# Social Dynamics of Traffic-Related Pardons in Korea*

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## Abstract

In Korea, presidential pardons for traffic violations have been carried out almost every three years, starting from 1995. Whenever Presidents announced pardons for traffic violators, they repeatedly emphasized justifiable reasons that drivers under administrative ruling should be given another chance to make a living by driving. Nonetheless, whenever Presidents issued pardons towards violators of traffic offenses, they were not free from a series of criticism or blame. In fact, the pardons were controversial from the outset.
Findings from this research imply that the traffic-related pardons have led to unexpected results: notably, an increase in the number of traffic accidents between 6 and 18 months after the pardon, and raising the moral question of 'bad' drivers. In addition, the findings stress that President-initiated pardons acted as an essential factor in destructing the balancing mechanism, which would rather significantly contribute to minimizing traffic accidents per se. Even though Korean society as a whole has to endure additional social costs originating from the increase in traffic accidents, why have traffic-related pardons been consecutively adopted by Presidents? Simply speaking, political gains have been Presidents' primary concerns, even transferring socio-economic costs to ordinary citizens. Therefore, we propose a series of policy alternatives which would contribute in reorienting policy designs of traffic-related pardons in Korea.

## 1. Introduction

Korean President Young-Sam Kim authorized the first general pardon for traffic violators in December 1995, commemorating the Republic of Korea's 50th anniversary since Independence,[1] approving license restoration for about 1.53 million people and elimination

[1] *Independence Day*, Gwangbokjeol in Korean, literally "Restoration of Light Day," celebrated annually on August 15, is one of the Public Holidays in the Republic of Korea. It commemorates victory over Japan, which liberated Korea from Japanese rule. The Korean government was created three years later, on August 13, 1948, when Syngman Rhee was sworn in as the first President of South Korea and *Gwangbokjeol* was officially designated a public holiday on October 1, 1949.

of black marks for another 3.93 million people. Hereafter, Korean Presidents repeatedly pardoned violators of traffic offenses. Korea's current President, Myung-Bak Lee, has been no exception. He initiated two special pardons: one in June 2008 to celebrate the 100th day of his government and another one in August 2009 to commemorate the 64th anniversary since Independence.

Beneficiaries and contents of these pardons are classified into two types. The first focuses on pardons for people under heavy administrative disposition, typically license suspension or cancellation. A pardon allows drivers whose license was suspended to legally drive a vehicle immediately after their license is re-instated by a local police authority. Owing to pardons, people whose licenses were cancelled would be given the opportunity to take a driving test. However, if a driver's license is cancelled because of a DUI (Driving Under the Influence of alcohol or drugs), she/he is not eligible to take a driving test for up to five years. Therefore, pardons remove these control periods of license revocation. The second deals with pardons for people who have amounted 'black points' from violations of road traffic laws. These types of pardons would practically lower a risk of license suspension related with a demerit point system.

As shown in Table 1, there have been six examples where pardons were given. These have been offered to 24.43 million Koreans, eventually giving pardons to most traffic violators, even though the average number of traffic-pardoned people has been reduced over time. In sum, about 3.66 million people were granted immediate license restoration or another chance for obtaining a driving license. Also, a huge 19.77 million enjoys eliminations of black marks, lessening the risk of license suspension.

Table 1. Presidential Pardons for Traffic Violators in Korea

| President | Pardon Types | Date | Beneficiaries (1,000 People) | |
|---|---|---|---|---|
| | | | Number | Contents |
| Young –Sam Kim (1993.02 ~ 1998.02) | General Pardon, commemorating the 40th anniversary since South Korea's 'liberation' | December 1995 | 5,950 | License Recovery 1,530<br>Black Mark Deletion 3,930 |
| Dae-Jung Kim (1998.02 ~ 2003.02) | Special Pardon, commemorating inauguration of Dae-Jung Kim's Government | March 1998 | 5,320 | License Recovery 360<br>Black Mark Deletion 4,450 |
| Dae-Jung Kim (1998.02 ~ 2003.02) | Special Pardon, commemorating South Korea's final four placing at the Soccer World Cup | August 2002 | 4,810 | License Recovery 850<br>Black Mark Deletion 3,960 |
| Moo-Hyun Rho (2003.02 ~ 2008.02) | Special Pardon, commemorating the 50th anniversary since South Korea's 'liberation' | August 2005 | 4,210 | License Recovery 500<br>Black Mark Deletion 3,710 |
| Myung-Bak Lee (2008.02 ~ ) | Special Pardon, commemorating the 100th Day of Myung-Bak Lee's Government | June 2008 | 2,830 | License Recovery 350<br>Black Mark Deletion 2,480 |
| Myung-Bak Lee (2008.02 ~ ) | Special Pardon, commemorating the 64th anniversary since South Korea's 'liberation' | August 2009 | 1,300 | License Recovery 70<br>Black Mark Deletion 1,240 |
| Total | 6 pardons | - | 24,430 (Average 4,105) | License Recovery 3,660<br>Black Mark Deletion 19,770 |

## 2. Traffic Pardons and Traffic Accidents

Whenever Korean Presidents announced pardons for traffic violators, they repeatedly emphasized justifiable reasons that drivers under administrative ruling should be provided another chance to make a living by driving. Nonetheless, whenever Presidents issued pardons towards violators of traffic offenses, they were not free from a series of criticism or blames. In fact, the pardons were controversial from the outset (Choi 2009).

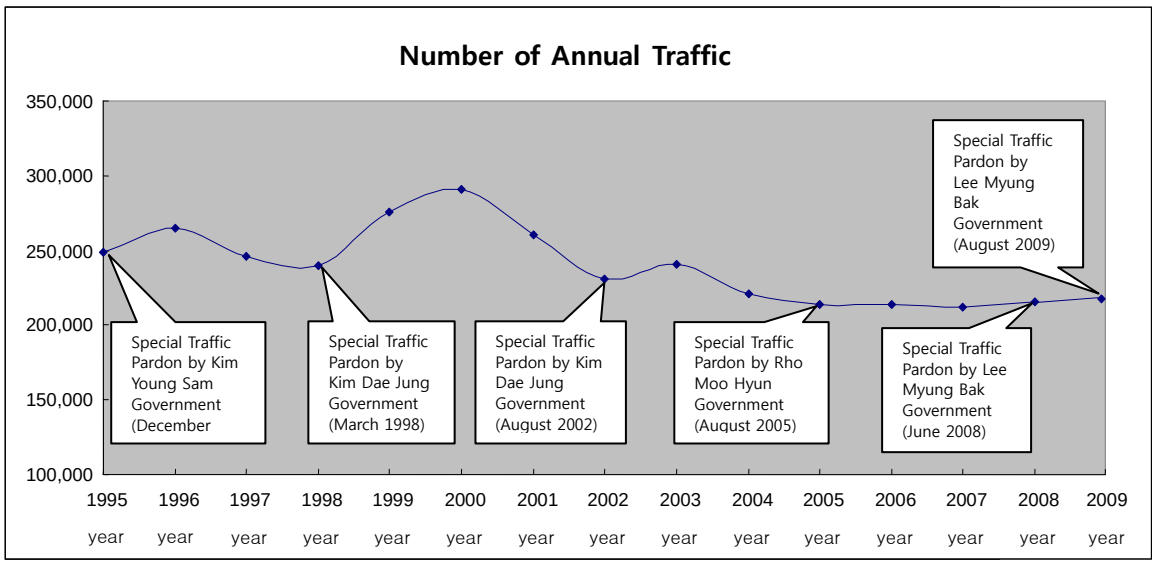
First of all, even though pardons primarily targeted people who suffer financially without driving, in reality, due attention was not given to the economic status of drivers. For the absolute majority of beneficiaries, driving a vehicle is not an essential means of living. Secondly, the recurrent presidential pardons were not free from public accusation. Such claims made suggested pardons were sold for political gains, incurring morally questionable decisions and an insensibility towards safe driving. Thirdly, critics also pointed out the fact that traffic accidents, or 'traffic collisions', had shown upward trends after orders on granting pardons to the traffic violators were issued. Lastly, owing to the increased traffic accidents, society experienced a sharp increase in the traffic-related socio-economic cost and ordinary people had to endure extra burdens or damages originated from the increased traffic accidents.

Among these complaints, a key issue given was whether Koreans may be confronted with sharp increases in the number of traffic accidents after pardons were granted. As shown in Figure 1, without exception, the traffic-related pardons were followed by sharp increases in the number of traffic accidents.[2] In the same vein, arguing that pardons were used mainly for the sake of political expediency, Kwon, et. al (2009) analyzed the effect of traffic pardons. According to Kwon, et. al, the first and second years after the pardon recorded 3% and 5% increases in traffic accidents, respectively. They estimated that the aggregated cost occurring from the pardon would range from 1,396.5 to 2,981.1 billion KW(Korean Won). Judging from data provided by the Korea Transport Institute, these figures were equivalent to 5.0% and 8.2%, respectively, of the annual total road traffic costs.

In 2008, Korea Transportation Civil Organization Solidarity, a non-government organization, issued a statement, criticizing that President Myung-Bak Lee should withdraw his promise geared towards further presidential pardons for traffic violators as traffic accidents had presented an increasing trend after previous pardons were granted. Korea Insurance Development Institute also published their traffic statistics, showing that the accident rate increased 7 to 10 percent after the pardons (see Table 2). In a similar context, the Korean vehicle insurance industry expected the pardons would result in an increase in insurance claims against traffic accidents for the first six to seven months after the pardon, and drivers who were granted a pardon would be more liable to be involved in one or more traffic accidents soon after the pardon. In addition, the industry regarded any presidential pardons for traffic offences as political rhetoric which provoked moral questions, and an insensibility towards safe driving, aggravating unwanted damage or economic burdens to ordinary citizens and society as a whole (quoted from Munwha Daily, November 6, 2009 and Chosun Daily, October 19, 2009).

[2] Trend in Figure 1 did not reveal the direct and indirect impact from the improvement of vehicle design and road conditions which would significantly contribute to lessening the risk of traffic accidents over time.

Figure 1. Measures of Special Pardons for Traffic Violators and Number of Annual Traffic Accidents




Source: Road Traffic Authority, 2009, Statistical Analysis of 2009 Traffic Accidents, various pages.

Table 2. Accident Trends of Traffic Violators before and after Special Pardons

| Date of Special Pardon | Number (1,000 People) | 1-Year Accident Rate before Special Pardon (A) | 1-Year Accident Rate after Special Pardon (B) | Accident Trends (C=B/A-1) |
|---|---|---|---|---|
| March 1998 | 5,320 | 3.11% | 3.44% | 10.6% |
| August 2002 | 4,810 | 4.66% | 5.11% | 9.7% |
| June 2008 | 2,830 | 5.33% | 5.71% | 7.1% |

Data: Korea Insurance Development Institute

## 3. Causal Loop Structure between Traffic-related Pardons and Traffic Accidents

A number of factors contribute to the risk of traffic accidents including vehicle design, speed of operation, road design, and driver impairment. Judging from previous studies and crash data in Korea, driver factors, solely or combined with other factors, occupied the absolute majority of traffic accidents. Figure 2 presents positive feedback as repeated traffic-related pardons would increase expectations from the drivers under administrative rulings and diminishing respect for traffic laws, both of which would bring about more frequent traffic accidents. As a result, in order to palate the demand from the huge number of accumulated traffic offenders, the traffic-related pardons were repeatedly adopted.

In contrast, Figure 3 shows the interrelationship between the traffic-related pardons and

traffic accidents. There exist at least 1 positive and 2 balancing loops. It also reveals the fact that the traffic-related pardons would accompany time lags as political raison d'etre was usually required for another round of traffic-related pardons.

Therefore, if more drivers violate traffic laws, it would yield more traffic accidents. In turn, more accidents would result in more drivers whose license have been repeatedly suspended or cancelled. It implies, *ceteris paribus*, that this cycle would reduce the number of 'bad' drivers who are more likely to invite additional traffic accidents on the road.

Figure 2. Deviation between Traffic Pardon and Traffic Violators

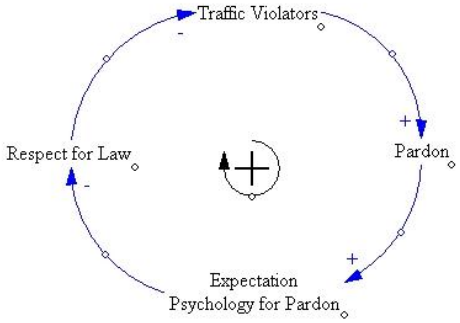
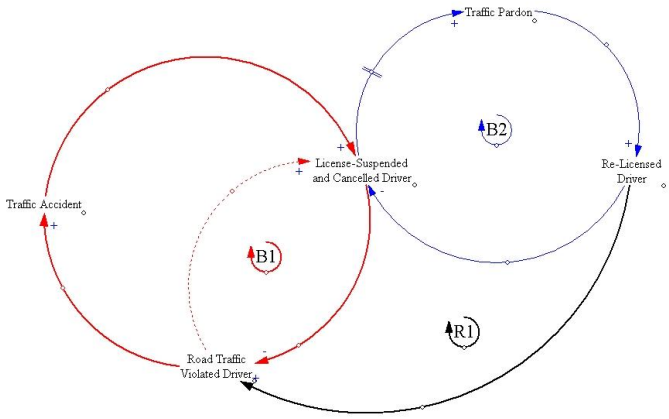



Figure 3. Traffic Pardon and Traffic Accidents

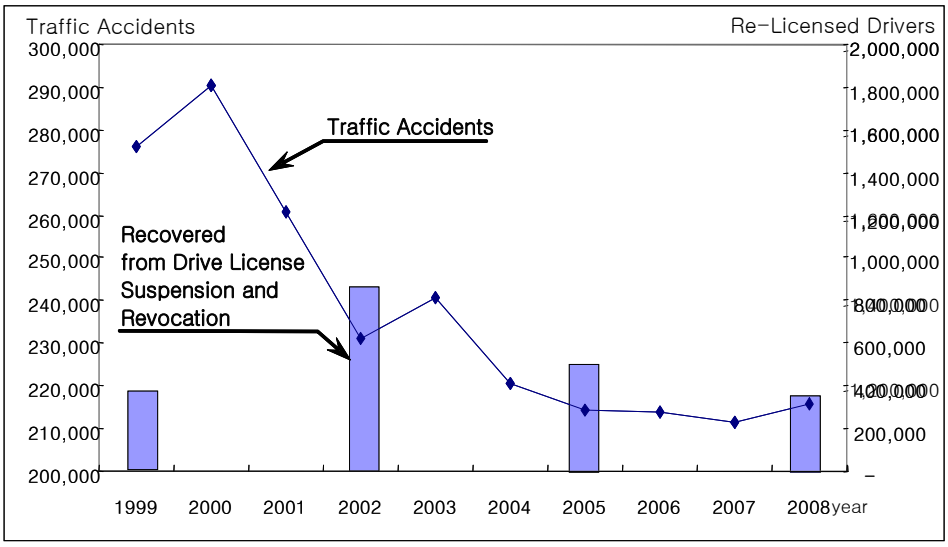



In the diagram, B1 presents the typical balancing mechanism, controlling both the total number of traffic accidents and the total number of drivers whose licenses are suspended or cancelled as they have violated road traffic regulations. If the traffic pardons are issued, however, the total number of suspended or cancelled drivers' licenses would remain or even decrease, as shown in the B2 loop. This implies that the traffic-related pardons would result in an unwanted balancing state, not restricting 'bad' drivers by rule. In contrast, R1 presents the deviated reinforcing relationship between the traffic-related pardons and traffic accidents.

That is, if the traffic-related pardons include 'bad' drivers whose licenses are repeatedly suspended or cancelled, it seems inevitable that these drivers would be more ubiquitous on the street, which might accelerate incidents of traffic accidents.

As shown in Figure 4 and 5, there exists a casual dynamic relationship between traffic-related pardons and traffic accidents. Figure 4 shows the cyclical patterns in which traffic-related pardons are immediately followed by an increasing trend in traffic accidents. In a similar context, Figure 5 presents the fact that traffic accidents would peak when the road is occupied with the highest number of pardoned drivers.

Figure 4. Trends in Re-Licensed Drivers and Traffic Accidents

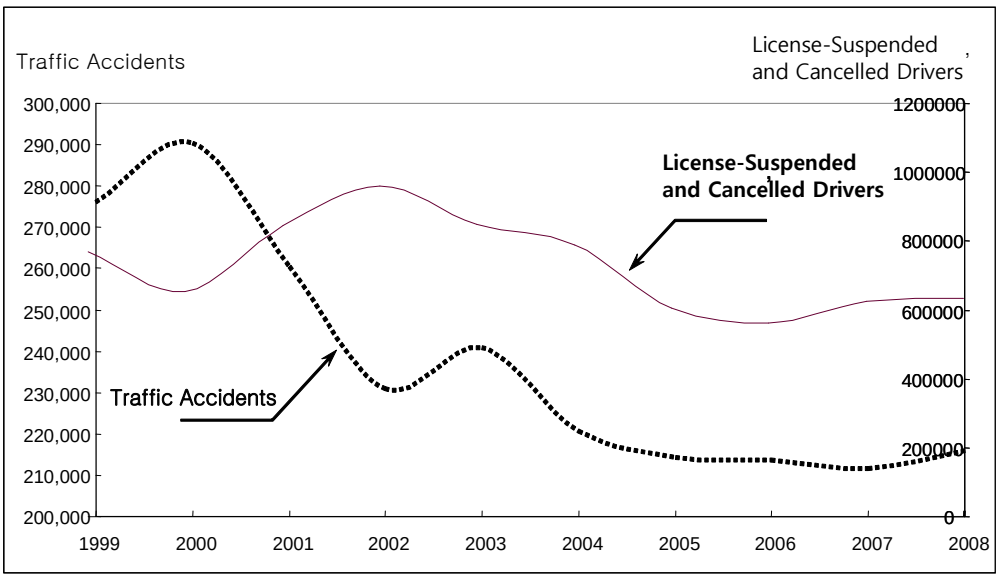



Source: Road Traffic Authority, 2009, Statistical Analysis of 2009 Traffic Accidents, various pages.

## 4. Simulation Analyses

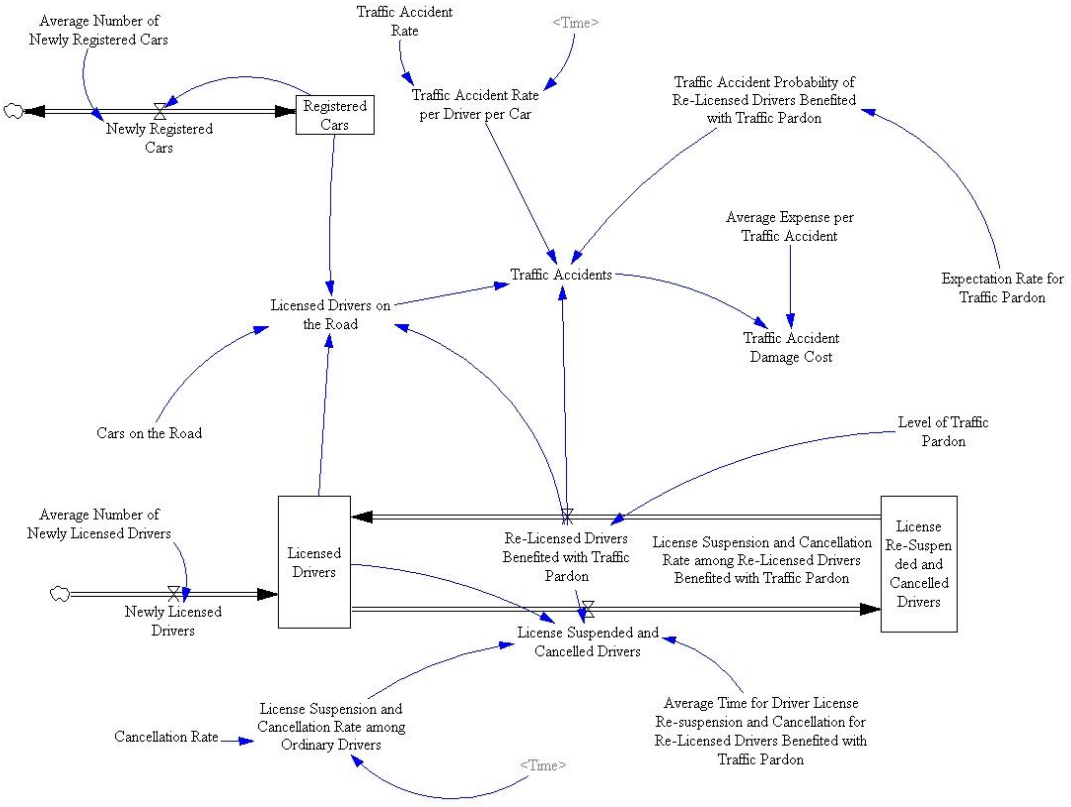
Concerning simulation models, major level variables include: registered cars, licensed drivers, and re-licensed drivers (suspended and cancelled licenses). In contrast, rate variables consist of: newly registered cars, newly licensed drivers, license suspended and canceled drivers, and re-licensed drivers who benefit from traffic-related pardons (see Figure 6). Compared with findings in the previous studies including Choi (2009) and Kwon et. al (2009), the simulation model's main concerns are given to changes in two rate variables, that is, the number of drivers whose licenses are suspended or cancelled, and re-licensed drivers who benefit from traffic-related pardons. Using Vensim DSS (version 5.3), the model covers more than a decade, starting from 1998, when the second traffic-related pardon was announced under ex-President Kim Dae-Jung's government, to 2011.

Figure 5. Trends in License-Suspended and Cancelled Drivers and Traffic Accidents




Source: Road Traffic Authority, 2009, Statistical Analysis of 2009 Traffic Accidents, various pages.

Figure 6. Stock-Flow Models Reflecting Relationship between Traffic Pardons and Traffic Accidents



## 5. Simulated Results

As shown in Figure 7, the number of simulated traffic accidents presents a diminishing trend over the proposed research period. Nonetheless, if the traffic-related pardons are confined to drivers whose licenses were suspended or canceled with a cycle of, on average, 38 months, it would cause an increase in the number of traffic accidents over a 6 to 18 month period. It seems that an increase in traffic accidents partially originates from re-licensed drivers who are open to presidential-pardons which permit them to legally drive a vehicle again. Figure 8 also presents similar results. That is, if a traffic-related pardon is announced, without exception, drivers whose licenses are suspended or cancelled seem to rush to police stations in order to retake their license or apply for a driving test. In contrast, Figure 9 shows traffic accidents may be significantly diminished after the number of drivers whose licenses were suspended or cancelled are again confiscated. The implication is that there exists a meaningful feedback structure which would significantly contribute to reducing the number of traffic accidents if "bad" drivers (those whose licenses are repeatedly suspended or cancelled) are banned from using the road, and subsequently creating a limit to the expansion of social costs. Therefore, the traffic-related pardon simply cuts off 'constructive' feedback loops on Korean society. The typical social cost originated from traffic-related pardons are presented below: see R1, R2, and R3 loops in Figure 10.

Figure 7. Traffic Accident after Traffic Pardon

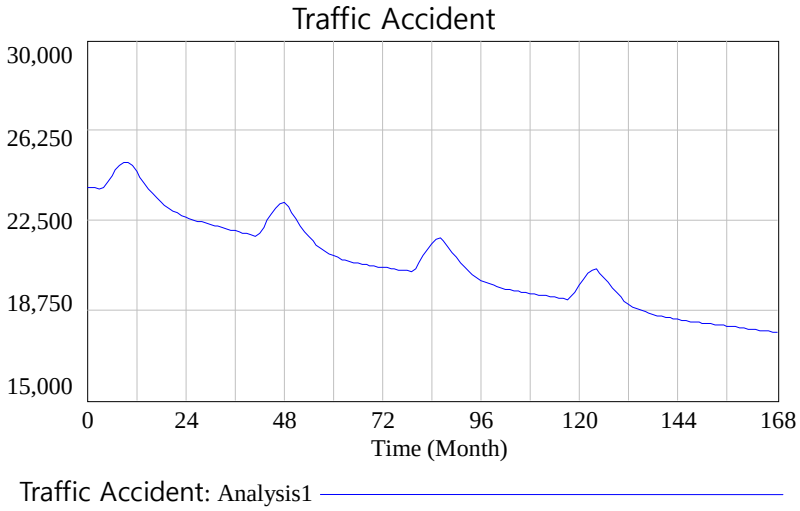


Figure 8. License Suspension/Cancellation and Re-Licensed Drivers Benefited with Traffic Pardon

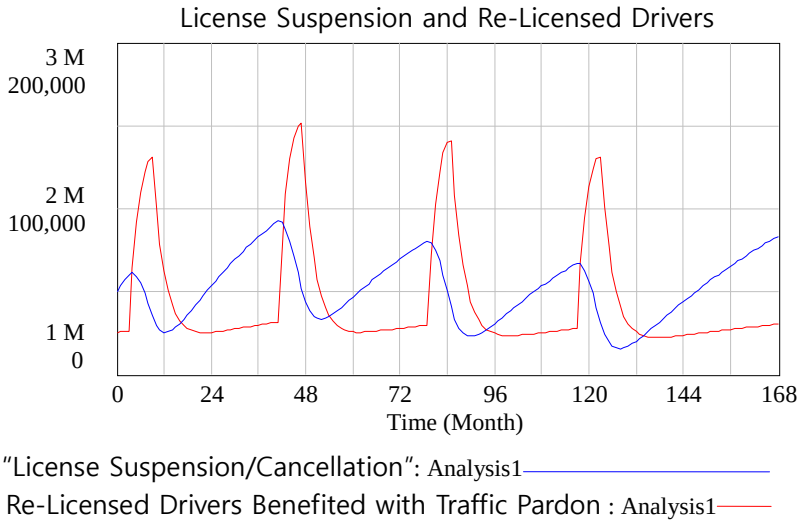
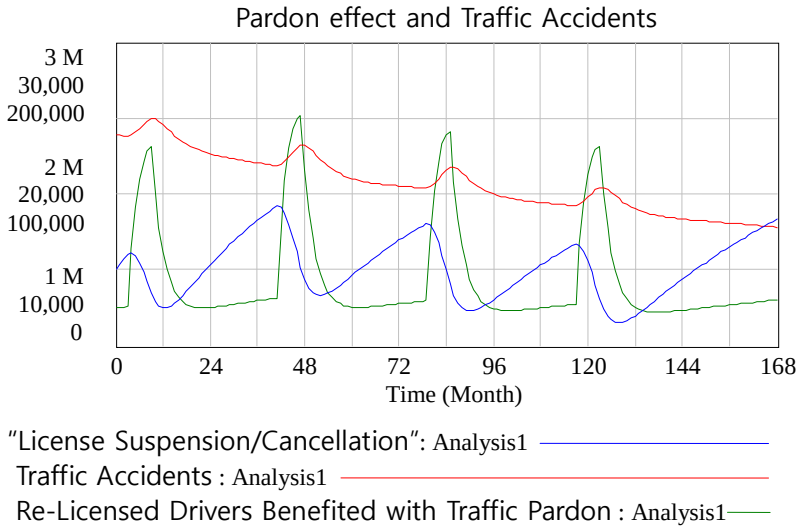



Figure 9. License Regaining Based on the Traffic Pardon and Traffic Accidents

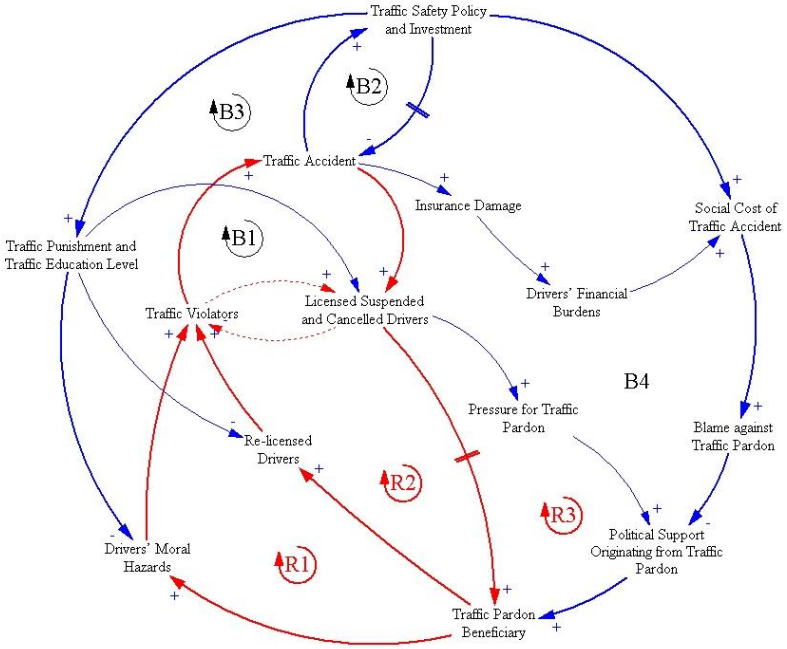



## 6. Summaries

In Korea, presidential traffic-related pardons have been carried out almost every three years since 1995. These pardons have led to unexpected results: notably, an increase in the number of traffic accidents between 6 and 18 months after the pardon, and raising the moral question of 'bad' drivers. In addition, it should be pointed-out that government-initiated pardons acted as an essential factor in deconstructing a balancing mechanism, which would significantly contribute to minimizing traffic accidents *per se*. Even though Korean society as a whole has to endure additional social costs originating from an increase in traffic accidents, why have

traffic-related pardons been consecutively adopted by Korean Presidents? Simply speaking, political gains have been of primary concern to Presidents', even if this means transferring socio-economic costs to ordinary citizens.

Figure 10. Social Cost Originating from Traffic Pardon




In order to reorient policy designs of traffic-related pardons, we suggest the following policy alternatives. First of all, Korea's government has to minimize the size of it's target group if it intends to implement another round of traffic-violation pardons. Secondly, it should strengthen safe driving education opportunities for drivers whose licenses are suspended or cancelled and want to reapply for licenses. Of course, the education costs should be covered by drivers taking the required course. Thirdly, it should prepare appropriate procedures in order to internalize additional social costs among beneficiaries. Finally, we propose the Korean government raise the level of punishment for drivers whose licenses were restored from a previous 'heavy' administrative ruling, i.e. a license suspension or cancellation, when being punished for the same or a similar violation of traffic regulations.

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