staff does not verify with the handgun safety school that the certificate of completion presented is a valid one. Without procedures to verify persons have completed handgun safety courses required for a handgun carry permit and to determine the validity of the certificate of completion they present, the department increases the risk that handgun carry permits may be issued to unqualified and untrained persons

based on fraudulent documentation (page 35).

**Oversight and Timeliness of the Inspection Phase of the Handgun Safety School Certification Program Are Made More Difficult by Staffing Levels, Inadequate Policies, and Inconsistent and Labor-Intensive Processes**

Department practice requires annual inspections of handgun safety schools as part of the certification renewal process; however, not all schools have been reviewed every year. There is no electronic tracking or analysis of handgun school inspections, which are performed by a few part-time retired troopers. Without an adequate number of inspectors; a standard certification period; and policies, procedures, and internal controls to ensure that inspections are conducted prior to a school certification renewal, the department cannot ensure that handgun safety schools operate as required and are inspected in a timely fashion (page 37).

**The Backlog of Crash Reports Waiting to Be Posted Into Various Databases Has Grown Since the 1990 and 2004 Performance Audits to Over 400,000 as of July 2007, Creating Significant Limits and Delays Regarding the Departments of Safety and Transportation's Accessibility to Statistical Data Needed to Effectively Manage Public Safety and Highway Planning Efforts**

The backlog of motor vehicle crash reports affects the department and others by limiting access to current, complete, and up-to-date statistical data such as locations and frequencies of crash types. The data are used in policy setting, roadway planning, grants management, driver improvement intervention, media and legislative needs, and for determining the success of safety

improvements by state and local governments. Specifically in the department, complete, accurate, and current crash data help it to establish trooper allocations and determine highway areas of emphasis for the Highway Patrol by illustrating hotspots for particular types of accidents (page 39).

**As Found in the 1999 and 2004 Performance Audits, Weigh Stations Continue to Have Substantial Amounts of Downtime That Limit the Effectiveness of Commercial Vehicle Enforcement**

The department's goal is to have weigh stations operate 24 hours a day, 365 days a year, but most weigh stations are not operating at this level. The amount of downtime hinders the department's ability to enforce weight and size regulations and collect revenue through assessments, a tax paid to the state for vehicles with weights or lengths greater than the registered amount (page 43).

**Access Security to the State Capitol, War Memorial Building, Legislative Plaza, and Its Attached Garage Needs Improving to Prevent Potentially Harmful Unauthorized Access to These Structures and the People Working in Them**

There is an informal arrangement between Capitol Security and Legislative Administration that state employees and lobbyists with the appropriate identification badge and members of the General Assembly with the appropriate lapel pin can pass through the magnetometers even when they alarm. Testing in these buildings revealed that security staff did not check identification badges closely enough to verify ownership and legitimacy (page 49).

**The Department Is Not Monitoring Its Contractors and Grantees for Title VI Compliance or Providing Specific Title VI Training and Guidance to the Highway Patrol**

Title VI of the Civil Rights Act of 1964 prohibits programs receiving federal funds from discriminating against participants or clients on the basis of race, color, or national origin. The department does not monitor its contractors or grantees that provide services to the public for Title VI compliance. In addition, the department lacks specific Title

VI training for the Highway Patrol (page 52).

**General Orders Need to be Revised to Reflect Current Organizational Structures and Practices**

Many General Orders under which the Department of Safety and specifically the Tennessee Highway Patrol operate have not been updated to reflect current organizational structure and practices or do not address needed issues or follow current best practices (page 54).

**OBSERVATIONS AND COMMENTS**

The audit also discusses the following issues: the REAL ID Act and the Results of Additional Audit Work (page 8).

**ISSUES FOR LEGISLATIVE CONSIDERATION**

The General Assembly may wish to consider revising state law to reflect the transfer of duties established in Executive Order 45 (1983) that transferred authority and responsibility for certification of school bus drivers and school bus equipment from the Department of Education to the Department of Safety. The General Assembly may also wish to specifically address the lack of coordinated oversight of school bus and child care vehicle inspections by the Department of Safety, the Department of Human Services, and the Department of Education.

# Performance Audit Department of Safety

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# **Performance Audit Department of Safety**

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## **INTRODUCTION**

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### **PURPOSE AND AUTHORITY FOR THE AUDIT**

This performance audit of the Department of Safety was conducted pursuant to the Tennessee Governmental Entity Review Law, *Tennessee Code Annotated*, Title 4, Chapter 29. Under Section 4-29-229, the Department of Safety is scheduled to terminate June 30, 2008. The Comptroller of the Treasury is authorized under Section 4-29-111 to conduct a limited program review audit of the agency and to report to the Joint Government Operations Committee of the General Assembly. The audit is intended to aid the committee in determining whether the Department of Safety should be continued, restructured, or terminated.

### **OBJECTIVES OF THE AUDIT**

The objectives of the audit were

1. to determine weaknesses in data management systems;
2. to determine weaknesses in the timeliness of driver license issuance and analysis of driver license test questions;
3. to determine the impact of the federal REAL ID Act;
4. to determine whether the Office of Professional Standards and Internal Audit coordinate and report properly;
5. to determine the extent and cause of the continuing backlog in posting crash data;
6. to determine the sufficiency of Capitol Security;
7. to determine whether weigh station downtimes have improved;
8. to determine the timeliness of inspections of school buses, child care vehicles, and handgun schools; and
9. to determine compliance with Title VI of the Civil Rights Act of 1964.

## **SCOPE AND METHODOLOGY OF THE AUDIT**

The activities of the Department of Safety were reviewed for the period July 2004 to July 2007. The audit was conducted in accordance with the standards applicable to performance audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States and included

1. review of applicable state and federal legislation and policies and procedures;
2. review of studies conducted on the department by state, federal, and private entities;
3. examination of the department's records, reports, and information summaries; and
4. interviews with department staff.

## **HISTORY AND ORGANIZATION**

Created in 1939, the Tennessee Department of Safety is responsible for safety on more than 150,000 miles of state and federal highways. The vast majority of the department's expenditures and personnel are associated with the Tennessee Highway Patrol and the Driver License Issuance Division. First accredited in 1999, the Commission on Accreditation of Law Enforcement Agencies fully reaccredited the Department of Safety in 2006.

Key dates in the expansion and contraction of the department's responsibilities include the following:

- 1971 – Driver License Issuance established as a function separate from the Highway Patrol
- 1983 – Tennessee Law Enforcement Training Academy brought under the Department of Safety
- 1990 – Title and Registration moved from the Department of Revenue to the Department of Safety
- 1996 – Commercial Vehicle Enforcement incorporated Public Service Commission function and staff related to commercial vehicle regulations
- 1996 – Handgun Carry Permits moved from local sheriff departments to the Department of Safety
- 1998 – Remaining commercial vehicle title and registration functions moved to the Department of Safety from the Department of Revenue
- 2004 – The Commercial Vehicle Enforcement Division merges into the Highway Patrol
- 2006 – Title and Registration moves back to the Department of Revenue
- 2006 – Tennessee Law Enforcement Training Academy and Peace Officers Standards and Training Commission transferred to the Department of Commerce and Insurance

- 2007 – Governor’s Office of Homeland Security merged into Department of Safety

The agency’s major programs are the Tennessee Highway Patrol; Driver License Issuance; Financial Responsibility; Professional Standards; Research, Planning, and Development; and the Office of Homeland Security. (See organization chart on the following page.)

### Tennessee Highway Patrol

The Tennessee Highway Patrol (THP) is responsible for the enforcement of all federal and state laws relating to traffic and the investigation of accidents involving personal injury, property damage, and fatalities. The THP is also active in criminal interdiction, which involves the suppression of narcotics on the roads, highways, and interstate systems in Tennessee. The THP has eight district headquarters—Chattanooga, Cookeville, Fall Branch, Knoxville, Jackson, Lawrenceburg, Memphis, and Nashville—with substations in each of the state’s 95 counties. The remainder of duties and support services are handled by eight specialized units.

*Capitol Security* is responsible for the external and internal security of the State Capitol, Legislative Plaza, the War Memorial Building, the Supreme Court Building, and the John Sevier Building. Responsibilities include protection of state legislators, legislative staff, other governmental officials, visiting dignitaries, state employees, and citizens visiting or conducting business on state property. Other duties include enforcing parking regulations, investigating crashes, conducting investigations of reported criminal activities, conducting physical checks of state owned/leased buildings, conducting surveillance activities to spot incidences of criminal activity, and providing bank escorts for state office staff.

The *Commercial Vehicle Enforcement Administration* (CVE) is responsible for the enforcement of all laws, rules, and regulations pertaining to the safe operation of commercial vehicles, including school buses, on the roads and highways of Tennessee. Officers enforce size, weight, and safety laws at permanent interstate weigh stations and on other roadways with the use of portable scales. The division is also responsible for the registration and enforcement of interstate motor carriers with respect to licensing, fuel taxes, and insurance filings. Commercial Vehicle Enforcement, by means of the Pupil Transportation Section, provides instruction for all school bus drivers and conducts safety inspections on school buses and child care vehicles.

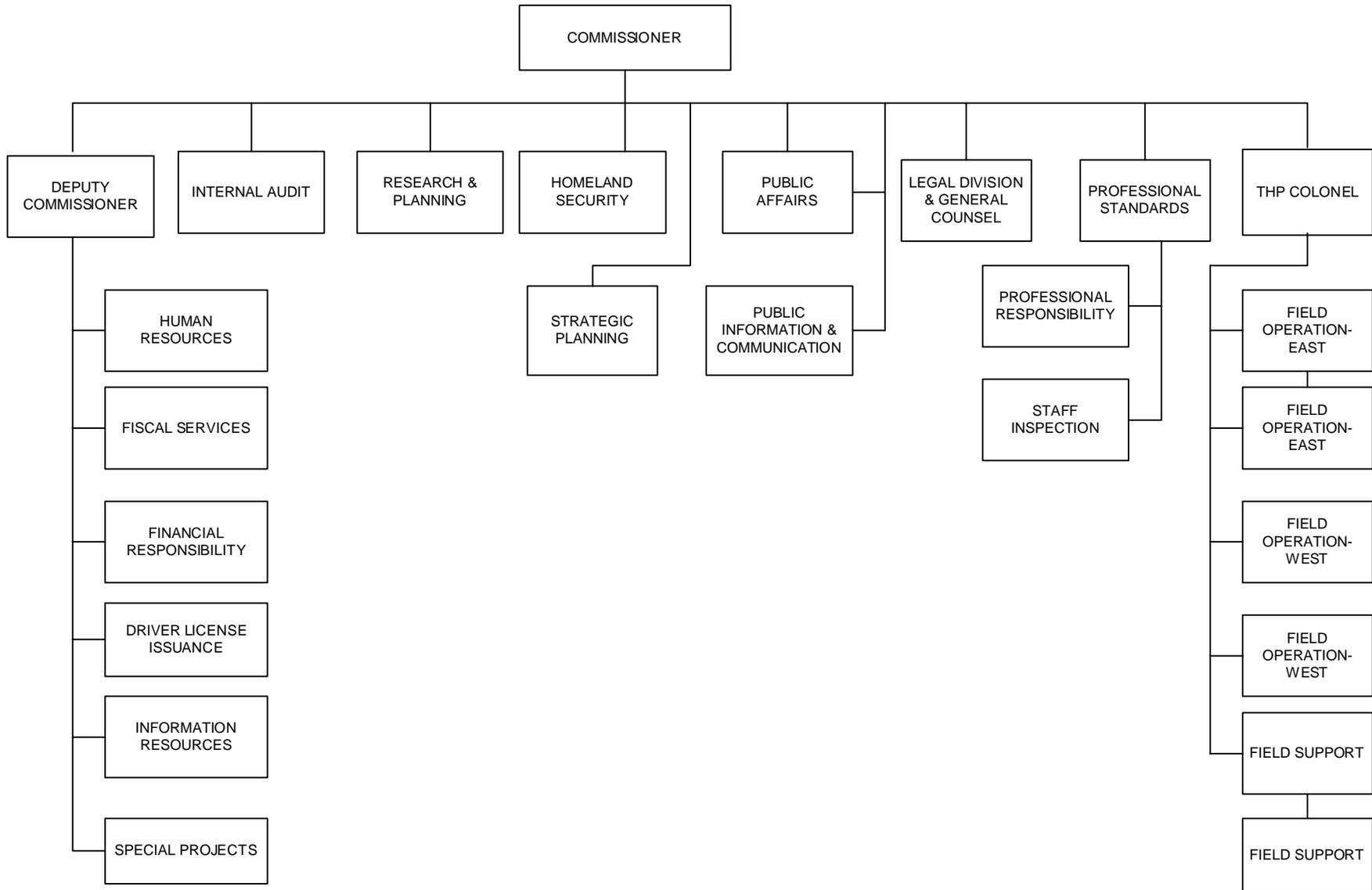
*Special Operations* is charged with handling situations outside the normal duties of the Department of Safety. This section consists of four specialized units: the Tactical/Bomb Squad, Aviation, Canine, and the Governor’s Task Force on Marijuana Eradication. The specialized units are based in Nashville to allow for rapid deployment throughout the state.

The *Safety Training Center* is responsible for the coordination of various personnel necessary for the ongoing support of the Department of Safety. The center serves as the operations hub for the Training Division, Ordnance, Safety Education, Drug Abuse Resistance Education (DARE), Gang Resistance Education and Training (GREAT), the Motorcycle Rider Education Program (MREP), civilian training, the Media Production Unit, and Dispatch Communications.

# DEPARTMENT of SAFETY

## SEPTEMBER 2007

### ORGANIZATION CHART



*Executive Security* provides security for the First Family, Lieutenant Governor, Speaker of the House, and Attorney General. This detail is comprised of commissioned members from the Tennessee Highway Patrol, whose duties include the transportation of Governors from other states and/or their families. However, the primary responsibility of this detail is the protection and transportation of the First Family. Personnel assigned to the Governor and First Lady provide 24-hour security and travel with them at all times.

*Support Services* is responsible for fleet operations, supply, facilities management, communications, and building maintenance.

*Safety Education* develops, promotes, and coordinates a wide range of activities that have in common the advancement of public safety, including annual inspections of the private driving schools and their vehicles.

The *Criminal Investigations Division* provides investigative and technical support to the Highway Patrol, Driver License Division, and the Professional Standards Division. It also has authority to conduct overt and covert criminal investigations relating to the theft of motor vehicles, boats, airplanes, and parts therefrom; the operation of chop shops; identity theft; odometer fraud; vehicular homicides and assaults; and insurance fraud relating to motor vehicles. This division also conducts background investigations for prospective Department of Safety employees and provides specialized training to other law enforcement agencies when requested.

#### Driver License Issuance

The Driver License Issuance Division is responsible for the administration of oral, written, and road tests in addition to the issuance and renewal of commercial and regular driver licenses to qualified applicants. The division is also responsible for handgun carry permits, schools, and instructors and for voter registration. Services are offered at over 80 offices (driver testing stations, express driver license offices, and county clerks' offices) across the state.

#### Financial Responsibility

This division administers the Financial Responsibility Law, which involves canceling and restoring driving privileges, as well as maintaining all driver records. These services are based in Nashville, but there is also one full-time office in Memphis that works with the Driver License Issuance Division to support these services at seven driver license stations.

#### Professional Standards

The Professional Standards Bureau is charged with managing the investigative and disciplinary processes for the Department of Safety. The Office of Professional Responsibility investigates all allegations of misconduct on the part of Department of Safety employees. The Staff Inspection Unit conducts inspections of all organizational components within the department, ensuring compliance with national accreditation standards and departmental policies and procedures.

## Research, Planning, and Development

The Research, Planning, and Development Section is responsible for analytical studies, report preparations and presentations, policy and procedure development, and grant procurement and management. The section also assists with the development and design of public safety announcements, brochures, posters, forms, press releases, and informational documents. In addition, the unit tracks various trends in fatality data including alcohol-indicated fatal crashes, fatal crashes involving teens, safety belt use in fatal crashes, contributing geographic factors, and other statistical indicators.

## Office of Homeland Security

The Tennessee Office of Homeland Security, merged into the department in 2007, has the primary responsibility and authority for directing statewide activities pertaining to the prevention of, and protection from, terrorist-related events. This responsibility includes the development and implementation of a comprehensive and coordinated strategy to secure the state from terrorist threats and attacks. Further, the Office of Homeland Security serves as a liaison between federal, state, and local agencies and the private sector on matters relating to the security of our state and citizens.

## **REVENUES AND EXPENDITURES**

### **Statement of Revenues and Expenses Estimated Revenues by Source For the Fiscal Year Ending June 30, 2007**

<i>Source</i>	<i>Amount</i>	<i>% of Total</i>
State	\$104,210,961	65.6%
Federal	7,706,300	4.9%
Other*	46,839,100	29.5%
<b>Total Revenue</b>	<b>\$158,756,361</b>	<b>100.0%</b>

\*Other sources include current services and interdepartmental revenues and carry forward of reserves. Includes revenue from Motor Vehicle reports, reinstatement fees, driver license application fees, handgun permit fees, highway safety grants, tuition fees from the Law Enforcement Training Academy, and carry forward reserves from unexpended amounts for license plates and the handgun carry permit program.

**Statement of Revenues and Expenses  
Estimated Expenditures by Account  
For the Fiscal Year Ending June 30, 2007**

<i>Account</i>	<i>Amount</i>	<i>% of Total</i>
Administrative	\$6,774,300	4.3%
Motor Vehicle Operations	9,312,000	5.9%
Major Maintenance	199,600	0.1%
Technical Services	10,787,400	6.8%
Driver License Issuance	26,514,661	16.7%
Highway Patrol	97,907,600	61.7%
Auto Theft Investigations	350,100	0.2%
Homeland Security	6,105,600	3.8%
Motorcycle Rider Education	542,600	0.3%
Driver Education	262,500	0.2%
<b>Total Expenses</b>	<b>\$158,756,361</b>	<b>100.0%</b>

**Budget and Anticipated Revenues  
For the Fiscal Year Ending June 30, 2008**

<i>Source</i>	<i>Amount</i>	<i>% of Total</i>
State	\$132,880,800	72.3%
Federal	7,733,800	4.2%
Other	43,144,500	23.5%
<b>Total Revenue</b>	<b>\$183,759,100</b>	<b>100.0%</b>

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## OBSERVATIONS AND COMMENTS

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The topics discussed below did not warrant a finding but are included in this report because of their effect on the operations of the Department of Safety and on the citizens of Tennessee.

### REAL ID

In 2005, in an effort to prevent terrorism, reduce fraud, and improve the reliability and accuracy of identification documents that state governments issue, the U.S. Congress passed the REAL ID Act, which requires certain state standards, procedures, and requirements for issuing driver licenses and identification cards if they are to be accepted as identity documents by the federal government for admission to federal facilities, boarding of commercial aircraft, etc. The U.S. Department of Homeland Security (DHS) issued proposed rules in early March 2007 and presented plans to implement the act to the U.S. House and Senate Appropriations committees in June 2007. DHS promulgated final rules in early January 2008. The rules currently state that the deadline for compliance with REAL ID is May 11, 2008. However, states may request an initial extension until December 31, 2009, and, if making progress towards compliance, a second extension until May 10, 2011.

Under REAL ID,

- driver licenses and identification cards must contain certain information;
- certain documentation regarding identity, residence, and lawful status must be presented and verified with the issuing agency prior to the issuance of a driver license and identification card;
- identity source documents must be digitally captured;
- facial image capture must be performed on all persons applying for driver licenses and identification cards;
- driver licenses and identification cards are to be valid for no more than eight years;
- the physical security of locations where driver licenses and identification cards are produced and the security of document materials and papers from which such licenses and cards are made must be ensured; and
- states must provide to all other states electronic access to their motor vehicle database, which must contain a minimum amount of information.

According to *Federal Computer Week* magazine, some experts have estimated that nationwide costs of the program could reach \$11-14 billion. Governing.Com states that verifying

the validity of documents with the various federal agencies and states is expected to cost \$408 million, primarily in programming time to design, connect, and test systems. In fact, as of June 2006, only one of the five verification systems needed (Social Security On-line Verification system) is in place and fully functioning. The National Governors Association, National Conference of State Legislatures, and American Association of Motor Vehicle Administrators state (and Governing.Com reports) that the other four systems to verify (1) whether applicants are licensed in other states or carry several fraudulently obtained licenses; (2) passport data; (3) birth certificates; and (4) immigration status will not be operational by May 2008.

In June 2006, the National Governors' Association, National Conference of State Legislatures, and American Association of Motor Vehicle Administrators presented a document to the Department of Homeland Security detailing their concerns and recommendations. In addition to concerns about the enormous implementation costs, these groups are concerned that

- visits to state motor vehicle agencies will increase 75% a year;
- additional staff, facilities, training, and equipment will be needed;
- because driver licensing is a state function, each jurisdiction must approach implementation from a different demographic, operational, legislative, technological, and fiscal status; and
- there is insufficient time to implement the act, particularly in light of the absence of timely regulations, systems, and resources.

As of July 2007, seven states (Montana, Idaho, Oklahoma, Washington, South Carolina, Maine, and New Hampshire) had opted out of the REAL ID program, which is a voluntary program. However, this means these states' citizens will not be able to use driver licenses to board airplanes or enter secure federal facilities, and the states will not receive any federal funding made available for driver license system upgrades. While voicing concerns, most officials are assuming implementation will go forward. The Tennessee Department of Safety, while concerned, has been awaiting the final rules before beginning any detailed in-depth analysis and planning for implementing REAL ID. Instead, the department is focusing on a more basic need—the replacement of a driver license information system that is 30 years old and does not properly meet today's needs, much less those that will be required by REAL ID. For fiscal year 2008, only \$1 million of state funds, out of the requested \$30 million that a new system is estimated to cost, was appropriated toward a new driver license system.

The commissioner should assign responsibility to specific staff to determine more specifically and in greater detail the resources and changes needed (staffing, physical facilities, computer systems, etc.) to implement REAL ID by the latest possible date of December 2009.

The General Assembly, in light of the seeming surety of implementation of some level of REAL ID, may wish to consider appropriating the necessary and appropriate level of funding to replace the 30-year-old driver license information system, inadequate for current needs, with a more functional and efficient system that can also handle the requirements of REAL ID.

## **RESULTS OF ADDITIONAL AUDIT WORK**

### Reporting by the Office of Professional Standards and Internal Audit to the Comptroller's Office

The Department of Safety handles internal problems and possible fraud not only through the department's Internal Audit office but also through the Office of Professional Standards (internal affairs, staff inspection) and Criminal Investigation Division (CID). Statute requires state officials to report possible frauds immediately to the Comptroller's office. The commissioner has reorganized and strengthened the internal audit function as well as established better communication and collaboration between this and other offices in the department to coordinate and report activities.

### Recent External Reviews of the Department

#### 1. Commission on Accreditation for Law Enforcement Agencies (CALEA, 2006)

The Tennessee Highway Patrol received unconditional accreditation in late 2006 by CALEA, an organization created through the joint efforts of the International Association of Chiefs of Police, National Organization of Black Law Enforcement Executives, National Sheriffs' Association, and the Police Executive Research Forum. The accreditation process, which costs approximately \$7,000, consists of a systematic review and assessment of the agency's policies and procedures in regard to written directives, management decisions, preparedness, community relations, accountability, and liability and risk exposure.

#### 2. FedEx Corporation (2006)

The Governor commissioned, at no cost to the state, this FedEx study of the driver license process with the objective to develop an executable plan to improve and maintain performance at all driver license stations for all services offered as measured by customers, speed and accuracy of service delivery, statutory requirements, and transaction costs. Of the 40 recommendations regarding fast service, alternate channels, customer knowledge, and performance measurement and improvement goals, only approximately 9 have been implemented. The department has taken no action or only partially addressed the remaining 31 recommendations. The primary reasons given for not implementing recommendations are the lack of funding, staff, and appropriate technology and potential clashes with existing or expected federal laws.

#### 3. Kroll Government Services (2006)

The Governor commissioned this study by Kroll Government Services, a risk consulting company, to be a targeted operational and management review of the Tennessee Highway Patrol (THP) to better understand the substance of allegations of officers' unprofessional conduct and undue political influence on departmental operations that surfaced in fall 2005 and to make recommendations that would serve to correct problems that were identified. The study cost approximately \$159,000. Kroll made 65 recommendations addressing the role of politics and outside influence on THP hiring, promotion, and other practices; trooper recruitment, hiring,

appointment, and promotion; the current background investigation process relative to appointees and employees; Internal Affairs functions; audit and control procedures; and training certification versus POST certification. The department has implemented or partially implemented most of the recommendations. Reasons given for the lack of complete implementation of recommendations include, but are not limited to, a lack of authority to implement the recommendations or the recommendations were deemed not possible under the state's current administration, laws, or organizational structure.

#### 4. Department of Human Resources (2007)

This report, conducted at the request of then Acting Commissioner Gerald Nicely and at no cost to the department, assessed the department's compliance with the 2006 Kroll recommendations specifically aimed at improving the selection of new Tennessee Highway Patrol troopers and the promotion of higher-ranking supervisory and administrative personnel. The Department of Human Resources was already reviewing the employment and promotion registers used to select commissioned officer candidates to ensure compliance with state civil service laws. Human Resources found that Safety appeared to be complying with the majority of the Kroll recommendations; however, Safety had not fully complied with approximately 10 recommendations for a variety of reasons, including that making such a change was outside its authority.

#### 5. Department of Finance and Administration, Office of Consulting Services (2006)

One of the Kroll recommendations was for the department to undertake a detailed organizational study. The Office of Consulting Services (OCS), Department of Finance and Administration, was engaged at no cost to the Department of Safety to conduct Phase One of the organizational study. Specifically, OCS was asked to develop recommendations for the organizational structure of the newly defined department. The assessment involved interviews with key staff from all major programs representing multiple layers of the department, a review of the Kroll and FedEx reports, plus other reports and material from other sources. OCS recommended that the Department of Safety address the perception that the THP side of the department is favored over the civilian divisions and strengthen support for internal department customers; offer a more unified service to the public; and bolster the department's commitment to quality data. A high-level outline was provided for the department's next steps to implement the report's recommendations, which include establishing a Governing Committee, validating and vetting the recommendations from this report, creating an Implementation Plan, and rolling out the changes.

#### 6. Federal Motor Carrier Safety Administration (2006)

##### *Commercial Motor Vehicle Crash Data*

In December 2006, the Federal Motor Carrier Safety Administration (FMCSA) State Data Quality Review team reviewed the state's processes for collecting and reporting commercial motor vehicle roadside inspection and crash data to FMCSA; identified practices that affect data

quality; and recommended opportunities for improving the completeness, timeliness, accuracy, and consistency of the state's safety data. The review team made some 20 recommendations regarding problems with some reportable crashes not being captured due to the design of the crash form, the procedures used to complete the form, and the selection criteria applied; late and sporadic submittal of paper reports by local law enforcement agencies adversely affecting timeliness; the crash reporting process not capturing all fatal crashes; some crash records not being accepted by the Motor Carrier Management Information System after a successful upload to SAFETYNET (federal information systems); and the crash reporting process resulting in missing data in certain fields. Most issues have been addressed by the department or actions are in the process of implementation.

#### *New Entrant Audit Program*

As a part of FMCSA's management of the Motor Carrier Safety Assistance Program, a process review was conducted of the New Entrant Audit Program in order to assess effectiveness and seek improvements where feasible. Congress required the FMCSA to establish minimum requirements for new motor carriers seeking federal interstate operating authority. These minimum requirements include having the carrier certify that it has systems in place to ensure compliance with the Federal Motor Carrier Safety Regulations and that a safety audit be conducted within the first 18 months of the carrier's interstate operation. In Tennessee, the safety audits are conducted by state Department of Safety program personnel and consist of a review of the carrier's safety management system. The areas of review include, but are not limited to, Driver Qualifications; Driver Duty Status; Vehicle Maintenance; Accident Register; and Controlled Substances and Alcohol use and testing requirements. The New Entrant Audit Program Review resulted in five findings and seven recommendations concerning the tremendous increase in overdue or "rotten" carriers; the tremendous drop in the number of audits conducted from the previous year, while the number of Safety Auditors increased; Safety Auditors not fully understanding certain requirements of the program; ineligible activity conducted by New Entrant Auditors; and little or no activity by some of the New Entrant Auditors. The department has addressed these findings.

#### 7. Waste and Abuse Section, State Comptroller's Office (2006)

The Comptroller's Office conducted a review of oversight and controls over three types of third-party contractors used by the Department of Safety—those that provide classes for handgun safety training, those that provide classes for commercial driver licenses, and those that provide classes as part of the Cooperative Driver Training Program. The most significant problem found was the lack of an automated process to monitor and track certificates, institutions, and individuals. Because of this, management cannot quickly query data for analytical, reporting, and oversight purposes. The department has not resolved this issue. While the department does utilize Excel spreadsheets and an ACCESS database to store information, personnel must still manually enter data, which still cannot be quickly queried for management's use.

## 8. Worldwide Law Enforcement Consulting (2006)

Worldwide Law Enforcement Consulting Group conducted an extensive review, costing approximately \$85,000, of the operations of all units involved in internal investigations, internal audits, inspections, discipline, criminal investigations, trooper operations, Equal Employment Opportunity issues, and the due process system of the Department of Safety. The purpose was to determine an organizational structure that would promote a high level of organizational integrity and a fair and effective disciplinary process. Specifically, they were charged with making recommendations regarding a new Professional Standards Unit and enhancing the internal investigative and disciplinary processes. This performance audit did not formally follow up on this report's recommendations. However, at the time of audit fieldwork, it appeared that many of these changes were in the process of being implemented.

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## FINDINGS AND RECOMMENDATIONS

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### **1. The Driver License Issuance Division does not have an adequate driver license information system to collect, analyze, and disseminate needed data that would facilitate informed and supportable management decisions**

#### **Finding**

The Department of Safety's Driver License Issuance Division is charged with establishing procedures to determine eligibility for and issuing of driver licenses and permits as well as other services to individuals living in the State of Tennessee. These processes include, but are not limited to, developing and administering knowledge-based and on-road driving tests for driver licenses, issuing driver licenses, confirming satisfactory completion of handgun safety training, and issuing handgun permits. The division captures data regarding driving privileges using the Driver License System and data on most but not all of a customer's time spent in a station using Q-Matic, an electronic queuing software that went online May 2005. The current Driver License System was first used in 1978. However, this data collection system cannot currently supply management with complete, useful, and accurate customer service data for management and oversight purposes.

#### Driver License Information System and Electronic Queuing Software

The Driver License System is about 30 years old and tracks a customer's movements through the processes of obtaining driver licenses and handgun carry permits. For customers wanting a driver license, the system tracks the application number, demographic information, knowledge and road tests taken, the results of each of those tests, payment information, etc.

Since May 2005, the division uses Q-Matic, an electronic queuing system, to manage customer flow. Customers enter a driver license station where they are interviewed by what could be termed a "gatekeeper" as to what service(s) they need. This employee does a quick check to see that the customer has all required documents for the given service(s). If all required documents are present, an alphanumeric customer service number is issued or the customer may be referred to a self-service kiosk. The Q-Matic system can be set to call customers based on service requested and time of arrival or simply by time of arrival. The Driver License and Q-Matic systems work independently from each other. Q-Matic only tracks the time from the point a customer receives a number to the time the customer is closed in the system. Q-Matic does not identify the amount of time a customer spends waiting to get a Q-Matic number, cannot tie wait times to particular customers and services, and may not include the time customers spend getting their photo taken and the time it takes to print the driver license or identification card.

## Problems With Reporting and Use of Data

While the department collects a great deal of information, much is difficult to access for management purposes and/or not collected in an efficient manner. For example,

- The driver testing system is not integrated with the Driver License System, so records of pass/fail must be entered manually. (See finding 4 for issues related to the testing system.)
- Information related to insurance carriers for recently reinstated drivers cannot be electronically transmitted into the Driver License System.
- Court information (docket number, court contact information, etc.) cannot be recorded for use by the Financial Responsibility Division.
- Complete customer wait times are not captured by the Q-Matic system. (See finding 3 for issues relating to wait times.)

According to the department's information systems director, the Driver License System's underlying database does not have room for expansion to capture all the additional information management needs. This causes various problems. Several fields are used to record different information for different purposes rather than the same information for the same purposes, which makes extracting meaningful data difficult if not impossible. For example, traffic ticket information fields are used by the Financial Responsibility Division for alternative types of information.

- The "action date" field that was intended to store the court date for a ticket is also used to store a revocation date.
- The "amount paid" field is also used for the receipt number on a reinstatement.
- The field meant to store a driver's speed and the speed zone is used to record a court code.
- The non-commercial driver license eligibility date field is used to record area code and prefix while the commercial driver license eligibility date field is used to store the last four digits of that number.

Comment fields are also used to store other key information. Comment fields, by their very nature, allow users to enter any kind of data. Examples of information entered include information about

- the approval for an individual to be tested by a third party;
- the third-party vendor used in driver license testing for an individual;
- cash receipt information for collections made by the Department of Revenue;
- information received via fax that must later be confirmed and entered into appropriate fields; and

- authorized personnel record exceptions, Transportation Safety Administration approvals on HAZMAT, and other information unique to the driver.

Information stored in these comment fields cannot be effectively queried because the information in the field is not exactly the same between records.

There are various other ways in which reporting is inefficient for management oversight. For example, the Driver License Monthly Field Activity Report summarizes activities by station each month. The report contains information including the number of hours spent in specific categories of work. Examples include conducting road tests, processing driver license applications, reinstating driver licenses, and processing commercial driver licenses. The report also includes the number of transactions processed in each of these and other categories. Staff pull this information from printed reports each month. The Driver License System currently contains most of this information, but the division has not developed an electronic report to feed the information into a format that can be imported into the existing Excel report. Currently, the split of hours of labor by category does not appear to be captured electronically. This information will need to continue to be manually collected, or when a new system is implemented, the information could be collected electronically depending on the design of the system.

### **Recommendation**

While the division anticipates replacing the Driver License System in the near future with a system capable of achieving compliance with the federal REAL ID Act (discussed on page 8 ), the current 30-year-old system lacks the ability to properly collect, track, and manage data necessary for efficient and effective operations. The future system should include the ability to track all necessary information in unique fields; it should seamlessly interface with a testing system to track scores and test dates; and the reporting component should allow for real-time reports and a user-friendly report-writing tool.

Ideally, customers will be tracked from the time they enter a driver license station until they fully complete their transaction. Until the Driver License System is replaced, the department should consider designing a database or databases to capture and track information. Management should also consider developing reports where such information is already available to summarize information for inclusion in manually prepared external reports or write a program that automatically feeds already available information directly into an external Excel report. Management should make efforts to ensure that Q-Matic tickets are issued as soon after the customer enters the facility as possible. Additional measures should be developed to capture information on wait times that develop for customers when there is a line to get a Q-Matic ticket. By capturing complete wait times and tying this information to specific transaction information, the department will have more accurate and complete information from which to make key management decisions.

## Management's Comment

We concur. The Department of Safety issued an RFP on February 1, 2008, to obtain services from an industry expert to help with an RFP for a new data processing system for Driver License (DL) and associated programs. The anticipated proposal deadline for the initial RFP is March 11, 2008, and April is the proposed contract signing period. The scope of this RFP includes evaluation of current business processes, proposal of future business process enhancement, and RFP creation for a comprehensive system to support but not limited to the following:

driver license issuance	retrieval
driver license management	release/issuance of driver license
driver historical records	driver image
financial responsibility	records management
financial management	editing
cashiering	reporting
handgun permit issuance	driver knowledge testing
handgun schools and instructors	releasing of statistical data
filing	tracking wait times
storage	interfaces/changes necessary for REAL ID

We now track our customers from the time they reach the information counter until their final transaction and have the ability to produce wait time reports. Tracking the wait time is discussed further under finding number 3.

Electronic management reports are being designed from current available data to provide a way to analyze and disseminate information that would facilitate more informed and supportable management decisions. While these reports will still be limited, they will improve management's ability to manage the program until a new system can be implemented.

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- 2. Despite initial system implementation two years ago, the Highway Patrol still lacks a fully integrated and complete data system because of poor departmental planning and a lack of commitment to using the system by management and troopers statewide**

### Finding

In 2005, the Tennessee Highway Patrol (THP) began implementation of CAD (Computer Aided Dispatch), an Oracle database the department purchased from Intergraph Corporation for approximately \$1.1 million. Currently, CAD is used in all eight THP districts. According to Intergraph, CAD is a basic mapping and data entry system that provides real-time mapping of trooper dispatching and operations as well as a single point of access to information from a variety of sources that can result in increased efficiency and timely information. In addition to CAD, the Highway Patrol has begun implementation of Intergraph's iMobile module, a wireless interface to the CAD system. According to Intergraph, this software module provides troopers

with the capability, through a car-based computer, for car-to-car, car-to-CAD messaging; more rapid dispatch of troopers; more rapid receipt of suspect information; and more rapid trooper status updates to Dispatch, thereby reducing paperwork and providing for more detailed and rapid gathering of information. According to the CAD Administrator, there are approximately 234 iMobile units currently operating across the state with an anticipated additional 278 more becoming operational in the near future.

While CAD and iMobile appear to have significant possibilities for helping the THP keep incident records, efficiently dispatch troopers, and monitor trooper activities, there are a number of issues that hinder the usefulness and effectiveness of these systems.

### Incomplete System Implementation

According to departmental Information Technology (IT) management and staff, because of the emphasis placed by the department's previous administration on establishing only a basic operating system, the department did not make all modifications or purchase companion modules that would maximize CAD's usefulness. Only the base module CAD was initially purchased from Intergraph, with the intention of tailoring it more specifically to THP's needs and adding other modules over time as the system was implemented. Companion modules include, for example, Automatic Vehicle Location (AVL) hardware that uses GPS (Global Positioning System) and would give CAD live, electronic trooper-tracking capability; GIS (Geographic Information System) integration; and a Records Management System that would manage CAD and other applications used by THP and allow staff to enter data only once for use by multiple applications. For whatever reason, whether because of money, a lack of manpower and time, or a lack of available compatible technology, most of the specialized tailoring of the system, such as its querying, analysis, and reporting capabilities, has not yet been done.

Based on conversations with IT management and staff, it appears that many of the current issues referred to in this finding are the result of poor departmental planning and design. The system is being asked to perform more functions than was originally planned (i.e., automated dispatch). The department's increased needs and system demands may not have been properly considered in the original planning process. Resolution of these issues is a matter of cost, time, and available technology. In order for the system to be able to perform additional functions, as discussed in this finding, it will require future software developments and/or upgrades (when available).

### Mismanaged Technical Support

According to the IT Director, the CAD Administrator is the Technical Lead and Project Manager responsible for support, system enhancement, training, and administrative work for the CAD and iMobile system. However, it appears the administrator may be too involved with the direct handling of daily technical support calls and has no staff to delegate to, keeping him from meeting other responsibilities as the system's administrator.

The CAD Administrator's involvement in technical support increased because of the loss of a senior employee familiar with the CAD system. The IT Director acknowledged that troopers have become used to calling the administrator directly instead of going through the Help Desk and field technicians. Between August 29, 2005, and October 16, 2007, the CAD Administrator handled 49% of technical support requests; another person handled 25%, and 17 field technicians handled the remaining 26%. According to the CAD Administrator, the Office for Information Resources (OIR-Department of Finance and Administration) Help Desk staff cannot interface with CAD and are not trained well enough to handle user problems. Even so, the IT Director explained that calls should be forwarded to field technicians and not the CAD Administrator. The IT Director also mentioned that field technical personnel are being cross-trained to handle CAD problems, and it is the department's goal to have at least two specialized technicians assigned to each system. Because of network and Help Desk workloads, the CAD Administrator has not been able to concentrate on completing necessary system improvements.

### Concerns Regarding Data Reliability

According to IT management, the CAD database may not be capturing information from all trooper operations. Currently, THP officers are not required by policy to contact Dispatch regarding every incident they work. Troopers may enter information into CAD directly through iMobile, call the information in to Dispatch for them to enter into CAD, or fill out a paper report that would be entered into CAD later by the dispatcher; however, the entry of information from paper reports could be long after the event, affecting the completeness and currentness of the database.

Also, IT management states that CAD data may not be completely accurate. There may be errors because information was entered incorrectly and because of the limitations of the current mapping system. For example, CAD may not recognize location data that the system should be able to plot based on road information provided by the Department of Transportation because the road references are incomplete or incorrect.

### Lack of User-Friendliness

According to IT management, another significant problem with both CAD and the iMobile interface is that they require too much working with the computer and rekeying (or copying) of information between different forms and systems. According to the CAD Administrator, this creates frustration among troopers. Some troopers also view it as a safety issue as their attention is on the computer and not the offender. Such perceptions may keep troopers from using the computer.

In addition, because of the current wireless technology and system structure, the iMobile units are limited in range and are reactive rather than active in communicating with the central CAD operations center, meaning that the troopers' computers do not automatically update available information. Furthermore, when wireless connectivity is lost, data can be lost and may need to be rekeyed once a connection is reestablished. In this instance, the trooper may call the

incident in to Dispatch, where the information will be entered into CAD, or the trooper may resort to a paper report that is later keyed into the system.

### Management's Failure to Fully Utilize Available CAD Data

Even with the limitations of the system, THP management has chosen not to take advantage of the CAD system's current limited analysis and reporting capabilities. For example, since 2005, Intergraph's iMARS (Management Analysis and Reporting System) has been available. This system can analyze and display CAD data by means of a chart, graph, report, or map that can be used for performance measurement, resource planning, and incident analysis. However, according to the CAD Administrator, management is not requesting reports and using the data because management lacks confidence in the system to generate complete and accurate reports due to data reliability weaknesses already discussed. According to the CAD Administrator, due to these concerns, some managers are tracking the same information individually and creating their own reports, which results in redundant paper records, provides a classic example of waste and inefficiency, and is a serious source of poor morale and a weakened control environment.

With continued frustrations from incomplete data and insufficient system implementation and management's seeming lack of commitment to making the system work, the system's importance as a complete data management tool for increased department efficiency is being marginalized and may even be hindering operations. As beneficial as CAD and iMobile may be, until management fully commits to these systems and the systems are fully functional and reliable, the benefit will be limited.

### **Recommendation**

The CAD system has significant potential to help THP management oversee and manage trooper activities by way of creating an almost real-time play-by-play of traffic stops, mapping trooper locations, recording data collected by troopers as they work through their incidents, decreasing response times, dispatching more efficiently, and generating a multitude of visual aides to describe the data such as geographic relationships. The sub-application iMARS is capable of generating charts, graphs, and reports that can be used when determining trooper allocations, incident trends, histories, and summaries. These tools, however, are meaningless if the data captured and presented are incomplete. Every day that department management fails to take all steps necessary to regain the confidence of all staff in the usefulness, completeness, and accuracy of the system represents more wasted resources. Management must quickly find a way to make necessary upgrades to the system in order to increase its usefulness and accuracy and gain employee trust. Regardless of the upgrades made, management must ensure that all necessary information is consistently and accurately entered by staff. Because the CAD Administrator is constantly managing and addressing network and Help Desk problems, the administrator cannot make necessary system improvements in a timely manner. Top management should ensure that the CAD Administrator is focused on the continued development and operational improvement of the system. Without these changes and proper support, the

system will never reach its desired potential or level of use and will not be able to gain the credibility it needs for management to feel confident in its use. In addition, management should begin to generate reports from the database, either by obtaining more access to the iMars module or by other in-house-developed programs compatible with CAD, to replace duplicative, manually generated reports.

The commissioner should ensure that a coordinated formal plan is developed to achieve these recommendations as soon as possible. Specific individuals should be given clear authority and responsibility to effect the necessary changes. They should be held accountable, with specific dates for achieving their respective goals. All staff need to see that there is a firm commitment from the very top of the department that the system is to be fully operational and truly useful to all personnel, as soon as possible. There should be a formal process for feedback from all staff about any problems they are having with the system. The commissioner should seek a formal report explaining why this system has failed to become the management tool it was supposed to be, so that future and collateral issues can be better addressed.

### **Management's Comment**

We concur. The CAD system initially purchased included all features specified by the department for a fully functional CAD system. The scope of the original CAD project was fully implemented. Due to budget constraints, the additional modules were not purchased. We have evaluated the needs of the system, and we concur that additional modules would better serve the department.

The department requested improvement funds in the FY 2007-08 budget and these funds were appropriated by the Legislature. Management is in the process of procuring additional modules such as the Automatic Vehicle Locator (AVL), imagery for driver's license and wanted person queries, necessary map upgrades, and a records management module.

Management will ensure that all necessary information is consistently and accurately entered by staff through dispatcher and trooper training. A review team is also being assembled to evaluate, identify, and correct entry errors.

Additional technical staff have been made available for CAD/iMobile support. Troopers calling directly to the CAD Administrator with system problems are being redirected to the OIR Help Desk. The CAD Administrator will now be able to be more focused on the continued development and operational improvement of the system.

The Intergraph Management Analysis and Reporting System (IMARS) remains a default application and has not been modified due to funding constraints and other prioritized system tasking. However, an effort is being made to increase application licensing to accommodate broader user access and to increase accuracy of data analysis.

A formal plan by the commissioner is being developed to achieve said recommendations. This plan will assign specific individuals' clear authority and responsibility to effect the necessary changes and they shall be held accountable, with specific dates for achieving these goals. A formal process for feedback from all personnel shall be established in this plan.

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**3. As found in the 1997 and 2004 performance audits, the Driver License Issuance Division continues to have problems addressing driver license station wait times in large part because it does not have an adequate process to monitor the efficiency and effectiveness of customer service**

**Finding**

The Department of Safety's Driver License Issuance Division is charged with establishing procedures to determine eligibility for and issuing of driver licenses and handgun permits as well as other services to individuals living in the State of Tennessee. These processes include, but are not limited to, developing and administering written (or oral) knowledge and on-road driving tests for driver licenses, issuing driver licenses, confirming satisfactory completion of handgun safety training, and issuing handgun carry permits. In the 1997 and 2004 performance audits, we found that the division was not assessing the quality of service at driver license stations. The department stated that it had developed performance-based budgeting measures that track customer service times; was preparing to issue an RFP for a queuing system that would provide wait-time statistics; always reviewed customer service needs compared to available human resources; and was placing a renewed emphasis on the assessment of comment cards. However, in 2007, the department still does not have a data collection system that supplies complete, useful, and accurate customer service data. Management should be using such data to make key decisions related to better serving their customers. The division captures data regarding driving privileges and handgun permits using the Driver License System; most, but not all, of a customer's time spent in a station is captured using Q-Matic, an electronic queuing software.

Driver License Information System and Electronic Queuing Software

The Driver License Information System, which is 30 years old, tracks a customer's movements through the processes of obtaining driver licenses and handgun carry permits. For customers wanting a driver license, the system tracks the application number, the (potential) driver's demographic information, whether the customer has taken the knowledge and road tests, the results of each of those tests, payment information, etc.

The division also uses Q-Matic, an electronic queuing system, that does not tie into the Driver License System. This system was implemented in May 2005. Customers enter a driver license station and are interviewed by what could be termed a "gatekeeper" as to what service(s) they need (they may or may not have had to wait in line to get to this interview). This employee quickly checks to see that the customer has all required documents for the given service(s). If all required documents are present, an alphanumeric customer service number is issued or the customer may be referred to a self-service kiosk. The alpha character indicates the type of

service (i.e., applying for a learner's permit, taking the commercial driver license exam, obtaining a photo identification card, etc.), and the numeric character indicates the order of arrival for that type of service. The Q-Matic system can be set to call customers based on service requested and time of arrival or simply by time of arrival.

The station supervisor is responsible for determining whether service lines will be determined on a first-come, first-served basis or whether certain lines will provide specific types of services. Depending on the size of the station, two or more service lines are to be open. Larger stations may have specialty lines. In smaller stations, with the exception of prescheduled appointments, lines will generally be served on a first-come, first-served basis. In a larger station, one or two lines may provide only express services. These services tend to take a shorter time and have fewer steps to complete; thus, express services help to reduce the total number of customers physically in the station.

*Issues Associated With the Systems.* The Driver License and Q-Matic systems work independently. Q-Matic tracks the time from the point a customer receives a number to the time the customer is closed in the system. In some cases, the Driver License Examiner may close the Q-Matic number prior to the customer going to the final step of having a photo taken and the license or identification card printed. Q-Matic does not identify the amount of time a customer spends waiting to get a Q-Matic number and may not include the time spent getting a photo taken and having the card printed.

Furthermore, the Q-Matic number and times cannot be tied to a specific customer. There is a field in the Driver License System where the examiner can enter the time stamped on the Q-Matic ticket; however, this is not always done. While a review of the system data indicates that driver license examiners do consistently record the Q-Matic ticket time in the Driver License System, there is an unquantifiable risk that the time will be typed in incorrectly. Because the actual Q-Matic customer **number** is not being captured in the Driver License System (as opposed to the **time** on the Q-Matic ticket), management cannot even attempt to use third-party software such as ACL (a commonly used statistical analysis software) to match Q-Matic data with Driver License System data for use in assessing potential issues such as wait and transaction times for specific services.

### Staffing Issues

Auditors visited 12 driver license stations. Observations revealed that, in some stations, staffing levels or staff management seems to contribute to wait times. Smaller stations with 4-8 employees (Downtown Nashville Express, Lawrenceburg-Lawrence County, Lebanon-Wilson County, Manchester-Coffee County, West 40-Knox County, Cookeville-Putnam County) seemed to do better at having a larger number of windows open waiting on customers in relation to their staffing level than did stations with 10-19 employees (Blountville-Sullivan County, Strawberry Plains-Knox County, Jackson-Madison County, Hart Lane-Davidson County, Whitehaven-Shelby County, Summer Avenue-Shelby County). Smaller stations generally had at least half of their employees working a window waiting on customers. The larger stations only had one-third

to one-fourth the number of windows open in relation to the total number of employees. These larger stations also had the largest number of persons waiting for service.

Minimizing wait times with current staffing levels is further complicated by the fact that driver license examiners may suspend service at their windows to go and set a customer up to take the written driving exam, accompany a customer on a road test, work the Information/Q-Matic line, or go to lunch. There also appears to be no formalized staff management of schedules (for example, to ensure proper coverage throughout the day and particularly during times of expected heavy traffic) based on actual management data (as well as experience) that can easily be analyzed and assessed.

Beyond this type of informal analysis, it is impossible for the Driver License Issuance Division to address staffing issues because it cannot or is not measuring and tracking performance and customer volumes and only has anecdotal and incomplete data for use in determining the staff levels and schedules needed at individual stations to minimize customer wait times.

### Confusing Station Signage

Additionally, the signage at driver license stations does not always appear effective for providing customers with information that would streamline their time spent waiting for service. Station signage included the local station hours of operations, a printout of other local stations (within the district or region) with their operating hours, the location of the self-service kiosk(s), and that payment must be made by cash or check or that no debit or credit cards were accepted.

Auditors visited 12 stations and noted that the posted hours of operation were not always accurate. In one instance, station signage, employee-stated hours, and Internet-posted hours indicated three different station schedules. One station's hours posted were blank. Each station also has a staff meeting the second Wednesday of each month, when the station opens an hour later. In three instances, there was nothing in the signage to indicate this alteration in the posted station hours of operation.

Signs indicating the method of payment could also be misleading. Transactions processed by station personnel must be paid for with either cash or check; however, self-service transactions made at kiosks must be paid for by debit or credit card. Stations generally had multiple signs indicating that no debit and credit cards were accepted or that payment must be made by cash or check. Customers arriving with only debit or credit cards may not stay long enough to be told that a kiosk transaction may be an option.

Furthermore, at one station, the sign indicating the location of the self-service kiosk was in a stand facing perpendicular to the station entrance. It was not visible to people waiting in line to obtain a Q-Matic number until they were close to the counter (and then it was not prominent). It was facing away from half of the waiting room, while it was obscured from view of the other half of the waiting room by the persons waiting in line to receive a Q-Matic ticket. The position

of the sign made it unlikely that a customer would notice the kiosk and take advantage of self-serve options rather than waiting in line.

Ultimately, in light of federal requirements, the division will be replacing the Driver License System with a system that will allow the division to achieve compliance with the federal REAL ID Act (discussed on page 8 ). This future system should include or seamlessly interface with a customer management system to track customers as they progress through their transaction(s). To provide useful time management data, management should ensure that the system will track customers from the time they enter the station until they fully complete their transaction, without exception.

### **Recommendation**

Until the Driver License System is replaced, the division should make efforts to ensure that Q-Matic tickets are issued as soon after the customer enters the facility as possible. Additional measures should be developed to capture information on wait times that develop for customers when there is a line to get a Q-Matic ticket. This will allow the division to have more complete information from which to manage customer service. Furthermore, a system edit should be developed to require the entry of the Q-Matic number or time in the Driver License System prior to the processing of a transaction; this would allow more accurate and detailed analyses of wait times that include those for specific services.

The division should capture information needed and perform a formal analysis of staffing needs and patterns at each driver license station and across the state and redistribute or increase staff accordingly. Irrespective of formal data systems, management of all stations should immediately arrange staff work schedules to maximize the number of service windows available to customers.

The division should establish sign standards and guidelines to ensure that signs are accurate, concise, and effective. In developing such guidance, personnel should consider the use of color, font, and font size, as well as sign placement, to ensure that customers' need for information is satisfied. Notwithstanding the issuance of formal guidance, station management should survey their stations to ensure signage is complete, accurate, and displayed in the most effective manner. Effective signage will help guide customers through the driver license stations and more efficiently utilize all the resources, whether it be interaction with personnel or a self-serve kiosk at their disposal.

## Management's Comment

We concur. Improvements in tracking wait times would be made with a new DL system. Until that time, we have now created a way to track our customers from the time they reach the information counter until their final transaction and have the ability to produce wait time reports. This process uses both Q-matic and mainframe data fields.

The new system developed for DL will assess time spent waiting to be served under the new REAL ID processing methods required. It would not be cost effective to build a total interface with our old main frame while we are trying to build a new system. Processes will have to change with REAL ID, and pictures will need to be made first before the actual license is issued. We plan to eliminate a need for a separate queuing system as some other states have done.

The department now maintains a database of all comment cards, and actions are taken to remedy any problems brought to our attention by customers. The information is used to improve customer service practices.

*Q-matic:* The queuing system is useful to driver license stations to provide better customer service. As stated previously, we have devised a way to produce management reports from both that system and the mainframe. It is anticipated that a new DL system would incorporate a customer tracking process so that we could eliminate the Q-matic system.

*Staffing:* Staffing at stations is impacted by many tasks such as administrative functions tied to funds management, quality assurance, training new staff, etc. There are numerous duties required of examiners that prevent them from working the service windows at certain times during the day. However, management is making every effort to arrange staff work schedules to maximize the number of service windows available to customers. All express stations are staffed from a large urban station so that those positions are actually assigned to the large station and rotated. An additional 36 driver license staff was added in the Fiscal Year 2007-2008 budget. These positions have helped reduce wait times by an estimated 9 percent.

At other stations, examiners are assigned a duty for each day of the week. For example, they are assigned a day to conduct road testing (time consuming task). One is assigned as Banker and one as Co-banker each week to oversee the funds management (opening/closing, managing the daily funds and accountability) of the station. Any examiner may have to handle a verbal or written knowledge test at any time. All district stations have Commercial Driver License (CDL) examiners who give knowledge and road tests to truckers. Each station supervisor posts a weekly schedule for all staff, and staff know what their duties are each day. If someone is out, the schedule is adjusted. All staff know all functions except CDL testing.

We are working with our IT staff to formalize a group of management reports from the existing system. The reports we rely on now are manually prepared and should be replaced quickly with reports from our computer system. This is the only way we can have consistent

reliable data for reporting purposes, measuring staffing needs, performance and policy/planning tasks.

*Signage:* New signage will be in stations by June 1, 2008. This includes all kinds of signs from hours of operations; nearby stations; service signs inside the station, etc. Formal Staff Inspections are now conducted on DL stations, and signage is one of the items they are documenting. Kiosk machines are being relocated to better locations in offices so that they can be seen and monitored more effectively. We are also arranging better security for the customer's information and better signage for the customer using the Kiosk.

We fully agree that any new system developed for REAL ID should include a seamless interface with any other technology necessary; that it should track customers efficiently and accurately; and it should provide useable and easily retrievable management, performance, and report data.

A survey has been issued by the Commissioner to all DL Supervisors and District Supervisors to gather additional information on items such as wait time, customer usage of kiosks, employee assignments, and least busy and busiest days of the week. The results of this survey will be evaluated and used to help make decisions on ways to better operate the station and improve customer satisfaction.

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**4. More than half of those taking the driver license exam, which the Driver License Issuance Division has not ensured is statistically reliable and valid, fail at least once, thereby contributing to local driver license station workloads and wait times**

**Finding**

A 2006 FedEx study found that 50% of first-time testers and 48% of re-testers fail the driver license written exam. We analyzed the same driver license examination data for April 2005 that the Driver License Issuance Division manually compiled specifically for the FedEx study. (The current electronic testing system is unable to generate ad hoc analytical reports on driver testing.) We found that roughly the same number, 51%, of all testers failed the written exam regardless of whether it was their first, second, or third time, etc. This translates into an average 221 re-testers, plus or minus 16, per week in each of the eight districts. Having an exam that more than half the public fails at least once may be needlessly limiting citizens' opportunities to drive.

Possible Explanations for High Failure Rate

*Lack of Studying.* Potential explanations for testing difficulties are numerous. Applicants may simply not be studying adequately to pass the exam. However, without additional data to analyze, this possibility cannot be further explored. The available data suggest that a lack of studying may not be a good explanation. If it were simply a matter of studying, test scores should dramatically improve for the re-testing group, as they should have learned from taking the

test before. The data, however, do not show such an improvement. There is very little difference between the results of first-time test takers and the re-testers.

*Exam Unreliability.* Another possibility is that the written exam itself is unreliable in its ability to consistently distinguish between those with an adequate knowledge of driving and those without such knowledge. The American Association of Motor Vehicle Administrators (AAMVA) has published “Guidelines for Knowledge and Skills Testing” to help states achieve uniform, high-quality driver license tests. Furthermore, according to the American Psychological Association’s Joint Committee on Fair Testing Practices, test developers should be able to provide evidence that the “. . . technical quality, including reliability and validity” is sufficient for its intended purpose. The Driver License Issuance Division has no records or documentation explaining its test development process and statistical reliability coefficients or validity studies. With the exception of an initial effort in 1991-1992, the division has taken no action to ensure the current written driver license exam is statistically sound. Division management stated that, during the latest in-house update in December 2006, the only analysis of the exam involved checking for proper grammar and clarity and making sure the questions did not contradict current laws and regulations. However, from a professional testing standpoint, this does not result in an adequate, fair, and reliable exam. In practice, when tests are used to make decisions, high-stakes tests such as licensure exams need a strong level of reliability and very little error.

Not having a statistically reliable test means the results cannot be trusted. According to the experts in the field of testing, “The goal of estimating reliability (consistency) is to determine . . . the extent to which the measurements resulting from a test are the result of characteristics of those being measured” (James Neill, Lecturer, University of Canberra, Australia, “Essentials of a Good Psychological Test” 2004; Lawrence M. Rudner and William D. Schafer, “Reliability,” ERIC Clearinghouse on Assessment and Evaluation, College Park, MD, 2001). In other words, according to the American Association of Motor Vehicle Administrators’ *Guidelines for Knowledge and Skills Testing*, “if the sample (test questions) does not give a reliable estimate of an applicant’s overall knowledge, the test may fail many applicants who really know enough to pass while passing many applicants who do not.” Sources of measurement error may include the “effectiveness of the distractors (wrong options) in multiple choice tests, partially correct distractors, multiple correct answers, and difficulty of the items relative to the student’s ability” (Rudner and Schafer, 2001). Another source of measurement error may be poorly worded items with weak item-test relationships, meaning something in the wording may be causing knowledgeable applicants to reject what is supposed to be the correct answer.

### Lack of Item Analysis

The current electronic driver license testing system that dates from the early 1990s operates independently at each driver license station and is not centrally integrated to allow for statewide data collection and compilation. The system also does not capture and store individual test item responses. Because of this, the exam questions cannot be statistically analyzed to ensure their reliability and effectiveness. Item choice statistics help to determine if each question and answer choice is valuable to the test in terms of separating the knowledgeable from the unknowledgeable. For example, if an item choice is never selected, perhaps it is too obvious.

Likewise, if the correct item choice is always selected, the question is too easy. Neither helps distinguish between levels of knowledge. Without such an analysis, there is a potential for questions to exist on the exam that are not fair indicators of knowledge.

Based on sources previously cited, good reliability is important because it lends confidence that test scores are not due to chance. Tests that have low reliability are poor measures because passing and failing are as likely due to chance as to knowledge. Item analysis that includes response frequencies, a difficulty index, a discrimination index, and a measure of the relationship of the questions to one another and the total score helps identify questions that need fixing as well as questions that are adequate. Such information is essential to ensure that test items are working properly.

### **Recommendation**

Because of the high failure rate, the Driver License Issuance Division should increase its efforts to ensure that the written exam is fair and reliable and that failure rates are not due to problems with the test as opposed to the knowledge of the test takers. Furthermore, a fair and reliable exam would provide a level of confidence that applicants who fail do not have the requisite knowledge to be safe drivers; applicants who have properly prepared will be more likely to pass the test, thus serving to reduce the number of applicants who need to take the exam multiple times.

To make improvements to the exam, the division should consult testing experts and implement a new testing system that incorporates the ability to store applicant responses in a database so that item analysis of each question can be performed. Testing experts have the necessary skills to assist the division in constructing and validating a proper test. Item analysis, a tool offered by many measurement services or software packages, is used for the improvement of multiple-choice tests. Item analysis includes a measure of overall test reliability and other measures that determine the extent to which items discriminate between the knowledgeable and the unknowledgeable. Item analysis should identify difficulty levels for each item and provide the ability to gauge the effectiveness of distractors (wrong options). It should also correlate items with the total test score to show that the items are measuring the same thing.

### **Management's Comment**

We concur. The current testing system does not interface with the mainframe and does not provide adequate data. The department has requested funds for a new driver license system. We will coordinate a new knowledge testing system with a newly designed driver license system. We will ensure that it is certified as statistically reliable and valid. It will provide management reports on pass/fail rates by demographics, and over time, which questions are being missed most often by demographic groups.

In the interim, we will interface all current testing machines so that at least limited management data can be captured and used.

The test questions were updated in 2007 to ensure that questions covered all laws/policies. In addition, the Driver License Handbook was revised to include new laws and changes, and a Study Guide was also produced to help those who need to take a test study more effectively. Customers can take a practice test on-line as often as they like. The test is given in English, Korean, Japanese, and Spanish. After any failed test, the customer can request a written test. Customers can also request a verbal test if they don't read well. These special tests are only given in English. We will require that the new test be certified for reliability and validity using as many of the suggestions made by the auditors as possible.

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**5. As found in the 2004 performance audit, the department is not tracking and managing school bus and child care vehicle inspection and data, which impedes its ability to ensure the safety of children in school buses and child care vehicles**

**Finding**

According to Section 49-6-2109(d), *Tennessee Code Annotated*, the commissioner of the Department of Education is responsible for making sure that each school bus is annually inspected to ensure it can be used safely. Executive Order 45 (1983) places authority for certification of school bus drivers and school bus equipment with the Department of Safety. Since January 2004, in accordance with Department of Human Services' Rule 1240-4-3-13(6)(h), the Department of Safety has also been responsible for inspecting all child care vehicles that carry ten or more passengers.

The April 2004 performance audit reported that the Pupil Transportation Division bus inspectors were not capturing and summarizing the information from the paper inspection forms into a central database to enable division management to track and ensure that each bus was inspected annually. The audit stated that, without a computerized tracking system, the division was unable to determine the number of school buses that were not inspected and were potentially unsafe, the number of buses with incorrect odometer readings, and whether the inspections were completed in a timely manner. We recommended that the department develop and implement a computerized system to track the timeliness of school bus inspections and bus characteristics that may indicate illegal acts, such as incorrect odometer readings, to refer for possible prosecution. The department concurred and stated that an electronic school bus inspection program had been implemented statewide, which would allow the department to capture and store school bus inspection data and odometer mileages electronically in a database at headquarters. Unfortunately, department management has failed to take the additional steps necessary for the information to be used in any meaningful way.

The Pupil Transportation Division has, since the last audit, developed a database to store data captured in an electronic inspection form. We spoke with current management and reviewed the database of school bus and child care vehicle inspections for calendar years 2004,

2005, and 2006. We discovered that the division is not using the information to track inspections and manage the program.

### Dysfunctional Program Management

According to the program director, sole responsibility for scheduling and performing timely inspections, tracking inspections, keeping notes on buses and vehicles, and follow-up lies with the individual inspectors. The program director has taken no responsibility for performing any of these key functions or, even more unfortunately, for ensuring any of these steps have been performed. To make the situation even more problematic, the database of prior inspection data is not available to the inspectors out in the field and can only be accessed in the main office. The program director also states that the focus is on current compliance and not whether someone was previously noncompliant, so they do not track non-compliant vehicles.

### Problematic Electronic Inspection Form and Database

Since late 2004 or early 2005, Pupil Transportation inspectors have been using an electronic inspection form to capture data from school bus and child care vehicle inspections. The data on the inspection form are then downloaded and imported into a database. However, this electronic database has no controls to require uniform data formats or to detect an error or duplication in data entry—for example, a vehicle identification number (VIN) that has already been entered or has been entered incorrectly. As a result, the database contains questionable, erroneous, and duplicate data. As an example, with regard to child care vehicle inspections, 116 of 1,681 child care vehicles inspected (7%) had questionable and/or erroneous data such as missing or invalid VINs and obviously incorrect odometer readings from one inspection to another. The age of child care vehicles was never noted. Based on a review representing 135 of 350 school bus inspections, the unique school bus inspection data for 58 of 135 buses (43%) had either obviously incorrect or missing VINs, incorrect odometer readings based on previous and following inspections, or incorrect vehicle ages listed based on previous and following inspections.

Additional problems exist with the basic design of the inspection forms, including default settings, and how and what data are captured. The electronic inspection forms automatically default to “satisfactory” on every item in the inspection form. Inspectors will only change an item to “unsatisfactory” if they find something not in compliance. By automatically marking each item as satisfactory on the electronic inspection form, the system is not ensuring by way of prompts that the inspector is checking every item and not overlooking an item that could turn out to be unsatisfactory. Because the inspection report is filled out electronically, the signature of a school district or day care official receiving the inspection is not captured for the record. There is also no coding of inspections that designates them as regular annual inspections, extended use inspections, follow-up inspections, post-crash inspections, etc.

### Lack of a Master Vehicle List

To make sure all school buses and child care vehicles are inspected, that some vehicles are not being hidden from inspectors (which has happened according to program management), and that it is known which vehicles have been retired, the division should be maintaining its own master list of vehicles (by vehicle identification number) compiled from various sources such as the Department of Education, Department of Human Services, and the Title and Registration Division of the Department of Revenue. However, the program director states that the division makes no attempt to do this. The division does not attempt to maintain its own master list based on inspections and relies on the schools, school districts, or child care providers themselves to present ALL vehicles needing inspection. While Human Services and Education have provider inspections that specifically check to make sure child care provider vehicles have received their annual inspections, the Department of Education has no person or procedure that specifically checks to make sure school buses have received their annual safety inspections.

We compared lists of public and private schools, school districts, and child care providers provided by the Department of Human Services and the Department of Education with the vehicle inspection database of the Department of Safety. This comparison revealed a large number of school districts and child care providers that may not be receiving statutorily required annual vehicle inspections, though it is not certain whether these districts and providers actually have vehicles requiring such inspections. The Department of Safety's inspection list only contained 119 of the 222 public and private school districts listed by the Department of Education; in addition, Safety's list contained five school districts not listed by the Department of Education. Regarding child care providers, the Department of Safety's inspection list only contained 504 of the 5,017 child care providers listed by the Department of Human Services. Of the 504 child care providers on Safety's list, 102 of them were not on the Department of Human Services', or the Department of Education's list.

### Untimely Inspections

Statute requires annual inspections of school bus and child care vehicles. A review of school bus inspections for calendar years 2004 through 2006 revealed that 4,958 school bus inspections out of a total of 28,664 (17%) were conducted more than a year after the previous inspection. A similar review of child care vehicle inspections revealed 402 child care vehicle inspections out of a total of 2,711 (15%) were conducted more than a year after the previous inspection. Whether inspections are performed in a timely manner can be affected by the lack of a master vehicle list as described above. Inspectors do not begin inspections knowing which buses and vehicles need inspections or how many buses and vehicles will be presented to them. Timeliness can also be affected by program management's decision to allow inspectors, who do not have access in the field to prior inspection data, to set their own schedules.

### Lack of Coordinated State Oversight Between the Departments of Safety, Education, and Human Services

There appears to be a lack of coordinated oversight and management by the Department of Safety, the Department of Education, and the Department of Human Services in overseeing the

Pupil Transportation program as it relates to required annual school bus and child care vehicle inspections. Statutorily or by rule, the Department of Education and the Department of Human Services are responsible for and require school buses and certain child care vehicles to be inspected annually. However, with regard to school buses, there are conflicts between statute and Executive Order 45 (1983), which transfers authority for certification of school bus drivers and school bus equipment from the Department of Education to the Department of Safety. Currently, there is no one at the Department of Education or the Department of Human Services responsible for overseeing and managing school bus and child care vehicle safety inspection programs that, for example, keeps track of the number of school buses and child care vehicles in use; tracks specific vehicles; tracks inspection data over time; tracks unsatisfactory inspections and the vehicles that receive them over time; and monitors vehicles for odometer fraud. The Department of Education does not maintain lists of specific vehicles in district school bus fleets or their inspection status. The Department of Human Services only maintains vehicle information in individual child care provider files, not in an accessible electronic database. The Department of Safety must rely on the school districts and child care providers themselves to present all buses and vehicles to be inspected. Neither the Department of Education nor the Department of Human Services receives information on the vehicles inspected each year by the Department of Safety. According to the Department of Education, all checks and balances lie with the local school district. The oversight of child care providers is further complicated by the fact that the Department of Education oversees child care programs operated by public and private schools, while Human Services oversees all others. Unfortunately, based on the information presented earlier, the Department of Safety is also not effectively overseeing and managing this program. There appear to be no controls or coordinated, effective system at the state level to ensure that all school buses and child care vehicles receive and pass their statutorily required annual inspections prior to being put in service and transporting children.

### **Recommendation**

To address the recommendation made in the 2004 performance audit and in light of data reliability problems discussed above, the commissioner should carefully review this finding and determine why management failed to take a more proactive stance in meeting the department's obligations for pupil transportation safety as set out in state law and should ensure that the proper tone is set at the top of the department, including, but not limited to, assigning specific responsibilities to specific staff. As part of the process, staff should establish the means to formally assess the reasons for failing to meet statutory requirements and to design, implement, and monitor effective mitigating controls. These steps should include, but not be limited to, developing and implementing a computerized management information system that

- interfaces easily with electronic inspection forms,
- is available to inspectors in the field during inspections,
- maintains a master vehicle list for use by inspectors every year during inspections that also records when a bus is retired,
- tracks inspections of school buses and child care vehicles for timeliness,

- captures data from inspections that are bus-specific and allows the main office and individual inspector to query past history looking for problem trends for an individual vehicle or a school district as a whole and flags entries that may indicate illegal acts (e.g., incorrect odometers from one year to the next),
- contains appropriate controls and edits that prevent the entering of incorrect or invalid data for a vehicle in relation to that vehicle's inspection history,
- captures the electronic signature of the school district and day care personnel to whom inspection results are reported, and
- produces management reports.

Pupil Transportation management should routinely run management reports to determine if inspections are occurring within guidelines and if there are trends suggesting non-compliance and other problems developing with certain vehicles, vehicle owners, vehicle operators, school districts, child care providers, inspectors, etc. Program management should also develop and implement a formal vehicle inspection schedule for the inspectors that will ensure timely annual inspections. The director should take all necessary and available steps to ensure that all inspections are thorough and adequate, including but not limited to modifying the electronic inspection forms to remove the automatic default to "satisfactory" on all inspection items to reduce the chances that inspectors inadvertently miss checking items and other issues.

The General Assembly may wish to consider revising statutes to reflect the transfer of duties established in Executive Order 45 (1983) that transferred authority and responsibility for certification of school bus drivers and school bus equipment from the Department of Education to the Department of Safety. The General Assembly may also wish to specifically address the lack of coordinated oversight of school bus and child care vehicle inspections by the Department of Safety, the Department of Human Services, and the Department of Education.

### **Management's Comment**

We concur. Management is committed to complying with all statutory requirements to operate this program.

An enhancement to the current Pupil Transportation computer program is included in the FY 2008 Information System Plan. This enhancement will improve the method of data collection, storage, and retrieval for all school bus and day care van inspections by rebuilding and replacing the program located on the inspectors' laptops. This system should provide the ability to create reports, ensure that all inspections are thorough and adequate, interface between the database and the current inspection, and maintain a master vehicle file. This database can be populated with the data input from all school buses offered for inspection. This data can be monitored as to ensure that all school buses and day care vehicles are being inspected in a timely manner, and to ensure that each "known" day care and school system has accountability with the Division, as well as the Departments of Education and Human Services.

Current computer program edit and control functions are limited and additional controls will be created. The 2008 computer enhancement will no longer default to “satisfactory” for an inspection. Controls in the computer enhancement will include odometer reading comparisons and Vehicle Identification Number (VIN) accuracy.

Currently there are 10 troopers and 5 civilians to conduct inspections and driver training for all buses and day care vehicles across the state. This involves the scheduling and conducting inspections on approximately 8,000 school buses and 4,000 day car vans. These field personnel currently determine their own inspection schedule and report this to program management each month. Management will continue to review these monthly schedules with emphasis to be placed on ensuring that inspections are completed on an annual basis. Once the computer system is modified, management will have a system to provide data to better monitor this aspect of the program.

A monthly monitoring report will be created and generated from the current database that will show inspections completed during that month. This report will be reviewed by management on a monthly basis. Management will work with staff in an attempt to develop better tracking reports from the current database until the system is upgraded.

Management concurs that certain aspects of any program may suffer when the rules that govern that program are spread between multiple state departments. The Department of Safety will be proactive in implementing coordination of school bus and day care van safety with the Department of Human Services and the Department of Education.

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**6. As previously found in the 2004 performance audit, the Handgun Permits Office does not verify successful completion of handgun safety courses at approved handgun safety schools prior to issuing a handgun carry permit**

**Finding**

Section 39-17-1351, *Tennessee Code Annotated*, requires applicants for handgun carry permits to submit proof of the successful completion of a department-approved handgun safety course. Between fiscal years 2003 and 2006, the department processed an average of 33,238 handgun permits a year. Successful completion of a department-approved handgun safety course is determined through the handgun carry permit applicant’s submission of a certificate of completion with the application. Upon receipt of a certificate, central office staff determine whether the school and instructor were approved at the time of the certificate’s issuance.

However, while department-approved handgun safety schools maintain lists of individuals who have taken the course during the past five years, the Handgun Permits Office does not verify with the school that the individual applying for the permit has successfully completed the course or that the certificate of completion presented is a valid one issued by the Handgun Permits Office to that school or instructor. Staff state that, while there is a list of approved schools and instructors on the department’s intranet that driver license examiners are

supposed to check before they accept payment and applications, the information regarding the certificate numbers assigned to each school is only available to central office staff. Central office staff state that, while they check other aspects of the application, they do not check the certificates presented against the list of certificate numbers issued to each school unless they are already aware of a problem.

In the 2004 audit, the department concurred with the finding and stated that all handgun safety certificates were now pre-numbered and logged out to specific instructors. Management also stated that they were currently working with their Information Systems Division to implement a database table whereby approved instructors could enter the certificate number and applicant information for their students into the database that could then be accessed by departmental examiners in the field for evaluation. In May 2007, program staff stated that the database the department was working to implement still does not exist. Staff stated that discussions and research in-house and in conjunction with OIR are ongoing.

Without procedures to verify persons have completed handgun safety courses required for a handgun carry permit and the validity of the certificate of completion they present, the department increases the risk that handgun carry permits may be issued to unqualified and untrained persons based on fraudulent documentation.

### **Recommendation**

The commissioner should determine why the department has failed to implement the measures they stated they were already taking in the last audit. Irrespective of the development of an electronic database, the Handgun Permits Office should manually verify with approved handgun safety schools that each individual applying for a handgun carry permit has successfully completed a handgun safety course. The office should also verify that the certificate presented with the application for a handgun carry permit is a valid certificate from those assigned to an approved school or individual instructor.

### **Management's Comment**

We concur. The Department of Safety does not have an automated process to verify a certificate in handgun safety schools or the central handgun office. The IT Division will explore a way to verify the authenticity of the document as issued to a certified handgun school. This will allow examiners and handgun unit staff to manually verify certificate numbers by schools, thus verifying the validity of the certificate.

The Department's Information System Plan does have an approved project for an integrated process for the handgun permit process, the safety school, and instructor tracking process. This will be rolled into the plan for a new DL system.

**7. Oversight and timeliness of the inspection phase of the Handgun Safety School certification program are made more difficult by staffing levels, inadequate policies, and inconsistent and labor-intensive processes**

**Finding**

Section 39-17-1351(e), *Tennessee Code Annotated*, requires applicants for handgun carry permits to submit proof of the successful completion of a department-approved handgun safety course. Rule 1340-2-3-.04(5) states that public handgun school certification is valid indefinitely and private school certification is valid for a period to be determined by the director. Management in the Handgun Permits Office states that it inspects handgun safety schools annually as part of the certification renewal process. However, not until May 2006 did any formal written inspection policy exist, and it still lacks specific time guidelines. Upon central office receipt of a school application (original or renewal) and fee, an inspection for the school is scheduled. Inspectors check, for example, to make sure each school has appropriate liability insurance, is maintaining certain school and student records, instructors are certified, and safety equipment and precautions are present. At present, the oversight and operation of the handgun school inspection program is a completely manual process and documentation is maintained in paper files. Program staff maintain the paper files and Excel spreadsheet roster of active, licensed handgun schools. However, there is no electronic tracking or analysis of handgun school inspections and their accompanying data.

Staff manually check an Excel spreadsheet every month (information is manually entered by a staff member) to see which schools' certifications are scheduled to expire soon. According to staff, renewal reminders are then sent out. Upon receipt of a renewal application, the inspections manager is notified, who then informs the respective inspector that a school is ready for an inspection. The inspections manager must then follow up to be sure the inspections were performed. Once inspections are completed and received, the inspections manager reviews and files the inspections, and school certification is issued if warranted. Prior to July 2006, central office staff would take time away from their regular work to conduct the handgun safety school inspections of those schools fairly close to Nashville. For those schools farther away, requests were made to Tennessee Highway Patrol district captains to assign a trooper to conduct an inspection. Starting in July 2006, the first part-time dedicated staff (three retired troopers that can work 120 days during a 12-month period according to statute) were hired to conduct handgun school inspections. In October 2006, an additional three retired troopers began conducting inspections.

We reviewed files for 66 of the 161 schools on the June 2007 officially approved list. These files reveal that certificates were issued for less than a year, a year, or multiple years. In the absence of a detailed written policy, department practice has been to require annual inspections to be performed as part of the handgun safety school certification renewal process (i.e., inspection should precede renewal). However, our review disclosed that not all schools have been inspected every year for renewal. Since 1998, 230 of 264 certificates have been issued (to the 66 schools reviewed) without an inspection in the three months prior to the start date listed on the certificate. Many, if not most, inspections were within a month or two after a new

certificate had been issued. (In our sample, only 5 certificates were issued in 1998; 3, in 1999; 7, in 2000; and one, in 2001. All others were issued between January 2002 and June 2007.) Even if policy existed or practice allowed for an inspection any time during the term of a certificate (which is not policy or stated practice), 71 of 264 certificates did not have inspections during the certificate period.

In addition, 44 of the 66 schools had certificates where the dates overlapped from one certificate to another. Possibly more significant is the fact that 30 of the 66 schools had gaps between certifications that ranged from one day to several years, with the average gap being roughly 7.9 months.

Without an adequate number of inspectors (the hiring of six part-time inspectors in the last year may be enough, but it was too soon to tell at audit time); a uniform and standard certification period for handgun safety school certification; and policies, procedures, and internal controls to ensure that inspections are conducted prior to a school certification renewal, the Handgun Permits Office cannot ensure that handgun safety schools operate as required for certification and that timely inspections are performed prior to certification. It requires more time and attention to detail than should be necessary for staff to process handgun carry permits and handgun safety school certifications when school certifications are not standard and can begin and end any time and last for anywhere from one day to four years. Additional unnecessary work may be occurring because handgun safety school inspections are not being performed prior to certification renewal. Therefore, the office may be processing the paperwork and awarding a renewal in advance of a failed inspection that should prohibit the school from being certified.

### **Recommendation**

The commissioner and oversight staff of the Handgun Permits Office should develop policies, procedures, and internal controls to ensure that inspections of handgun safety schools are conducted as part of the initial and renewal certification process, with inspections occurring between receipt of initial or renewal application for certification and the actual awarding of certification. They should also develop uniform certification periods (i.e., from day one of a month through the next full year) to ease administration of the program and avoid certifications resulting in dates that overlap or have gaps between them. These recommendations should be properly reflected in the department's official rules and regulations. The commissioner should ensure that there are sufficient staff to administer the inspection program in a timely manner. The commissioner should also consider administering the program electronically with software similar to that used by other state licensing entities.

### **Management's Comment**

We concur. The problem regarding timeliness of inspections of handgun safety schools has been corrected since October 2006. While it may have existed prior to that time due to

limited staffing ability, adequate staff is now devoted to this effort. Since October 2006, all schools are inspected within the time frame required by policy, every 12 months and prior to certification/renewal of a school. All certifications are now uniform for a one-year period.

Since October 2006, all certifications issued to a new school reflect an inspection prior to issuance of the certificate. Once issued, the certification is for a one-year period.

If the school chooses to renew its certification, then it is renewed for a one-year period after the school is inspected.

If the school allows its certification to expire, the school is not allowed to hold classes or issue any completion certificates. Once the required recertification information is received and after the school is inspected, the renewal certification is issued for a one-year period.

New policy, procedures and inspection instructions were developed, staff trained and put into operation. Six retired highway troopers with many years of experience were hired to conduct these inspections. This is adequate staff to perform these inspections.

Handgun safety schools are another program that will be added to a new DL system.

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**8. The backlog of crash reports waiting to be posted into various databases has grown since the 1990 and 2004 performance audits to over 400,000 as of July 2007, creating significant limits and delays regarding the departments of Safety and Transportation's accessibility to statistical data needed to effectively manage public safety and highway planning efforts**

**Finding**

According to the Crash Analysis Reporting Unit (CARU), as of July 2007, there was a backlog of 412,350 crash reports not yet keyed into the various databases. This is an increase from the backlog reported in prior performance audits—150,000 in 2003; 144,000 in 1989. The current backlog reaches back to fiscal year 2004 and consists of injury and property damage crashes. Higher priority crashes, such as those involving fatalities or commercial vehicles, are reportedly up-to-date. According to the unit manager, report keying priorities are as follows, although there is no official policy or directive stating such an order: fatality accidents, commercial vehicle accidents, school bus/zone accidents, THP accidents, injury accidents, and accidents with property damage over \$400.

The backlog appears to have accumulated over time due to limited personnel and inadequate technology. According to the unit manager, the process for collecting crash data has been primarily a manual bubble-sheet system that requires keying and editing. There are three different databases for crash data. Each of these databases is independent and not linked to a common data source that would allow for the data to be keyed only once rather than multiple times. These databases are the Fatality Accident Reporting System (FARS), the Commercial

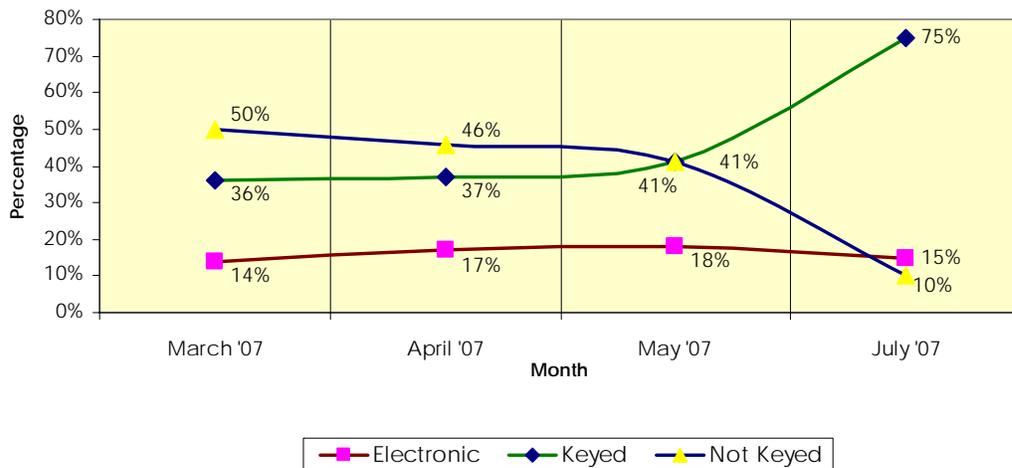
Vehicle Accident Reporting System (CVARS), and the Tennessee Crash Analysis Reporting System (TENNCARS).

A federal grant once funded temporary personnel to help key crash reports. However, when the federal grant ended, the department did not acquire additional state monies to fund those positions. While only having six total keying staff—three keying fatality reports, two keying commercial vehicle reports, and one keying regular crash reports, the Crash Analysis Reporting Unit is expected to handle the estimated 3,000 crash reports it receives each week.

To address the backlog, the Department of Safety has a contract with the Tennessee Rehabilitative Initiative in Correction (TRICOR) to provide up to 30 inmates for data keying. The goal, with the help of TRICOR, is to eliminate the backlog by January 2008. Another strategy being pursued is the development and implementation of new technology that will help processing efficiency. The Traffic and Criminal Software (TRACS) system, implemented between August 2006 and May 2007, is a newly developed tool that takes advantage of networked databases and advanced data collection capabilities. Using TRACS, troopers and other law enforcement personnel can fill out crash forms electronically, after which the information can be sent directly into the databases, thereby removing some of the manual keying that was previously necessary.

The IT director, in office since July 2006, has been producing a monthly monitoring report that shows the percent of crashes manually keyed, the percent of crashes not keyed, and the percent of crashes submitted electronically. As shown in the chart below, the percentage of received reports not keyed is decreasing while the percentage of keyed reports is increasing. Use of the electronic form should be increasing; however, the data do not suggest this as of July 2007. Perhaps it is too soon after TRACS implementation to see a dramatic improvement.

**Crash Analysis Unit Year-to-Date Performance Plot**



Note: According to the IT department, June's data were lost when transferring the database to a new location.

The backlog affects the department and others by limiting access to current, complete, and up-to-date statistical data such as locations and frequencies of crash types. The data are used in planning and history (i.e., driver) databases that have implications for public safety and highway planning efforts. The data are also used in policy setting, roadway planning, grants management, driver improvement intervention, media and legislative needs, and for determining the success of safety improvements implemented by state and local authorities. Specifically in the Department of Safety, complete, accurate, and current crash data help the department establish trooper allocations and determine highway areas/locations of emphasis for the THP by illustrating accident hotspots for particular types of accidents.

### **Recommendation**

Management of the department and the Crash Analysis Reporting Unit should continue with current strategies for dealing with the backlog such as the contract with TRICOR to provide data keying personnel and implementing technological advances in data capture by way of TRACS. The department should seek, and the General Assembly may wish to consider funding, more positions for data entry personnel. This would help to ensure that once the contract period with TRICOR ends, the Crash Analysis Reporting Unit can keep pace with the workload and avoid developing another backlog.

Unit management should also develop performance measures of processing time for total process flow and for various points of the keying process. Management should then determine baselines and monitor staff efficiency on a monthly or weekly basis in relation to the baselines. This would allow management to recognize processing deficiencies early and make necessary process adjustments. Furthermore, the unit could benefit by integrating a Records Management System to decrease the amount of rekeying required of the processing staff to enter information into multiple databases.

We also recommend that the IT Division continue to measure monthly progress on crash reporting processing. Eliminating the backlog should be a primary goal of the Crash Analysis Unit as other divisions and departments use this information for planning and public safety purposes.

### **Management's Comment**

We concur. The department will continue its current strategies of working off the current backlog of crash reports through our contract with TRICOR while at the same time working toward a permanent solution through our TITAN project. Following is a summary of the past actions we have taken and our current efforts with OIR on our TITAN project.

In February 2007, management began working on revising an existing contract between the Department of Safety and TRICOR for keying of crash reports. During March and April 2007, the IT staff provided TRICOR with software applications and licensing to acquire online

access to the TENNCARS database for data entry of crash reports. TRICOR invested in upgrading their computer hardware necessary to support the software applications. Training was also provided to TRICOR.

TRICOR began keying crash reports in May 2007. As of February 6, 2008, TRICOR has keyed 356,689 reports. Backlogged crash reports for 2004 and 2005 have been completed. TRICOR is currently keying December 2006 and January 2007 crash reports. The current backlog of 144,267 crash reports not keyed includes calendar year 2006 through 2008 injury and property damage crash reports. It is estimated that the crash report keying backlog will be completed by the end of June 2008.

An estimated 830 reports are scanned per day. The Crash Analysis Unit (CAU) is responsible for this scanning as well as keying and editing crash report information. There are nine employees assigned to the CAU. One supervisor monitors activity and completes supervisory functions. The other eight employees share the responsibilities of sorting crash report mail, preparing reports, scanning reports, correcting scanned reports, keying reports, editing finalized crash data, editing driver history data, and updating amended report changes. To maintain this normal workload, there is only one employee dedicated to full-time keying of crash reports each day. On average only 100 reports are keyed each day.

The backlog of reports not keyed accumulated due to insufficient manpower needed to maintain the normal workload—or at least key the number of reports scanned per week. TRICOR has been able to key approximately 3,000 reports a day. The crash report data entry backlog reduction cannot be maintained by the existing staff in the CAU.

The CAU currently utilizes several methods to monitor processing efficiency of the paper crash reports. These reports provide information such as agencies not submitting crash reports in a timely manner, an accountability report to ensure the reports are scanned, billing and monthly reconciliation reports and daily activity reports, and error rate reports. These reports are monitored daily. The IT Division will continue to measure monthly progress on crash report processing.

The number of reports submitted electronically continues to improve. The numbers by fiscal year are:

- FY 04-05 – 3,512
- FY 05-06 – 16,484
- FY 06-07 – 38,774
- FY 07-08 – 35,248 (July through December 2007)

Efforts to bring more agencies into the electronic submission process are ongoing. These efforts will continue to decrease the number of crash reports requiring manual data entry.

The department formulated a strategy to improve the crash system based on OIR's

recommendations. The solution is to replace the current crash system with a new system to be known as “TITAN” (Tennessee Integrated Traffic Analysis Network).

The TITAN Project began in June 2007. This system will provide features such as

- customized statewide mobile electronic collision software application that will be used to capture and submit collision report information,
- the baseline feature and functionality to support the centralized processing of paper submitted collision reports, and
- a customized statewide mobile electronic citation software application that will be used to create citations in the field and transmit the citation to the court system.

The integration of records between the crash database, the Commercial Vehicle Analysis Reporting System (CVARS) database, and the Fatality Analysis Reporting System (FARS) database will be explored. The CVARS and FARS databases are federally maintained databases that may have strict limitations on integration processes.

The first phase of the TITAN project is the implementation of a solution to receive and store electronic crash reports submitted by agencies throughout the state. The project team has completed the planning portion and is now working on the construction portion, which should be completed by the middle of April. A testing and implementation plan is being developed to guide system testing and implementation. A staged delivery method to incorporate all agencies throughout the state is scheduled to begin during the summer of 2008.

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**9. As found in the 1999 and 2004 performance audits, weigh stations continue to have substantial amounts of downtime that limit the effectiveness of commercial vehicle enforcement**

**Finding**

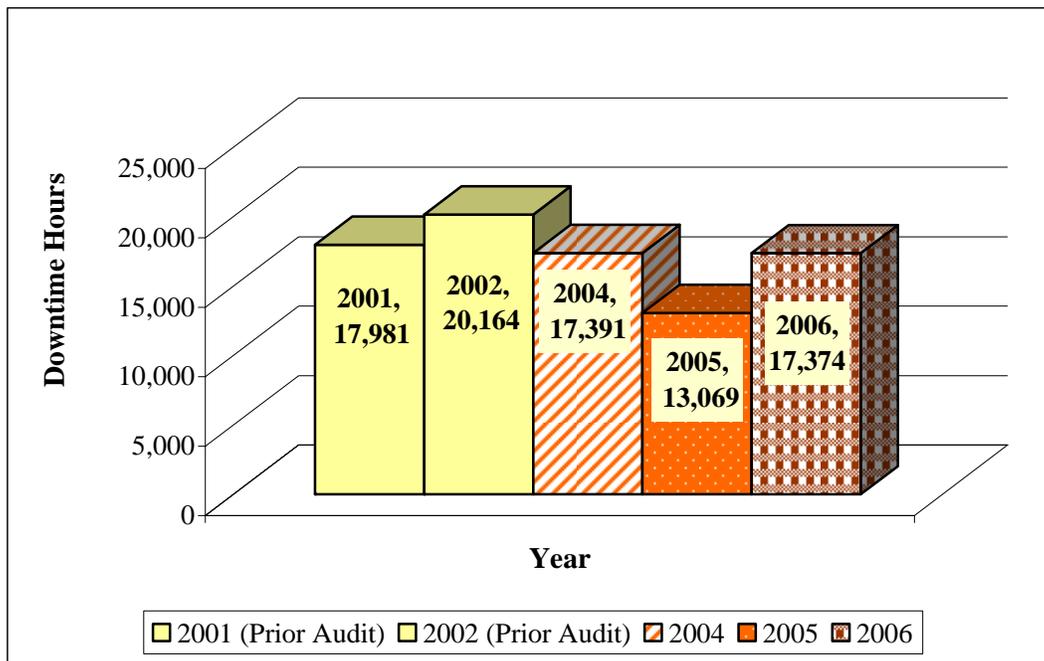
The April 2004 performance audit reported that issues related to the amount of downtime for calendar years 2001 and 2002 had not been resolved and that downtime had actually increased since the 1999 performance audit of the Commercial Vehicle Enforcement Division. The main contributing factors for the cause of downtime were manpower and scheduling. “Manpower” means that no officers were available to work the scales, while “scheduling” means that officers were scheduled for other work such as road patrol to check for commercial vehicle violations or to work on a special project. We recommended that the department review the major causes of downtime and determine solutions, such as redistribution of staff, repairing or replacing existing equipment, and installing weigh-in-motion sensors. The department concurred with the recommendation and stated that the scale facilities had been repaired and all inspection stations were open. The Commercial Vehicle Enforcement Division replaced the electronic load cells with hydraulic load cells less likely to fail at the southbound Robertson County station and westbound Haywood County station. The department also stated that it was exploring the

feasibility of installing “virtual weigh station” equipment at fixed sites to allow it to make improvements in both downtime and manpower allocation.

Downtime Has Not Improved

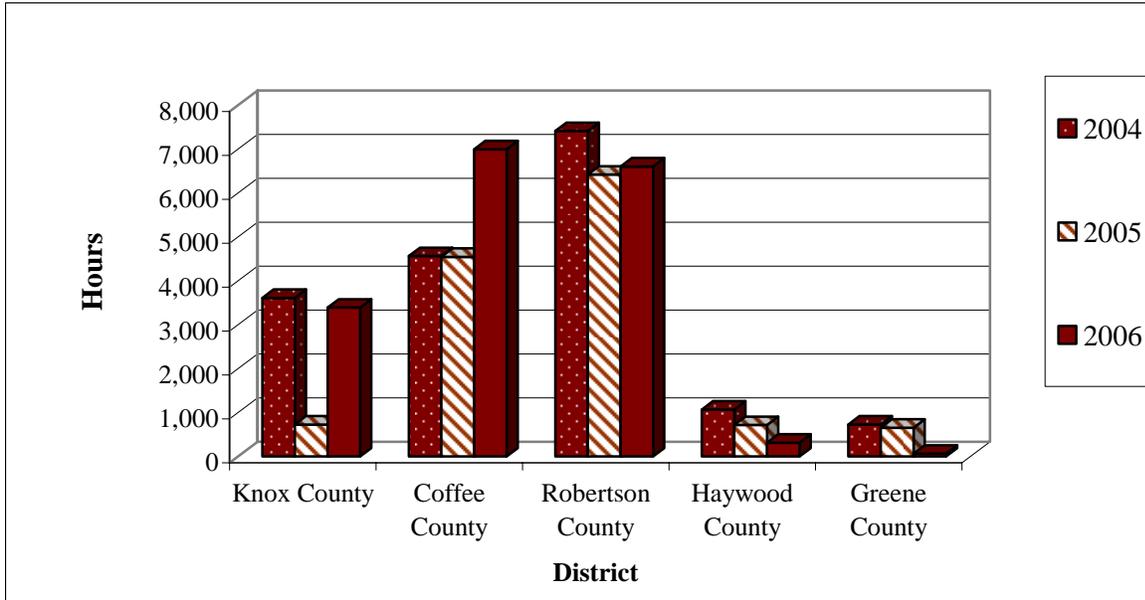
We reviewed the downtime data for calendar years 2004, 2005, and 2006, which revealed that downtime has not improved since the 2004 performance audit. The amount of downtime remained relatively the same in 2004 and 2006; the amount of downtime was slightly lower in 2005. (See Charts 1 and 2 on downtime hours.)

**Chart 1**  
**Weigh Station Downtime Hours by Year**



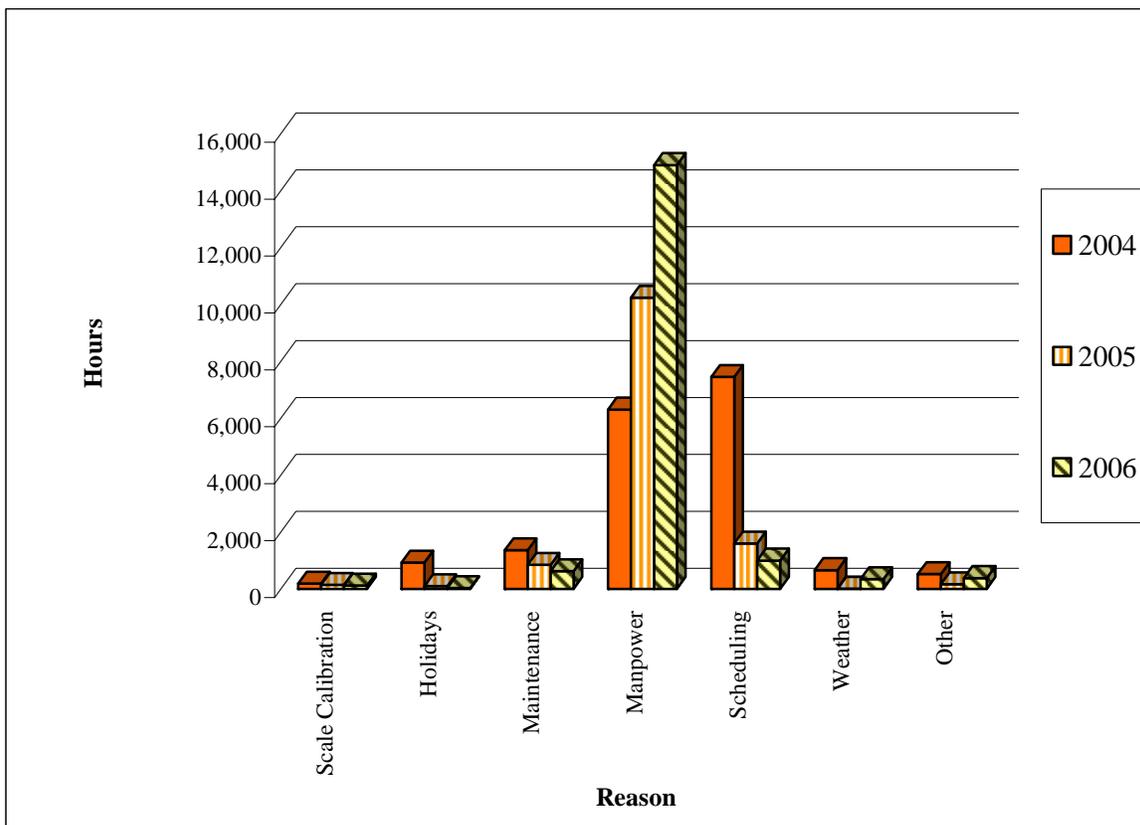
According to the 2004 performance audit, the Commercial Vehicle Enforcement Division had installed weigh-in-motion sensors at two of the five weigh stations—Greene County and Haywood County. Weigh-in-motion (WIM) devices are designed to capture and record truck axle weights and gross vehicle weights as vehicles drive over a sensor. WIM systems can weigh trucks without stopping them, which decreases vehicle accumulation at highway lanes leading to weigh stations and increases the number of counted vehicles in a short period of time compared to static weight scales. Since 2004, the amount of downtime at the Greene and Haywood County stations has been significantly lower than stations in the other three counties.

**Chart 2  
Weigh Station Downtime Hours by District**



The main reasons for downtime, according to management statements and available data, still appear to be manpower and scheduling. Other contributing factors for downtime reported by division staff include time for scale calibration, holidays, maintenance, weather, and other conditions (road construction, assisting disabled vehicles, etc.). Although the weigh stations have been open on holidays since July 2004, there may still be some downtime because of manpower shortages due to individual staff taking vacation time. Surrounding states report similar reasons for downtime.

**Chart 3  
Weigh Station Downtime Hours by Cause**



In regard to manpower, the division director states that, while the intention is to have weigh stations open 24 hours a day, 365 days a year, most of the stations are understaffed and are unable to operate at that level. When asked about the division’s staffing level, the division director stated that he did not maintain information on the number of staff at each weigh station and directed auditors to the department’s Human Resources Division. As of June 2007, there were a total of 39 weigh station employees and 6 vacancies—9 troopers in Knox County, 7 troopers in Coffee County, 5 troopers in Robertson County, 12 troopers in Haywood County, and 6 troopers in Greene County. This number is down from the 52 employees present in 2004. The division director stated that the ideal staffing level would be one lieutenant to oversee each weigh station; three sergeants to oversee each shift; three troopers per shift at each station (one trooper per side and one trooper for backup); and three troopers to cover the regular off days for a total of 50 employees. While the division director feels that having a total of 50 employees will help decrease the amount of downtime hours, the fact is that the amount of downtime in 2004 with 52 employees was still significant based on the review of the data provided.

## Lost Opportunities for Oversight

The amount of downtime also continues to impede the division's ability to enforce weight and size regulations and collect revenue through assessments (a tax paid to the state for vehicles with weights or lengths greater than the registered amount) that go into the state's general fund.

## Management Data and Its Usage Are Weak

While the division tracks certain information and receives reports from other entities (primarily to pass on to federal agencies), it does not appear the division is using the information available to manage the division and determine truck volume in the weigh station areas, manage weigh station staffing, reduce the amount of station downtime, or identify solutions for reducing downtime. The Commercial Vehicle Enforcement Division receives information from three primary sources—the PrePass system, individual weigh stations, and TDOT.

PrePass is a voluntary pre-screening system for trucking companies with above-average safety standards based on Federal Motor Carrier Safety Administration criteria. Companies enrolled with PrePass are not required to stop at weigh stations except on a random basis. The monthly PrePass reports show, for example, the percentage of time weigh stations are open and the number of trucks enrolled in the PrePass program that are required to pull into the weigh station or that may pass by. The division director stated that the division is using these reports to help identify when weigh stations are closed. These reports, however, do not state the reasons for downtime, which is why the division director states that they also rely on the manual scale downtime log submitted by each weigh station.

THP officers manning weigh stations maintain manual logs that record the date, time, and reasons for weigh station downtime. However, there are conflicts in the percentage of time open between PrePass reports and the THP's manual logs. The division director stated that the manual scale downtime log and the PrePass reports will not be exact all of the time due to human error by the officers at the weigh stations.

TDOT also tracks the volume of all vehicular traffic throughout the state for its own purposes. It then provides the division with monthly truck volume reports, which do not track when stations are closed, showing the total number of trucks passing through each weigh station during open hours (with the exception of the Greene County station) on a daily basis. However, these reports are incomplete—missing days and sometimes months of data. To supplement the incomplete data obtained from weigh station sites, the division could obtain available TDOT reports taken from nearby TDOT monitoring sites on truck volumes passing through the area. However, the division does not do this. The division director was unfamiliar with or uncertain regarding the source of some of the truck volume data his division receives. He was also uncertain exactly what information the reports were providing him, what exactly was being measured by the PrePass and TDOT reports, and where the information was coming from.

## **Recommendation**

The Commercial Vehicle Enforcement Division director should take steps to reduce downtime by using and more thoroughly analyzing the data that the division already receives from internal and external sources as well as additional data available from the Tennessee Department of Transportation. The division should manage weigh station resources in relation to truck volumes and redistribute staff accordingly to achieve the least possible amount of weigh station downtime.

If the division cannot meet its goal to keep all weigh stations open 24 hours a day, 7 days a week, it should develop more reasonable goals based on studied resources and commercial vehicle traffic volume data.

## **Management's Comment**

We concur. The weigh stations continue to have substantial amounts of downtime that limit the effectiveness of commercial vehicle enforcement. The major reasons for downtime are lack of resources, scheduling, and major maintenance problems.

The THP Research, Planning and Development Division determined in 2006 that it would take 41 additional positions throughout the state to man the scale complexes 24/7/365. Currently funding is not available to add positions. Therefore, we have implemented other measures such as closer supervision of our resources and grant overtime to keep the scales open for longer periods of time.

Currently there are 10 open positions at the scale facilities, but these should be filled after the August recruit class is complete, which will be around December 2008. With all positions filled, this should also help reduce the downtime.

The day to day scheduling in the scale complexes has been left to the district supervisors. This has changed and now the Majors and Lt. Colonels are looking into the day to day scheduling with the intent of improving the percentage of scale operation time. We also have a federal grant devoted specifically to paying troopers overtime to fill shifts keeping the scales open. That grant overtime began January 1<sup>st</sup> of 2008. The overtime along with the scheduling supervision by the Command Staff showed immediate improvement in reduction of downtime.

The average downtime for all scales in 2007 was 1,946 hours per month. The downtime for January 2008 was 1,627 hours. That represents a 16% improvement. This major improvement is due to better resource management, use of overtime, and reduction in downtime due to major maintenance problems compared to 2007.

Overtime money is not a permanent solution and may not be available in future years. Increased resources still continue to be a main focus.

The age of our complexes is a significant cause of downtime for the scales. The average age of the complexes is 28 years plus. The scale complexes are owned by the Department of Transportation. Although we have made improvements in scheduling and are attempting to secure more resources, keeping the scale complexes open will continue to be a challenge. At this time, there are a number of extensive repairs which are pending completion. Scales maintenance and repairs plus water and sewage problems in our buildings contributed to major downtimes in several complexes last year. We anticipate that the downtime due to major maintenance problems will be reduced in 2008. Management will review these issues with the Department of Transportation.

The THP is currently testing a “virtual” weigh station in Unicoi County. This station would allow troopers to monitor the weight readings from commercial motor vehicles from other locations in the county. At this time, we are experiencing some problems with the technology and transmission of readings and information significant distances in real time. We will continue to explore the viability of the “virtual” weigh station.

The Command Staff will analyze the current data to provide statistics on truck volume from the Department of Transportation and the “PrePass” data, which allows certain truck companies to bypass the scales because of their safety inspection history. A renewed emphasis will be placed on various reports and crash data to confirm and/or determine truck volumes. This information will be used to better determine the times we may close scales or reduce manpower allocation.

The Command Staff of the THP has the immediate goal of showing a significant improvement in the scale operation time to more closely monitor commercial vehicles. This will be achieved with more efficient scheduling and assigning overtime to open shifts as long as the grant money is available.

Maintaining a 24/7/365 operation at the scale complexes would help the department achieve its performance based budgeting goal of reducing fatalities on the highway involving commercial vehicles. However, this will require additional resources which, at this time, are not available. Until more resources become available to maintain a 24/7/365 operation, we will reevaluate our goals based on available resources and commercial vehicle traffic patterns.

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**10. Access security to the State Capitol, War Memorial Building, Legislative Plaza, and its attached garage needs improving to prevent potentially harmful unauthorized access to these structures and the people working in them**

**Finding**

Among other things, Capitol Security is responsible for the external and internal security of the State Capitol, Legislative Plaza, the War Memorial Building, the Supreme Court Building, and the John Sevier Building, all located in Nashville. Standard operating procedures require the following:

1<sup>st</sup> floor Capitol entrance — Proper photo identification is required prior to entry at this post as well as all posts that enter the State Capitol. . . . Troopers at this post will visibly observe each individual that enters through the post and check packages including purses for potential weapons or destructive objects that may cause a threat to the safety of people in the building. Each visitor that enters through this post will be scanned through the magnetometer and, in the event an alarm is triggered, the visitor will be scanned with a handheld device to pinpoint potential weapons.

Ground floor Capitol entrance — Anyone entering this post is required to present photo identification. A handheld scanner is used at this post to identify any potential weapon that may be concealed at this point. . . . Troopers assigned to this post must be able to identify all members of the General Assembly, Constitutional Officers and their staff, as well as Commissioners and Assistant Commissioners that may arrive during the shift. Troopers at this post and all posts must attempt to determine if any person requesting entry could be a possible threat to the Governor or anyone else in the complex. If an individual is identified as a possible threat, entry will not be permitted and a supervisor will be called. . . . Troopers at this post will confirm appointments and provide the necessary paperwork to individuals who wish to see the Governor and have not made an appointment with the scheduling office.

Motlow Tunnel — All visitors that enter the State Capitol are required to show photo identification. . . . Troopers at this post will observe every visitor that utilizes their point of entry and, upon proof of identification and scanning by the magnetometer, will allow all visitors entry with the exception of any visitor that is of a suspicious nature or a visitor that might possibly be perceived as a threat to the Governor or any other occupant of the buildings. In the event the magnetometer is alerted, the Troopers at this post will utilize a handheld scanner to identify and pinpoint any possible weapon. Once visitors are identified, a numbered pass will be issued and, upon their departure, the pass will be recovered. . . . All tourists are directed to the floors that have civilian access, and group tours scheduled by the museum are confirmed and relayed to museum guides. Appointments are confirmed prior to allowing entry, and visitors desiring to see the Governor without an appointment are provided with the necessary paperwork and referred to the Governor's scheduling office.

Legislative Plaza — Troopers assigned to this post will arrive early and activate the magnetometer and be prepared to scan every visitor and, in the event of the magnetometer alerting, Troopers will utilize a handheld scanner to pinpoint any possible threat or weapon. No passes will be issued from this post as there are at times groups of several hundred that arrive at the same time and it would be impossible to maintain enough passes for everyone that enters this post.

Legislative Plaza Garage — Troopers and Capitol Police Officers assigned to this post closely monitor all vehicles and equipment that enters through the garage including members of the General Assembly, their families, staff and visitors that have arranged through the office of the Speaker of the House to have a special parking permit. Vehicles in violation are towed by Troopers assigned to this post. Parking in the Legislative Garage is very restricted and controlled by Troopers and Officers with special permits issued by the Speaker of the House of Representatives Office.

In addition, an informal arrangement exists between Capitol Security and the Legislative Administration director's office that allows state and legislative employees and lobbyists displaying the appropriate identification badge and assembly members wearing the appropriate lapel pin to pass through security without challenge when the magnetometers alarm.

Between April and September 2007, auditors conducted tests and observations of security control of persons entering the State Capitol, Legislative Plaza, and its attached garage. For testing purposes, auditors used multiple fake identification badges (some using correct photos and/or information, others with photos of other persons/animals and obviously false information). Eight times, the auditor attempted to gain entrance without an identification badge visible. Only three times did a THP trooper request to see the auditor's identification badge when it was not visible. Even then, the trooper did not closely inspect the identification badge to check for authenticity. In all other instances (10 additional entrances for the auditor and 39 entrances by other persons), troopers allowed unchallenged access to the Capitol and Legislative Plaza either to persons not displaying any appropriate identification badges or lapel pins or to anyone they noticed having something blue hanging from a lanyard around their neck or clipped to their belt, whether the badge was facing information/picture out or the blank backside was showing. At most, it was observed, the troopers only glanced at the people who were passing three to five feet away from them. Sometimes, the trooper never looked at all. No attempts were made to view identification badges closely enough to verify ownership and legitimacy.

The safety of state employees and state assets is a necessary requirement for the state to have the capacity to serve its citizens. While the areas mentioned above are public areas (with the exception of Legislative Plaza's garage), security concerns require that access be monitored and controlled to the extent that no person can enter with certain dangerous objects or weapons.

### **Recommendation**

The department should ensure that Capitol Security troopers monitor state employees, lobbyists, and visitors for property prohibited from state facilities and for appropriate identification in the case of state and legislative employees and lobbyists. If the legislature wishes to extend professional courtesy regarding bag checks on state and legislative employees and lobbyists, this arrangement should be in writing, and the troopers manning stations in the Capitol and Legislative Plaza should examine IDs closely enough to determine their validity.

The department should also address pedestrian traffic in its standard operating procedures concerning access to Legislative Plaza's garage.

### **Management's Comment**

We concur. Troopers will be more vigilant in the observance of everyone that enters the Legislative Plaza and Capitol complex. Our primary objective is the overall welfare and safety of all citizens, employees, and legislators while on state property. Management has met with all the Troopers assigned to this detail and emphasized to them the importance of thorough security at these posts.

Professional courtesy is extended to legislators, legislative employees, and other previously credentialed personnel that are recognized by the Troopers. Troopers have been advised to closely observe individuals who enter these complexes and have been cautioned to examine IDs closely enough to determine their validity.

The department is working with Chiefs of Staff for the House and Senate to enhance security at the Legislative Plaza and Capitol complexes. We are also working the Director of Legislative Administration in an ongoing effort to secure enhanced security technology, as well as documented security policies. The Department of General Services has been requested by the Chiefs of Staff and the Director of Legislative Administration to review the placement of a Lobby Guard System in the Motlow Tunnel.

State employees who are in possession of their ID badges are allowed to enter the Plaza garage to retrieve their vehicles or enter the building through the garage. Some of these employees work in other state buildings, but are assigned parking spaces in the Plaza garage.

The standard operating procedures for the Legislative Plaza area are being revised to address these issues.

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### **11. The department is not monitoring its contractors and grantees for Title VI compliance or providing specific Title VI training and guidance to the Highway Patrol**

#### **Finding**

In fiscal years 2006 and 2007, the department received approximately \$4.8 and \$7.7 million in federal funds, respectively. All programs or activities receiving federal financial assistance are prohibited by Title VI of the Civil Rights Act of 1964 from discriminating against participants or clients on the basis of race, color, or national origin. However, the department does not monitor its contractors or grantees that provide services to the public for Title VI compliance; nor does it require them to report on such compliance. In fiscal year 2007, in addition to contracts with 36 county clerks' offices for issuance of driver licenses, the department had 11 personal services contracts with public and private agencies/vendors (6 single source, 3

by Requests for Proposal, and 2 by delegated purchasing authority) and 47 agency contracts with private vendors (8 single source and 39 by Invitation to Bid). Outside of the county clerks, most of the contractors are not obviously offering services directly to the public but are providing the department with commodities, cleaning services, data entry personnel, etc. (See the appendix for additional information on Title VI.)

In addition, the department lacks specific Title VI training for the Highway Patrol (THP). The Driver License Issuance Division provides training to its examiners about the department's commitment to the goals and objectives of Title VI, their responsibilities under Title VI, as well as customer service techniques for processing applicants with limited English proficiency. This division has also continued efforts to make documents more accessible and easy to read by translating manuals, tests, and forms into languages other than English. However, while the THP provides training on working with diverse populations as part of cadet and annual training, it does not specifically address Title VI.

### **Recommendation**

The department should develop policies and procedures for monitoring its contractors and grantees that may provide services to the public on behalf of the department for Title VI compliance on an annual basis. Those policies and procedures should include annual self-surveys as well as random on-site audits for Title VI compliance. The department should also initiate formal and specific Title VI training for all employees.

### **Management's Comment**

We concur. The department has not properly monitored contractors and grantees for Title VI compliance. The department will draft procedures requiring its contractors and grantees to submit Title VI compliance documentation to the department on an annual basis. The new reporting procedures will be developed and implemented immediately by the department's Title VI coordinator and distributed to any program that participates in the contract and grants process.

For those programs that utilize contractors or agents that act on behalf of the department (county clerks), they will receive random visits from a representative of the department to ensure the facility serving the public is in compliance with Title VI guidelines. These entities will also be asked to complete a Title VI self-survey and return it to the department on an annual basis.

Any Title VI compliance forms received from the contractors and grantees will be filed with the agency's administrator responsible for administering the department's contracts and grants. A final compliance report will be included in the annual plan that will be submitted to the Comptroller's office.

There are portions of Title VI covered in various THP courses; however, the course curriculum does not specifically state it is Title VI training. Effective immediately, THP training

staff will incorporate a Title VI course in the annual in-service training for the commissioned personnel.

Additionally, the Department of Safety provides training on Cultural Diversity, Police Ethics and Legal Issues, and Safe and Legal Traffic Stops (SALTS) to all recruits during initial training and to current Troopers during in-service training on an annual basis. This training is certified by Peace Officer Standards Training (POST) and the curriculum is designed to address ethical core values, legal issues that law enforcement officers may encounter during routine traffic stops and the contents of the Civil Rights Act of 1964 Title VI bill.

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## **12. General Orders need to be revised to reflect current organizational structures and practices**

### **Finding**

Many General Orders under which the Department of Safety and specifically the Tennessee Highway Patrol operate have not been updated, some for many years, to reflect current organizational structure and practices or do not address needed issues or follow current best practices. The following orders may need revising:

- General Orders 101 Organization and Administration (1999); 150 Commissioned Member Training (2000); 710 Firearms, Ammunition, and Weapons Issuance, Usage, and Care (2004); 1200 Criminal Investigations Division (1999); and 1201 Criminal Investigations Division Special Agent (1999) do not reflect the July 1, 2006, transfer of the Tennessee Law Enforcement Training Academy (TLETA) and Peace Officer Standards and Training (POST) Commission to the Department of Commerce and Insurance and the Division of Title and Registration to the Department of Revenue.
- General Order 157 DARE Officers (2003) does not correctly reflect the current chain of command for the Safety Education Training Division supervisor as shown in the most recent organizational chart.
- General Order 270 Foreign Diplomatic and Consular Personnel (1993) regarding foreign diplomatic identification may need revisions as many identification requirements nationwide have been and/or are being changed.
- General Orders 465 Wrecker Service (1995); 467 Towing Procedures (2000); 515 Vehicle Procedures Relative to DUI and Revoked Driver License Offenses (2000); and 515-1 Vehicle Procedures Relative to Narcotics and Drugs, Alteration of Vehicle Identification Numbers and Open Title Law (2001) may need revision in light of the early 2006 transfer of the DUI Seizures Program from the Department of General Services to the Department of Safety.
- General Orders 547 Audio/Video Recording Equipment (1999) and 712-1 Cameras In-Car (2004) deal with the same issue, are contradictory, and should be consolidated.

- General Order 1002 Parking in Legislative Garage (1995) states that TPAC patrons are allowed to park in Legislative Plaza's garage, but that practice has not been allowed since September 2001.

### **Recommendation**

The commissioner should ensure that all General Orders applying specifically to the THP and more generally to the entire department are regularly reviewed, updated, and available for reference on the department's intranet.

### **Management's Comment**

We concur. General Orders should be reviewed and updated. General Orders are reviewed for revisions and updated every fifth year of their existence, provided however; each General Order remains in effect until revised or revoked pursuant to General Order 100. Currently, the Department of Safety has 240 General Orders in effect. The General Orders are interrelated to the extent that revising one may necessitate revising numerous others. Therefore, a target date of August 1, 2008, has been set to revise the General Orders.

For the past three years all General Orders have been posted on the department's intranet for ready reference. All General Orders on the intranet will be reviewed by August 1, 2008, to ensure that the most current version is posted.

The General Orders listed in the audit report, along with others, will be revised and updated by August 1, 2008, except for:

- General Order 710, Firearms, Ammunition, and Weapons Issuance, Usage, and Care was revised September 15, 2006. The 2004 version was no longer in effect as stated in the finding. Therefore, no changes are required. However, the latest version of this General Order was not on the department's intranet; this has been remedied.
- General Order 1200, Criminal Investigations Division describes the functions of the Criminal Investigations Division. The status of this General Order was not affected by the transfer of the Tennessee Law Enforcement Training Academy (TLETA) and the Peace Office Standards and Training (POST) Commission to the Department of Commerce and Insurance and the Division of Title and Registration to the Department of Revenue. Therefore, no changes are required.
- General Order 465, Wrecker Service - The transfer of the DUI seizures program from the Department of General Services to the Department of Safety did not necessitate changes to this General Order. However, the General Order has been revised to include other procedural changes. A detailed procedures manual was developed and

implemented on July 1, 2007, to supplement the General Order. Therefore, no further changes are required.

- General Order 547, Audio/Video Recording Equipment was superseded by General Order 712-1, Cameras In-Car. - This is stated in the footnote on the bottom of first page of General Order 712-1, Cameras In-Car. Therefore, no further changes are required. However, the old general order was still listed on the department's intranet; it has now been removed.

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## RECOMMENDATIONS

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### LEGISLATIVE

This performance audit identified the following areas in which the General Assembly may wish to consider statutory changes to improve the efficiency and effectiveness of the Department of Safety's operations.

1. The General Assembly may wish to consider funding more positions for data entry personnel to ensure that the Crash Analysis Reporting Unit can keep pace with the workload and avoid developing a backlog.
2. The General Assembly may wish to consider revising statutes to reflect the transfer of duties established in Executive Order 45 (1983) that transferred authority and responsibility for certification of school bus drivers and school bus equipment from the Department of Education to the Department of Safety. The General Assembly may also wish to specifically address the lack of coordinated oversight of school bus and child care vehicle inspections by the Department of Safety, the Department of Human Services, and the Department of Education.

### ADMINISTRATIVE

The Department of Safety should address the following areas to improve the efficiency and effectiveness of its operations.

1. While the division anticipates replacing the Driver License System in the near future with a system capable of achieving compliance with the federal REAL ID Act (discussed on page 8), the current 30-year-old system lacks the ability to properly collect, track, and manage data necessary for efficient and effective operations. The future system should include the ability to track all necessary information in unique fields; it should seamlessly interface with a testing system to track scores and test dates; and the reporting component should allow for real-time reports and a user-friendly report-writing tool.

Ideally, customers will be tracked from the time they enter a driver license station until they fully complete their transaction. Until the Driver License System is replaced, the department should consider designing a database or databases to capture and track information. Management should also consider developing reports where such information is already available to summarize information for inclusion in manually prepared external reports or write a program that automatically feeds already available information directly into an external Excel report. Management

should make efforts to ensure that Q-Matic tickets are issued as soon after the customer enters the facility as possible. Additional measures should be developed to capture information on wait times that develop for customers when there is a line to get a Q-Matic ticket. By capturing complete wait times and tying this information to specific transaction information, the department will have more accurate and complete information from which to make key management decisions.

2. The CAD (Computer Aided Dispatch) system has a significant potential to help Tennessee Highway Patrol management oversee and manage trooper activities by way of creating an almost real-time play-by-play of traffic stops, mapping trooper locations, recording data collected by troopers as they work through their incidents, decreasing response times, dispatching more efficiently, and generating a multitude of visual aides to describe the data such as geographic relationships. The sub-application iMARS is capable of generating charts, graphs, and reports that can be used when determining trooper allocations, incident trends, histories, and summaries. These tools, however, are meaningless if the data captured and presented are incomplete. Every day that department management fails to take all steps necessary to regain the confidence of all staff in the usefulness, completeness, and accuracy of the system represents more wasted resources. Management must quickly find a way to make necessary upgrades to the system in order to increase its usefulness and accuracy and gain employee trust. Regardless of the upgrades made, management must ensure that all necessary information is consistently and accurately entered by staff. Because the CAD Administrator is constantly managing and addressing network and Help Desk problems, the administrator cannot make necessary system improvements in a timely manner. Top management should ensure that the CAD Administrator is focused on the continued development and operational improvement of the system. Without these changes and proper support, the system will never reach its desired potential or level of use and will not be able to gain the credibility it needs for management to feel confident in its use. In addition, management should begin to generate reports from the database, either by obtaining more access to the iMars module or by other in-house-developed programs compatible with CAD, to replace duplicative, manually generated reports.

The commissioner should ensure that a coordinated, formal plan is developed to achieve these recommendations as soon as practically possible. Specific individuals should be given clear authority and responsibility to effect the necessary changes. They should be held accountable, with specific dates for achieving their respective goals. All staff need to see that there is a firm commitment from the very top of the department that the system is to be fully operational and truly useful to all personnel, as soon as possible. There should be a formal process for feedback from all staff about any problems they are having with the system. The commissioner should seek a formal report explaining why this system has failed to become the management tool it was supposed to be, so that future and collateral issues can be better addressed.

3. Until the Driver License System is replaced, the Driver License Issuance Division should make efforts to ensure that Q-Matic tickets are issued as soon after the customer enters the facility as possible. Additional measures should be developed to capture information on wait times that develop for customers when there is a line to get a Q-Matic ticket. This will allow the division to have more complete information from which to manage customer service. Furthermore, a system edit should be developed to require the entry of the Q-Matic number or time in the Driver License System prior to the processing of a transaction; this would allow more accurate and detailed analyses of wait times that include those for specific services.

The division should capture information needed and perform a formal analysis of staffing needs and patterns at each driver license station and across the state and redistribute or increase staff accordingly. Irrespective of formal data systems, management of all stations should immediately arrange staff work schedules to maximize the number of service windows available to customers.

The division should establish sign standards and guidelines to ensure that signs are accurate, concise, and effective. In developing such guidance, personnel should consider the use of color, font, and font size, as well as sign placement, to ensure that customers' need for information is satisfied. Notwithstanding the issuance of formal guidance, station management should survey their stations to ensure signage is complete, accurate, and displayed in the most effective manner. Effective signage will help guide customers through the driver license stations and more efficiently utilize all the resources, whether it be interaction with personnel or a self-serve kiosk at their disposal.

4. Because of the high driver license exam failure rate, the Driver License Issuance Division should increase its efforts to ensure that the written exam is fair and reliable and that failure rates are not due to problems with the test as opposed to the knowledge of the test takers. Furthermore, a fair and reliable exam would provide a level of confidence that applicants who fail do not have the requisite knowledge to be safe drivers; applicants who have properly prepared will be more likely to pass the test, thus serving to reduce the number of applicants who need to take the exam multiple times.

To make improvements to the exam, the division should consult testing experts and implement a new testing system that incorporates the ability to store applicant responses in a database so that item analysis of each question can be performed. Testing experts have the necessary skills to assist the division in constructing and validating a proper test. Item analysis is a tool offered by many measurement services or software packages and is used for the improvement of multiple-choice tests. Item analysis includes a measure of overall test reliability and other measures that determine the extent to which items discriminate between the knowledgeable and the unknowledgeable. Item analysis should identify difficulty levels for each item and provide the ability to gauge the effectiveness of distractors (wrong options). It should

also correlate items with the total test score to show that the items are measuring the same thing.

5. Repeating the recommendation made in the 2004 performance audit regarding the Pupil Transportation inspection program and in light of data reliability problems discussed in the finding, the commissioner should carefully review this finding and determine why management failed to take a more proactive stance in meeting the department's obligations for pupil transportation safety as set out in state law and should ensure that the proper tone is set at the top of the department, including, but not limited to, assigning specific responsibilities to specific staff. As part of the process, staff should establish the means to formally assess the reasons for failing to meet statutory requirements and to design, implement, and monitor effective mitigating controls. These steps should include, but not be limited to, developing and implementing a computerized management information system that
  - interfaces easily with electronic inspection forms,
  - is available to inspectors in the field during inspections,
  - maintains a master vehicle list for use by inspectors every year during inspections that also records when a bus is retired,
  - tracks inspections of school buses and child care vehicles for timeliness,
  - captures data from inspections that are bus-specific and allows the main office and individual inspector to query past history looking for problem trends for an individual vehicle or a school district as a whole and flags entries that may indicate illegal acts (e.g., incorrect odometers from one year to the next),
  - contains appropriate controls and edits that prevent the entering of incorrect or invalid data for a vehicle in relation to that vehicle's inspection history,
  - captures the electronic signature of the school district and day care personnel to whom inspection results are reported, and
  - produces management reports.

Pupil Transportation management should routinely run management reports to determine if inspections are occurring within guidelines and if there are trends suggesting noncompliance and other problems developing with certain vehicles, vehicle owners, vehicle operators, school districts, child care providers, inspectors, etc. Program management should also develop and implement a formal vehicle inspection schedule for the inspectors that will ensure timely annual inspections. The director should take all necessary and available steps to ensure that all inspections are thorough and adequate, including but not limited to modifying the electronic inspection forms to remove the automatic default to "satisfactory" on all inspection items to reduce the chances that inspectors inadvertently miss checking items and other issue.

6. The commissioner should determine why the department has failed to implement the measures it stated in the last audit that it was already taking to address the issue of verification of handgun safety class completion. Irrespective of the development of an electronic database, the Handgun Permits Office should manually verify with approved handgun safety schools that each individual applying for a handgun carry permit has successfully completed a handgun safety course. The office should also verify that the certificate presented with the application for a handgun carry permit is a valid certificate from those assigned to an approved school or individual instructor.
7. The commissioner and oversight staff of the Handgun Permits Office should develop policies, procedures, and internal controls to ensure that inspections of handgun safety schools are conducted as part of the initial and renewal certification process, with inspections occurring between receipt of initial or renewal application for certification and the actual awarding of certification. They should also develop uniform certification periods (i.e., from day one of a month through the next full year), to ease administration of the program and avoid certifications resulting in dates that overlap or have gaps between them. These recommendations should be properly reflected in the department's official rules and regulations. The commissioner should ensure that there are sufficient staff to administer the inspection program in a timely manner. The commissioner should also consider administering the program electronically with software similar to that used by other state licensing entities.
8. Management of the department and the Crash Analysis Reporting Unit should continue with current strategies for dealing with the backlog such as the contract with the Tennessee Rehabilitative Initiative in Correction (TRICOR) to provide data keying personnel and implementing technological advances in data capture by way of the Traffic and Criminal Software system. The department should seek, and the General Assembly should fund, more positions for data entry personnel. This would help to ensure that once the contract period with TRICOR ends, the Crash Analysis Reporting Unit can keep pace with the workload and avoid developing another backlog.

Unit management should also develop performance measures of processing time for total process flow and for various points of the keying process. Management should then determine baselines and monitor staff efficiency on a monthly or weekly basis in relation to the baselines. This would allow management to recognize processing deficiencies early and make necessary process adjustments. Furthermore, the unit could benefit by integrating a Records Management System to decrease the amount of rekeying required of the processing staff to enter information into multiple databases.

We also recommend that the IT Division continue to measure monthly progress on crash reporting processing. Eliminating the backlog should be a primary goal of the Crash Analysis unit as other divisions and departments use this information for planning and public safety purposes.

9. The Commercial Vehicle Enforcement Division director should take steps to reduce downtime by using and more thoroughly analyzing the data that the division already receives from internal and external sources as well as additional data available from the Tennessee Department of Transportation. The division should manage weigh station resources in relation to truck volumes and redistribute staff accordingly to achieve the least possible amount of weigh station downtime.

If the division cannot meet its goal to keep all weigh stations open 24 hours a day, 7 days a week, it should develop more reasonable goals based on studied resources and commercial vehicle traffic volume data.

10. The department should ensure that Capitol Security troopers monitor state employees, lobbyists, and visitors for property prohibited from state facilities and for appropriate identification in the case of state and legislative employees and lobbyists. If the legislature wishes to extend professional courtesy regarding bag checks on state and legislative employees and lobbyists, this arrangement should be in writing, and the troopers manning stations in the Capitol and Legislative Plaza should examine IDs closely enough to determine their validity. The department should also address pedestrian traffic in its standard operating procedures concerning access to Legislative Plaza's garage.
11. The department should develop policies and procedures for monitoring its contractors and grantees that may provide services to the public on behalf of the department for Title VI compliance on an annual basis. Those policies and procedures should include annual self-surveys as well as random on-site audits for Title VI compliance. The department should also initiate formal and specific Title VI training for all employees.
12. The commissioner should ensure that all General Orders applying specifically to the THP and more generally to the entire department are regularly reviewed, updated, and available for reference on the department's intranet.

## **APPENDIX**

### **TITLE VI INFORMATION**

All programs or activities receiving federal financial assistance are prohibited by Title VI of the Civil Rights Act of 1964 from discriminating against participants or clients on the basis of race, color, or national origin. In response to a request from members of the Government Operations Committee, we compiled information concerning federal financial assistance received by the Department of Safety and the department's efforts to comply with Title VI requirements. The results of the information gathered are summarized below.

In fiscal years 2006 and 2007, the department received approximately \$4.8 and \$7.7 million in federal funds, respectively; approximately 4-5% of the department's total budget.

The Department of Safety's Title VI Coordinator is the Deputy Director of the Driver License Issuance Division. Administrative responsibilities are assigned to each program director of individual federal grants for the purpose of monitoring compliance. The Legal Division and Human Resources Division of the department serve as advisors to the Title VI Coordinator and project directors of programs that receive federal funds. The Title VI Coordinator compiles an annual compliance report that includes a summary of monitoring activities and complaint processing and a report of the department's findings and recommendations concerning compliance with Title VI.

While the Driver License Division provides specific Title VI training to its employees, the THP does not. See Finding 11 on page 52 for more on this. The department reports it did not receive any Title VI complaints in the last two years.

**Department of Safety  
Staff Ethnicity and Gender  
By Job Position  
August 2007**

<b>Title</b>	<b>Gender</b>		<b>Ethnicity</b>					
	<b>Male</b>	<b>Female</b>	<b>Asian</b>	<b>Black</b>	<b>Hispanic</b>	<b>Indian</b>	<b>White</b>	<b>Other</b>
Account Clerk	1	1	0	0	0	0	2	0
Accounting Technician 1	0	10	0	2	0	0	8	0
Accounting Technician 2	2	2	0	0	0	0	4	0
Accountant 3	2	4	0	2	0	0	3	1
Assistant Commissioner 2	1	0	0	0	0	0	1	0
Administrative Assistant 1	3	23	0	2	0	0	24	0
Administrative Assistant 2	0	3	0	0	0	0	2	1
Administrative Assistant 3	0	2	0	1	0	0	1	0
Administrative Services Assistant 2	3	36	0	4	0	0	34	1
Administrative Services Assistant 3	1	7	0	1	0	1	6	0
Administrative Services Assistant 4	3	5	0	1	0	0	7	0
Administrative Services Assistant 5	2	1	0	0	1	0	2	0
Administrative Services Manager	1	1	0	0	0	0	2	0
Administrative Secretary	7	57	0	11	0	1	52	0
Aircraft Mechanic 1	1	0	0	0	0	0	1	0
Assistant Special Agent in Charge-CID	4	0	0	0	0	0	4	0
Attorney 3	2	3	0	1	0	0	4	0
Attorney 4	2	0	0	0	0	0	2	0
Audit Director 1	0	1	0	0	0	0	1	0
Auditor 2	0	1	0	1	0	0	0	0
Auditor 3	1	0	0	0	0	0	1	0
Auditor 4	1	1	0	0	0	0	2	0
Budget Analyst Coordinator	0	2	0	0	0	0	2	0
Commercial Driver License Examiner	6	15	0	6	0	0	15	0
Clerk 2	6	20	0	7	0	0	19	0
Clerk 3	3	9	0	1	0	0	11	0
Commercial Driver License Manager	1	0	0	0	0	0	1	0
Commissioner 1	1	0	0	0	0	0	1	0
Communications Dispatcher 2	32	25	0	4	0	0	53	0
Communications Dispatcher Supervisor	3	5	0	0	0	0	8	0
Data Entry Operator	0	7	0	3	0	0	4	0
Data Entry Operations Supervisor 1	0	1	0	1	0	0	0	0
Data Entry Operations Supervisor 2	0	1	0	0	0	0	1	0
Deputy Commissioner 1	0	1	0	0	0	0	1	0
Driver License Branch Supervisor 1	3	39	0	6	1	0	35	0

Title	Gender		Ethnicity					
	Male	Female	Asian	Black	Hispanic	Indian	White	Other
Driver License Branch Supervisor 2	3	6	0	3	0	0	6	0
Driver License District Supervisor 1	1	3	0	1	0	0	3	0
Driver License District Supervisor 2	0	4	0	1	0	0	3	0
Driver License Issuance Assistant Director	0	3	0	0	0	0	3	0
Driver License Issuance Director	0	2	0	0	0	0	2	0
Data Processing Operator 1	1	5	0	2	0	0	4	0
Driver Control Manager 1	0	1	0	0	0	0	1	0
Driver Control Manager 2	0	1	0	0	0	0	1	0
Driver License Examiner	56	232	1	79	2	0	203	3
Driver License Manager 2	1	0	0	0	0	0	1	0
Equipment Service Worker	1	0	0	1	0	0	0	0
Executive Administrative Assistant 2	6	6	0	2	0	0	10	0
Executive Administrative Assistant 3	5	6	0	1	0	0	10	0
Executive Secretary 1	0	1	0	0	0	0	1	0
Facilities Manager 2	1	0	0	0	0	0	1	0
Fiscal Director 1	1	1	0	0	0	0	2	0
Fiscal Director 2	1	0	0	0	0	0	1	0
General Counsel 3	1	0	0	0	0	0	1	0
Human Resource Analyst 2	0	1	0	0	0	0	1	0
Human Resource Analyst 3	0	3	0	0	0	0	3	0
Human Resource Director 3	0	1	0	0	0	0	1	0
Human Resource Manager 1	0	1	0	0	0	0	1	0
Human Resource Technician 2	4	3	0	1	1	0	5	0
Human Resource Technician 3	0	4	0	0	1	0	3	0
Information Resource Support Specialist 2	2	1	1	0	0	0	2	0
Information Resource Support Specialist 3	4	0	0	1	0	0	3	0
Information Resource Support Specialist 4	6	1	0	0	0	0	7	0
Information Resource Support Specialist 5	0	1	0	0	0	0	1	0
Information Officer	0	1	0	0	0	0	1	0
Information Systems Analyst 3	2	0	0	1	1	0	0	0
Information Systems Analyst 4	1	1	0	0	0	0	2	0
Information Systems Analyst Supervisor	1	0	0	0	0	0	1	0
Information Systems Consultant	1	0	0	0	0	0	1	0
Information Systems Director 3	2	0	0	0	0	0	2	0
Information Systems Manager 2	3	0	0	0	0	0	3	0
Information Systems Manager 3	2	0	0	0	0	0	2	0
Intelligence Analyst	3	2	0	1	0	0	4	0
K-9 Drug Training Coordinator	1	0	0	0	0	0	1	0
Media Producer Director	1	0	0	0	0	0	1	0
Programmer/Analyst 2	1	0	0	0	0	0	1	0

Title	Gender		Ethnicity					
	Male	Female	Asian	Black	Hispanic	Indian	White	Other
Programmer/Analyst 3	1	0	0	0	0	0	1	0
Programmer/Analyst 4	2	2	0	1	0	0	3	0
Programmer/Analyst Supervisor	1	0	0	0	0	0	1	0
Procurement Officer 1	0	2	0	0	0	0	2	0
Procurement Officer 2	1	1	0	0	0	0	2	0
Property Officer 1	1	0	0	0	0	0	1	0
Property Officer 2	2	0	0	0	0	0	2	0
Radio Communication Technician 2	4	0	0	0	0	0	4	0
Radio Communication Technician 3	9	0	0	0	0	0	9	0
Radio Communication Technician Supervisor	1	0	0	0	0	0	1	0
Radio Systems Analyst	1	0	0	0	0	0	1	0
Safety Examiner 1	4	14	0	9	1	0	7	1
Safety Examiner 2	3	33	0	15	0	0	21	0
Safety Examiner Supervisor 1	2	13	0	5	0	0	10	0
Safety Examiner Supervisor 2	1	1	0	1	0	0	1	0
Safety Hearing Officer	3	9	0	4	0	0	8	0
Safety Hearing Officer Supervisor	1	1	0	1	0	0	1	0
Safety Technical Director	1	1	0	0	0	0	2	0
Secretary	0	6	0	0	0	0	6	0
Special Agent in Charge-CID	4	0	0	0	0	0	4	0
Special Agent-CID	11	2	0	1	0	0	12	0
Senior Intelligence Analyst	1	0	0	0	0	0	1	0
Statistical Analyst 3	1	0	0	1	0	0	0	0
Statistical Programmer Specialist 2	1	1	0	1	0	0	1	0
Statistical Research Specialist	1	0	0	0	0	0	1	0
Storekeeper 2	1	0	0	0	0	0	1	0
Stores Clerk	1	0	0	0	0	0	1	0
Stores Manager	1	0	0	0	0	0	1	0
THP Captain	20	1	0	3	0	0	18	0
THP Colonel	1	0	0	0	0	0	1	0
THP Lieutenant	74	7	0	8	0	0	73	0
THP Lieutenant Colonel	3	0	0	2	0	0	1	0
THP Major	4	0	0	0	0	0	4	0
THP Sergeant	147	8	0	13	1	0	141	0
Training Officer 2	0	1	0	0	0	0	1	0
Trooper	596	24	4	66	10	2	535	3
Vehicle Operator	1	0	0	0	0	0	1	0
<b>Totals</b>	<b>1,110</b>	<b>701</b>	<b>6</b>	<b>279</b>	<b>19</b>	<b>4</b>	<b>1,493</b>	<b>10</b>

**Contractor Ethnicity Totals  
As of March 2007**

<u>Contract Types</u>	<u>White</u>	<u>Black</u>	<u>Other</u>	<u>Unknown</u>	<u>NA</u>
Personal Services	0	0	0	6	42
Agency	25	4	1	17	0
<b>Total</b>	25	4	1	23	42