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Impaired-Driving Program Assessments

A Summary of Recommendations (1991 to 2003)

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16. Abstract The National Highway Traffic Safety Administration (NHTSA) developed an assessment process that gives States an opportunity to conduct a review of their efforts to control impaired driving by an outside team of nationally recognized experts. Each assessment examines a State's overall program and presents recommendations to improve or enhance it. NHTSA reviewed 38 State assessment reports and found 2,982 individual recommendations, including 852 that were identified as priority recommendations by the teams. Most of the recommendations fit into 10 thematic areas: (1) increasing deterrence by prioritizing enforcement efforts and enhancing the arrest, prosecution, and adjudication process; (2) improving public information and education efforts related to prevention and deterrence; (3) remedying problems involving DUI data and records (reporting requirements, offender tracking systems, data linkages, uniform traffic citations); (4) enacting new laws or revising existing laws aimed at increasing the deterrence and/or prevention of DUI; (5) enhancing training for law enforcement, prosecution, and judicial personnel; (6) evaluating programs and activities to combat impaired driving; (7) providing sufficient resources for treatment and rehabilitation; (8) improving inter/intra-governmental coordination and cooperation; (9) providing funding (including self-sufficiency) to provide for adequate resources (personnel, equipment); and (10) developing or increasing task forces and/or community involvement.					
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EXECUTIVE SUMMARY

I. Introduction. As part of its goal to reduce alcohol-related traffic deaths and injuries, the National Highway Traffic Safety Administration (NHTSA) developed an assessment process that gives States an opportunity to conduct a review of their efforts to control impaired driving by an outside team of nationally recognized experts. Similar assessments are conducted also in other highway safety areas, including occupant protection, emergency medical services, motorcycle safety and traffic records.

Upon State request, NHTSA convenes the assessment team and facilitates the process. The assessment team meets with State officials including highway safety personnel, and hears testimony from individuals invited by the State to testify concerning the strengths and weaknesses of the State's program. The team then uses this information to assess the State's impaired-driving program. Each assessment examines the strengths and weaknesses of a State's overall impaired-driving program. It should be noted that these assessments are not typical or traditional program evaluation efforts (i.e., process or outcome evaluations, etc.). Assessments contain recommendations, some of which have been designated as priority recommendations, concerning ways in which the State can improve or enhance its impaired-driving programs. Since the assessment report "belongs" to the State, it is solely within the State's discretion how it will use the document. There are no sanctions if the State does not implement the recommendations. Based on State requests, NHTSA has facilitated 42 impaired-driving assessments since 1991, including 32 initial assessments and 10 re-assessments.

II. Background.

a. Assessment Process. The assessment process begins when a State Highway Safety Office submits a written request to one of the NHTSA Regional Offices. This request is then referred to the appropriate program office at NHTSA headquarters to initiate the assessment process. NHTSA selects and convenes a multidisciplinary assessment team consisting of experts from outside the agency. The team's experience correlates with the various components of a comprehensive impaired-driving program that are reviewed during the assessment process.

The requesting State arranges for State impaired-driving program representatives to meet with the assessment team during the weeklong technical review. The State representatives brief the assessment team and, as appropriate, provide written materials. Team members may initiate an open discussion with presenters to gain a clearer understanding of a subject.

The assessment team uses the information provided by these representatives to analyze the State's impaired-driving program by comparing it to a NHTSA-developed uniform guideline. The team members develop consensus recommendations (including priority recommendations) after considering what reasonably could be accomplished within the State and what actions are most likely to have an impact. While the uniform guidelines are the same for each State, the assessment team considers unique State factors that may impact the applicability of the State to adopt certain recommendations. These factors may include, but are not limited to, demographics, geography, political structure, and institutional support for impaired-driving activities. The assessment team then develops a written report containing its consensus

recommendations, and the report is provided to the State Highway Safety Office.

b. Uniform Guidelines. The Highway Safety Act of 1966 called on NHTSA to promulgate uniform standards for highway safety. In 1976, the Act was amended to provide more flexibility. The amendment provided that the uniform standards were to become more like guidelines for the States to use. This change was codified in 1987, changing the uniform standards to uniform guidelines.

Uniform Guideline Number 8 (**see Appendix A**) of the State Highway Safety Program provides that each State, in cooperation with its political subdivisions, should have a comprehensive program to combat impaired driving. Guideline Number 8 describes the five standard program areas that State impaired-driving activities should address, including: (1) Program Management; (2) Prevention; (3) Deterrence; (4) Driver Licensing; and (5) Treatment and Rehabilitation. States are encouraged to use these guidelines as a framework for problem identification, countermeasure development, and program evaluation.

Since 1991, assessment teams have used these NHTSA-developed guidelines to assess the status of State impaired-driving programs. The team compares State activities to these guidelines, and assesses each of the five areas individually as well as the inter-relationship between them. These guidelines were considered to be state-of-the-art when they were last published. They are currently in the process of being updated to reflect more recent changes in the impaired-driving arena.

III. Study Purpose. Each assessment examines the strengths and weaknesses of a State's overall impaired-driving program. Assessment teams seek to develop a variety of recommendations, including priority recommendations, for a State to use for the enhancement or improvement of its impaired-driving program. Therefore, the recommendations invariably address areas of need or weakness. This study effort was an attempt to sort, categorize, and quantify the very large number of diverse and often complex recommendations by guideline area. This includes summarizing the many recommendations and identifying those that are prevalent across the many States. The results of this effort are intended to assist NHTSA in a review of the assessment process and to serve as a catalyst for potential enhancements to the process. In turn, an improved assessment process will better help States to determine ways to improve the effectiveness and efficiency of their impaired-driving programs.

IV. General Findings. There were 2,982 recommendations produced in 38 (out of 42) examined assessment and re-assessment reports, including 852 that were identified as priority recommendations by the assessment teams. Two assessments were completed too late to be part of this effort (Illinois 2003 and Puerto Rico 2003). Records could not be located for two others (American Samoa 1991 and Utah 2001).

The number and breadth of recommendations reflect broad areas of impaired-driving program needs and limitations. In general terms, most of the recommendations fit into one of 10 broad thematic areas. Some of these themes (e.g., DUI data and records) cut across several different guideline

areas. These themes include (listed in descending order based on number of recommendations):

(1) increasing the deterrence effect by prioritizing enforcement efforts and enhancing the arrest, prosecution, and adjudication process;

(2) providing or improving public information and education efforts related to prevention and deterrence;

(3) remedying problems involving DUI data and records (data reporting requirements, offender tracking systems, data linkages, uniform traffic citations, etc.);

(4) enacting new laws or revising existing laws aimed at increasing the deterrence and/or prevention of DUI;

(5) increasing or enhancing training for law enforcement, prosecution, and judicial personnel;

(6) evaluating programs and activities associated with the effort to combat impaired driving;

(7) providing sufficient resources for treatment and rehabilitation (screening, diagnosis, treatment, availability, trained treatment personnel);

(8) improving inter/intra-governmental coordination and cooperation regarding DUI efforts;

(9) providing funding (including self-sufficiency) to provide for adequate resources (personnel, equipment); and

(10) developing or increasing task forces and/or community involvement.

SECTION ONE - GENERAL

I. COMPLETED ASSESSMENTS. *Table 1* lists the 32 Statewide impaired-driving assessments and the 10 re-assessments that have been completed since 1991 (as of October 2003).

TABLE 1

STATEWIDE IMPAIRED-DRIVING PROGRAM ASSESSMENTS

(as of 10/03)

Alaska (10/94)	Maryland (5/00)*	Oklahoma (12/95)
American Samoa (12/91) +	Michigan (10/96)	Oregon (3/94)
Arizona (9/92)	Minnesota (8/95)	Puerto Rico (10/03) +
California (12/91)	Minnesota (2/03)*	Rhode Island (6/03)
Colorado (9/93)	Missouri (4/99)	South Carolina (9/02)
Connecticut (2/93)	Montana (5/94)	Tennessee (2/99)
Connecticut (11/00)*	Montana (10/01)*	Texas (11/92)
Delaware (5/01)	New Mexico (11/91)	Utah (12/01) +
Georgia (12/93)	New Mexico (6/95)*	Vermont (12/01)
Hawaii (6/98)	New Mexico (6/02)*	Virginia (7/99)
Illinois (3/95)	North Carolina (5/95)	West Virginia (10/93)
Illinois (9/03)* +	North Carolina (4/02)*	West Virginia (2/99) *
Indiana (11/01)	North Dakota (6/01)	Wisconsin (10/93)
Maryland (9/91)	Ohio (3/02)	Wisconsin (4/03)*

* - Re-assessment

+ - Not examined (assessment was in process or record was unavailable)

II. RECOMMENDATION COMPILATION. The categorization and quantification of assessment recommendations has been problematic at best. To begin with, there is no constant or universal set of laws that govern how individual States should seek to address the problem of impaired driving. When developing their recommendations, assessment team members had to consider the diverse and complex factors in each State that influence and have an impact on the effectiveness of impaired-driving programs. For example, each State has its own government structure, body of laws, political structures, and court system organization. State impaired-driving program efforts are impacted by resource issues, current enforcement efforts, demographics, geography, institutional traditions, and highway crash injury and fatality rates. In addition, comprehensive efforts to address impaired driving consist of multiple interrelated approaches, including prevention, deterrence, enforcement, prosecution, adjudication, and treatment. In turn, each of these approaches addresses different programs or activities. For example, the enforcement approach involves both traffic-related enforcement and alcohol beverage control.

III. NUMBER OF RECOMMENDATIONS BY GUIDELINE AREA. As shown in *Table 2*, 2,982 recommendations (including 852 priority recommendations) were produced in the examined assessments. *Appendix B* lists the number of recommendations by category for each guideline area. *Appendices C through G* contain the complete compilations of specific recommendations for each of the respective guideline areas.

There were numerous recommendations made for each of the five uniform guideline areas. As shown in **Table 2**, Guideline Area 3 (Deterrence) produced the largest number of recommendations, accounting for nearly 42 percent of all recommendations and also 42 percent of all priority recommendations. This is nearly twice as many as the second largest guideline area (Program Management), which produced 22 percent of the recommendations. The remaining three guideline areas produced smaller proportions of all recommendations - Prevention (19 percent), Driver Licensing (11 percent), and Treatment and Rehabilitation (7 percent). The proportion of recommendations within each guideline area that were identified as priority recommendations was fairly consistent, ranging from 26 percent to 34 percent.

Based solely on the number of recommendations shown in **Table 2**, it is not possible to identify the relative strength or weakness among the five guideline areas. A large number of recommendations does not necessarily indicate overall guideline area weakness and a small number does not necessarily indicate strength. The number of recommendations may instead reflect the overall importance of a particular guideline area (e.g., deterrence) and breadth of its various components.

TABLE 2

NUMBER OF RECOMMENDATIONS BY GUIDELINE AREA

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
Program Management	647	178	28%
Prevention	556	147	26%
Deterrence	1238	354	29%
Driver Licensing	345	106	31%
Treatment And Rehabilitation	196	67	34%
Total Number Of Recommendations	2982	852	29%

SECTION TWO - DETAILED FINDINGS FOR EACH GUIDELINE AREA

I. GUIDELINE AREA 1 - PROGRAM MANAGEMENT. NHTSA Highway Safety Program guidelines provide that each State's impaired-driving program management system should establish a process for managing its planning, program control, and evaluation activities. The system should address Safe Communities programs, State and local task forces, data analysis and funding.

A. ANALYSIS. Guideline Area 1 (Program Management) contains six components: State Program Planning; Program Control; State and Local Task Forces and Safe Communities Programs; Data and Records; Evaluation and Funding. The assessments produced 647 recommendations under this guideline area (see **Table 3**). Of these, 178 were identified as priority recommendations by the assessment teams. **Appendix C** contains a complete compilation of recommendations for Guideline Area 1.

There are numerous recommendations for each of the six Guideline Area 1 components (ranging from 52 to 156). The components that produced the greatest number of recommendations were Area 1A (State Program Planning) and Area 1D) Data and Records. Both components produced a greater than

proportional share of recommendations, with a significant (25 percent or more) portion of them identified as priority recommendations.

Higher than proportional numbers of recommendations were generated regarding Area 1C (State/Local Task Forces and Safe Communities Programs), though a smaller percentage of these recommendations were identified as priority recommendations. A relatively small number of recommendations were generated regarding Area 1F (Funding), but a significant portion of the recommendations (25 percent or more) were identified as priority recommendations. Specifically:

- Area 1A (State Program Planning) produced 21 percent of all Program Management recommendations and 29 percent of Program Management priority recommendations. Also, 37 percent (51 of 138) of 1A recommendations were priority recommendations.

- Area 1D (Data and Records) produced 24 percent of all Program Management recommendations and 30 percent of Program Management priority recommendations. Also, 34 percent (53 of 156) of 1D recommendations were priority recommendations.

- Area 1C (State and Local Task Forces and Safe Communities) produced 124 recommendations, amounting to 19 percent of all Program Management recommendations.

- Area 1F (Funding) produced 52 recommendations and 29 percent (15) of them were priority recommendations.

TABLE 3

**NUMBER OF RECOMMENDATIONS FOR GUIDELINE AREA 1
PROGRAM MANAGEMENT**

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
1A - State Program Planning	138	51	37%
1B - Program Control	86	16	19%
1C - State and Local Task Forces and Safe Communities Programs	124	26	21%
1D - Data and Records	156	53	34%
1E - Evaluation	91	17	19%
1F - Funding	<u>52</u>	<u>15</u>	<u>29%</u>
Total Guideline Area 1 Recommendations	647	178	28%

B. 1A - State Program Planning. Per NHTSA Highway Safety Guidelines, States should develop and implement an overall plan for all impaired-driving activities.

There were 138 recommendations produced in the assessments for Guideline Area 1A, including 51 priority recommendations. In general, the State Program Planning recommendations were centered around improving impaired-driving programs/efforts by: (1) developing or revising governmental

organization structures; (2) developing and/or improving coordination of planning activities and (3) improving the management/direction of resources. Recommendations made 10 or more times for this guideline area include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Take steps to better coordinate State program planning (intergovernmental, government/public partnerships, etc.).	25	11	44%
• Improve use of crash/impaired-driving data (accessibility, usage, data resources, evaluation of, ensure validity, etc.).	21	3	14%
• Expand/improve State's PI&E efforts, develop plans, strategies, hire PI&E specialists, gain public support, etc.).	14	3	21%
• Create/enact/revise legislation to strengthen efforts to combat DUI (varied).	13	8	62%
• Create/reorganize governmental structure to enhance efforts to combat DUI.	12	7	58%

C. 1B - Program Control. Per NHTSA Highway Safety Guidelines, States should have established procedures for systematic monitoring and reviewing ongoing programs to ensure that program activities are implemented as intended.

There were 86 recommendations produced in the assessments for Guideline Area 1B, including 16 priority recommendations. In general, the State Program Control recommendations involved: (1) providing for the systematic monitoring of impaired-driving programs and identification of problems; (2) disseminating data and publicizing or sharing results and (3) providing or encouraging training and workshops for management and staff. Recommendations made ten or more times for this guideline area include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Develop/continue/improve ability to monitor and report on impaired-driving programs.	26	3	12%
• Increase availability of information (sharing, dissemination practices, data reporting, etc.).	19	4	21%
• Increase/provide/attend training for State management, staff, grantees, project managers, etc.	12	2	17%

D. 1C - State and Local Task Forces and Communities Programs. Per NHTSA Highway Safety Guidelines, States should encourage the development of State and community impaired-driving task forces and Safe Communities Programs.

There were 124 recommendations produced in the assessments for this guideline area, including 26 priority recommendations. The recommendations revolved around: (1) providing support or encouragement in the development and/or expansion of community programs/task forces (funding, technical support, advice, partnerships, etc.); (2) publicizing program and task force efforts; (3) encouraging partnership development and (4) using program feedback. Recommendations made ten or more times for this guideline area include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Provide/increase State support and assistance to safe communities programs and/or task forces.	24	3	13%
• Provide training/conduct workshops (training for safe communities teams, police, information exchange).	18	4	22%
• Provide/increase publicity of DUI Task Force and/or safe communities programs.	16	3	19%
• Encourage/promote partner participation in safe communities coalitions.	15	3	20%
• Coordinate efforts of various impaired driving task forces/safe communities, consolidate effort where possible.	13	4	31%
• Perform program evaluations, review programs, gather/examine feedback.	11	1	9%
• Increase number and/or expand successful Safe Communities programs.	10	2	20%

E. 1D - Data and Records. Per NHTSA Highway Safety Guidelines, States should establish and maintain records systems for crashes, arrests, dispositions, driver licenses, and vehicle registrations. Especially important are tracking systems that can provide information on every driver arrested for DUI to determine the disposition of the case and compliance with sanctions. These record systems should be accurate, timely, able to be linked to each other, and readily accessible to police, court, and planners.

There were 156 recommendations produced in the assessments for Guideline Area 1D, including 53 priority recommendations. The majority of Data and Records recommendations involved maintaining or improving accessibility to relevant data and records. Multiple recommendations were made to: (1) establish a DUI records/tracking system; (2) develop/improve linkages between various records systems; (3) make those records more easily accessible for law enforcement and the courts; (4) require standardized crash and BAC

reporting and (5) conduct a Traffic Records Assessment. Recommendations made ten or more times for this guideline area include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Develop/improve data linkages between various records systems (e.g., DOT, DMV, courts, police, treatment facilities).	34	8	24%
• Require/enhance/revise crash and/or BAC reporting requirements.	27	4	15%
• Develop/improve DWI offender and/or citation records tracking system.	18	12	67%
• Recommendations regarding management, activity coordination, overseeing data and records systems development/improvement.	18	12	67%
• Compile or analyze data to evaluate data systems, determine or document alcohol problems, related costs, crash rates, injury data, etc.	13	2	15%
• Enhance data accessibility for State, court, law enforcement, community highway safety program personnel.	12	6	50%
• Conduct Traffic Record Assessment or implement Traffic Record Assessment recommendations.	10	4	40%

F. 1E - Evaluation. Per NHTSA Highway Safety Guidelines, States should evaluate all impaired-driving system activities regularly to ensure programs are effective and resources are allocated appropriately.

There were 91 recommendations for Guideline Area 1E, including 17 priority recommendations. In general, the recommendations for Evaluation involved: (1) regularly planning for and conducting program evaluations; (2) reporting results to program management for use in guiding program activities; (3) publicizing results and (4) seeking evaluation assistance from different sources of expertise. Recommendations made 10 or more times for this guideline area include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Collect/utilize data to evaluate programs.	21	3	14%
• Require evaluation of impaired-driving activities or programs.	15	2	13%
• Develop evaluation plans (long term, unified, etc.).	13	1	8%
• Report/publicize results of evaluations.	12	1	8%

- Seek evaluation assistance from other agencies, universities, NHTSA, etc.). 12 4 33%
- Ensure use of appropriate evaluation methodologies, milestones, benchmarks, etc. 11 3 27%

G. 1F - Funding. Per NHTSA Highway Safety Guidelines, States should allocate funding to impaired-driving programs that is adequate for program needs, steady (from dedicated sources) and, to the extent possible, paid by the impaired drivers themselves. The program should work toward becoming self-sufficient.

There were 52 recommendations produced in the assessments for Guideline Area 1F, including 15 priority recommendations. The majority of Funding recommendations involved: (1) encouraging the use of offender fees to promote the self-sufficiency of impaired-driving program efforts; (2) taking steps necessary to gain Federal funding and (3) funding program evaluations and/or performing cost-benefit analyses. Recommendations made 10 or more times for this guideline area include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Use offender fees to fund impaired driving programs.	11	3	27%
• Adopt self-sufficiency efforts.	11	4	36%

II. GUIDELINE AREA 2 - PREVENTION. NHTSA Highway Safety Program guidelines provide that each State should implement a system of impaired-driving prevention programs and is strongly encouraged to work with the public health community to foster good health (less alcohol and drug usage) and reduce traffic-related injuries.

A. ANALYSIS. Guideline Area 2 (Prevention) consists of five components: Public Information and Education for Prevention; School Programs and Community Youth Programs; Employer Programs; Alcohol Availability and Service; and Transportation Alternatives. **Table 4** shows that 556 recommendations were produced in this guideline area. Of these, 147 were priority recommendations. **Appendix D** compiles all Prevention recommendations.

There are numerous recommendations in each of the five Guideline Area 2 components (ranging from 74 to 171). Areas 2A, 2B, and 2D generated 72 percent of all Guideline Area 2 recommendations and at least 25 percent of the recommendations within each of these areas were priority recommendations. Specifically:

- Area 2D (Alcohol Availability and Responsible Service) contains 31 percent of all Prevention recommendations and 41 percent of Prevention priority recommendations. Also, 36 percent (61 of 171) of 2D recommendations were priority recommendations.

- Area 2A (Public Information and Education for Prevention) contains 22 percent of all Prevention recommendations and 22 percent of Prevention

priority recommendations. Also, 26 percent (32 of 125) of 2A recommendations were priority recommendations.

- Area 2B (School Programs and Community Youth Programs) contains 19 percent of all Prevention recommendations and 21 percent of Prevention priority recommendations. Also, 30 percent (31 of 105) of 2B recommendations were priority recommendations.

TABLE 4

**NUMBER OF RECOMMENDATIONS FOR GUIDELINE AREA 2
PREVENTION**

	Total Number of <u>Recommendations</u>	Number of Priority <u>Recommendations</u>	Percent that are <u>Priority</u>
2A - Public Information and Education for Prevention	125	32	26%
2B - School Programs and Community Youth Programs	105	31	30%
2C - Employer Programs	81	10	12%
2D - Alcohol Availability and Service	171	61	36%
2E - Transportation Alternatives	<u>74</u>	<u>13</u>	<u>18%</u>
TOTAL GUIDELINE AREA 2 RECOMMENDATIONS	556	147	26%

B. 2A - Public Information and Education for Prevention. Per NHTSA Highway Safety Guidelines, States should develop and implement public information and education programs directed at impaired-driving. Programs should start at the State level and extend to the communities through State assistance, model programs and public encouragement.

There were 125 recommendations produced in the assessments for Guideline Area 2A, including 32 priority recommendations. Nearly 25 percent of these recommendations involved improving or expanding agency and/or interagency PI&E planning and coordination efforts. Other significant groupings of recommendations included: (1) developing and implementing Statewide PI&E plans; (2) establishing Statewide PI&E Coordinator positions or PI&E staffing increases; (3) developing messages to promote public awareness and (4) evaluating PI&E activities. Recommendations made 10 or more times for Guideline 2A include (in descending order):

	Total Number of <u>Recommendations</u>	Number of Priority <u>Recommendations</u>	Percent that are <u>Priority</u>
• Expand/improve agency or interagency PI&E planning and coordination efforts.	30	6	20%
• Develop/implement Statewide PI&E plans.	15	8	53%
• Establish Statewide PI&E Coordinator positions/increase other PI&E staffing.	13	6	46%
• Encourage business/advocacy/school involvement in PI&E efforts.	13	1	8%

- Develop messages to promote public awareness of DUI risks, health consequences, etc. 13 3 23%
- Evaluate PI&E activities. 12 2 17%

C. 2B - School Programs and Community Youth Programs. Per NHTSA Highway Safety Guidelines, States should ensure that education and support of student programs, preschool through college and trade schools, play a critical role in preventing impaired driving.

There were 105 recommendations for Guideline Area 2B produced in the assessments, including 31 priority recommendations. In general terms, the largest recommendation groupings for Guideline Area 2B involved: (1) interagency/intergovernmental involvement in youth programs; (2) development and implementation of alcohol and drug education programs for K-12 and college students; and (3) evaluating program efforts. Recommendations made 10 or more times for Guideline 2B include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Provide/develop interagency or inter-governmental coordination of, or involvement in youth programs.	19	6	32%
• Develop/implement/expand K-12 alcohol and drug education programs.	16	7	44%
• Evaluate school and/or youth programs.	16	4	25%
• Promote development of alcohol and/or drug education programs for college students.	12	3	25%

D. 2C - Employer Programs. Per NHTSA Highway Safety Guidelines, States should provide information and technical assistance to all employers, encouraging them to offer programs to reduce impaired driving by employees and their families.

There were 81 recommendations for Guideline Area 2C produced in the assessments, including 10 priority recommendations. In general, the largest recommendation groupings for Guideline Area 2C involved: (1) State encouragement or assistance in developing or expanding employer traffic safety/NETS programs; (2) development of employer/employee public awareness programs/activities and (3) improve/expand partnership development and/or collaboration (State/local government and businesses, community programs and business leaders, etc.). Recommendations made 10 or more times for Guideline 2C include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Develop/expand NETS programs/employer traffic coordination of/involvement in youth programs.	20	3	15%

- Expand/promote employer/employee public awareness. 19 1 5%
- Expand/promote collaboration with employers to expand/enhance programs. 16 3 19%
- Encourage/assist in development of programs for small employers. 10 1 10%

E. 2D - Alcohol Availability and Responsible Alcohol Service. Per NHTSA Highway Safety Guidelines, States should promote responsible alcohol service policies and practices in the retail alcohol service industry, including package stores, restaurants and taverns, through well-publicized and enforced laws.

There were 171 recommendations for Guideline Area 2D, including 61 priority recommendations. In general terms, the majority of recommendations produced in this area fall into one of several major themes or categories: (1) develop programs/legislation or review existing laws that control or restrict alcohol availability or service particularly to those under 21; (2) require or develop training for alcohol sellers and servers; (3) develop/enact Dram Shop¹ or social host liability laws; and (4) revise/use alcohol tax revenue to help fund prevention programs. Recommendations made 10 or more times for Guideline 2D include (in descending order):

	Total Number of <u>Recommendations</u>	Number of Priority <u>Recommendations</u>	Percent that are <u>Priority</u>
• Develop/expand/improve programs, efforts, legislation, to control alcohol sales and service to those under 21.	23	9	39%
• Revise State alcohol beverage tax; use surcharges on DUI education, enforcement, prosecution, etc.	18	10	56%
• Establish/require mandatory training for sellers and/or servers of alcohol.	16	3	19%
• Enact Dram Shop legislation.	14	7	50%
• Require beer keg registration.	13	3	23%

F. 2E - Transportation Alternatives. Per NHTSA Highway Safety Guidelines, States should promote alternative transportation programs that enable impaired individuals to reach their destination without driving.

There were 74 recommendations for Guideline Area 2E, including 13 priority recommendations. The large majority of recommendations for Guideline Area 2E revolved around: (1) discouraging alcohol consumption by designated drivers and over-consumption by anyone; (2) promoting or expanding designated driver or other safe alternative programs and (3) ensuring that

¹ Dram Shop is a term that refers to the liability of establishments, arising from the sale of alcohol to obviously intoxicated persons or minors who subsequently cause death or injury to third parties in alcohol-related crashes.

designated driver programs discourage underage drinking by anyone under the age of 21. Recommendations made 10 or more times for Guideline 2E include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Promote alternative transportation programs to discourage drinking by designated drivers and over-consumption by anyone.	22	5	23%
• Promote/continue/expand designated driver or other safe alternatives programs.	17	1	5%
• Ensure designated driver programs discourage underage drinking.	15	3	20%

III. GUIDELINE AREA 3 - DETERRENCE. NHTSA Highway Safety Program guidelines Provide that each State should implement a system of activities to deter impaired driving. The deterrence system should include legislation, public information and education, enforcement, prosecution, and adjudication. The goal should be to increase the perception and probability of arrest for violators and impose swift and sure sanctions.

A. ANALYSIS. Guideline Area 3 (Deterrence) contains five components: Laws to Deter Impaired Driving; Public Information and Education for Deterrence; Enforcement; Prosecution and Adjudication. As shown in **Table 5**, the assessments produced 1,238 recommendations, including 354 priority recommendations. **Appendix E** compiles the Deterrence recommendations.

Guideline Area 3 contains nearly 42 percent of all recommendations produced in the assessments, with numerous recommendations for each of the five Guideline Area 3 components (ranging from 151 to 389).

Areas 3C (Enforcement) and 3A (Laws to Deter Impaired Driving) each generated more than 300 recommendations and more than 25 percent of their recommendations were priority recommendations. While Areas 3D (Prosecution) and 3E (Adjudication) generated slightly fewer recommendations, their numbers were still large and each produced a significant portion (25 percent or more) of priority recommendations. Specifically:

- Area 3C (Enforcement) produced 31 percent of all Deterrence recommendations and 29 percent of Deterrence priority recommendations. Also, 27 percent (103 of 389) of 3C recommendations were priority recommendations.

- Area 3A (Laws to Deter Impaired Driving) produced 24 percent of all Deterrence recommendations and 34 percent of Deterrence priority recommendations. Also, 40 percent (120 of 301) of 3A recommendations were priority recommendations.

- Area 3D (Prosecution) produced 171 recommendations and 26 percent (44) of them were priority recommendations.

- Area 3E (Adjudication) produced 224 recommendations and 25 percent (55) of them were priority recommendations.

TABLE 5**NUMBER OF RECOMMENDATIONS FOR GUIDELINE AREA 3
DETERRENCE**

	Total Number of <u>Recommendations</u>	Number of Priority <u>Recommendations</u>	Percent that are <u>Priority</u>
3A - Laws to Deter Impaired Driving	301	120	40%
3B - Public Information and Education for Deterrence	151	30	20%
3C - Enforcement	389	103	27%
3D - Prosecution	171	44	26%
3E - Adjudication	<u>224</u>	<u>56</u>	<u>25%</u>
TOTAL GUIDELINE AREA 3 RECOMMENDATIONS	1238	354	29%

B. 3A - Laws to Deter Impaired Driving. Per NHTSA Highway Safety Guidelines, States should enact laws that define and prohibit impaired driving in broad and readily enforceable terms, facilitate the acquisition of evidence against impaired drivers and permit a broad range of administrative and judicial penalties and actions.

There were 301 recommendations for Guideline Area 3A produced in the assessments including 120 priority recommendations. In general, the recommendations for Guideline Area 3A involved: (1) defining impaired-driving offenses through the enactment or revision of laws; (2) providing effective penalties for impaired-driving offenses; and (3) providing for the effective enforcement of impaired-driving laws. Recommendations made 10 or more times for Guideline 3A include (in descending order):

	Total Number of <u>Recommendations</u>	Number of Priority <u>Recommendations</u>	Percent that are <u>Priority</u>
• Provide increasingly severe penalties for repeat or habitual offenders, driving with higher BAC, child endangerment, etc.	44	14	32%
• Recommendations to create body of law, revise or clarify language, close loopholes in the law, etc.	35	13	37%
• Enact legislation to set the <i>per se</i> BAC level at 0.08 for both criminal and administrative sanction.	33	22	67%
• Enact/continue/amend open container laws.	24	12	50%
• Require mandatory BAC testing.	22	4	18%
• Enact or revise law to provide for Administrative License Revocation or Suspension.	19	10	53%

• Provide for special penalty provisions for Youthful (Under Age 21) offenders.	16	5	31%
• Enact/revise Illegal Per Se Law for Drivers Under Age of 21.	14	9	64%
• Enact/revise law for DUI of Other Drugs or Impairing Substances.	12	6	50%
• Allow the use of alternative sanctions in sentencing.	12	3	25%
• Include implied consent provisions in law.	11	4	36%

C. 3B - Public Information and Education for Deterrence. Per NHTSA Highway Safety Guidelines, States should implement public information and education (PI&E) programs to maximize public perception of the risks of being caught and punished for impaired driving.

There were 151 recommendations, including 30 priority recommendations, produced in the assessments for Guideline Area 3B. In general, the recommendations involved: (1) developing or enhancing an overall Statewide PI&E plan; (2) developing or expanding Statewide PI&E plans with a specific theme; (3) building law enforcement and media relationships to enhance public awareness and (4) developing or expanding PI&E efforts that target specific high risk, cultural or ethnic groups. Recommendations made 10 or more times for Guideline 3B include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Develop/coordinate Statewide PI&E plans.	18	10	56%
• Develop/expand/plan PI&E campaigns.	14	6	43%
• Build/improve law enforcement and media relationships.	14	1	7%
• Develop/expand PI&E efforts targeting high risk groups.	14	1	7%
• Expand PI&E campaign publicity efforts.	13	1	8%
• Educate the public on impaired driving.	11	4	36%
• Provide funding for PI&E efforts.	11	2	18%
• Develop PI&E efforts targeting specific groups (ethnic, cultural, regional, etc.)	10	1	10%

D. 3C - Enforcement. Per NHTSA Highway Safety Guidelines, States should implement comprehensive enforcement programs to maximize the likelihood of detecting, investigating, arresting, and convicting impaired drivers.

There were 389 recommendations, including 103 priority recommendations produced in the assessments for Guideline Area 3C. In general, the recommendations for Guideline Area 3C involved: (1) providing effective training for law enforcement personnel; (2) prioritizing/enhancing DUI enforcement; (3) providing adequate equipment or facilities to deal with impaired drivers; (4) enhancement of the DUI offender arrest/post-arrest process; and (5) maximizing offender/police contact. Recommendations made 10 or more times for Guideline 3C include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Provide PBT's, Intoxilyzers to law enforcement officers (including funding, training, policies for use, etc.)	32	7	22%
• Enhance the DUI arrest process.	24	6	25%
• Provide adequate/increase DUI enforcement funding.	23	5	22%
• Conduct sobriety checkpoints, higher visibility, and/or saturation patrol efforts.	22	6	27%
• Improve/promote intergovernmental and/or interagency coordination, cooperation efforts.	22	6	27%
• Provide Standardized Field Sobriety Test training.	21	7	33%
• Provide Drug Evaluation/Recognition training.	21	3	14%
• Conduct multi-agency/jurisdiction DUI enforcement efforts.	20	7	35%
• Seek legislative support to enhance DUI enforcement efforts.	18	4	22%
• Improve data handling/evaluation of data.	18	1	6%
• Prioritize DUI enforcement activity.	17	11	65%
• Conduct enforcement efforts targeting underage drivers.	17	2	12%
• Provide DUI detection training to law enforcement officers.	17	8	47%
• Provide video/audio equipment to law enforcement officers (training, funding for, policies, etc.).	11	2	18%
• Establish/maintain Drug Evaluation and/or Classification Programs.	11	2	18%
• Law enforcement personnel (hiring, retaining, qualifications).	10	2	20%

E. 3D - Prosecution. Per NHTSA Highway Safety Guidelines, States should implement a comprehensive program for visible and aggressive prosecution of impaired-driving cases.

There were 171 recommendations produced in the assessments for Guideline Area 3D, including 44 priority recommendations. In general, the recommendations for Guideline Area 3D involved: (1) providing or improving DUI training and education for prosecutors; (2) speeding and strengthening the DUI prosecution process; (3) limiting or eliminating plea bargaining/charge reductions; and (4) providing adequate resources to prosecutor offices. Recommendations made 10 or more times for Guideline 3D include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Provide or enhance DUI training and education for prosecutors.	37	5	14%
• Streamline/speed DUI prosecution efforts.	29	9	31%
• Strengthen DUI prosecution efforts.	12	1	8%
• Provide/increase prosecutor/hearing officer staffing resources.	10	2	20%
• Prohibit/limit the reduction of DUI charges.	10	3	30%

F. 3E - Adjudication. Per NHTSA Highway Safety Guidelines, the effectiveness of prosecution and enforcement efforts is lost without support and strength in adjudication.

There were 224 recommendations produced in the assessments for this guideline area, including 56 priority recommendations. Just over 20 percent of the recommendations involved providing educational or training opportunities to help judges and administrative hearing officers better or more appropriately adjudicate DUI cases. Other large groups of recommendations included: (1) making changes to judicial procedures or reorganizing court systems to enhance impaired-driving adjudication; (2) enhancing case management by providing adequate resources to court systems; (3) giving courts an effective option by providing sufficient resources to adequately staff probation and parole programs; and (4) improving court information and records systems. Recommendations made 10 or more times for Guideline 3E include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Provide DUI training and education for judges and ALR officers to improve adjudication.	49	15	31%
• Changes to procedures to enhance the adjudication of DUI.	27	5	19%

• Revise State trial system structure.	19	7	37%
• Provide sufficient court resources for adjudication and case management.	18	5	28%
• Provide adequate staffing of probation and parole programs and resources to monitor programs.	16	5	31%
• Improve court information and records systems.	12	1	8%
• Develop/revise sentencing guidelines or alternatives.	10	0	0%

IV. GUIDELINE AREA 4 - DRIVER LICENSING. NHTSA Highway Safety Program guidelines provides that programs implemented by the motor vehicle agency can prevent or deter the incidence of impaired driving as well as effect the treatment and rehabilitation of impaired drivers.

A. ANALYSIS. Guideline Area 4 (Driver Licensing) contains three components: Prevention, Deterrence, and Program Management. As shown in **Table 6**, 345 recommendations were produced in this guideline area in the assessments and 106 were priority recommendations. **Appendix F** compiles all Guideline Area 4 recommendations.

Guideline Area 4 generated the second fewest number of recommendations, compared with other guideline areas. Within Guideline Area 4, Areas 4A (Prevention) and 4B (Deterrence) produced greater numbers of recommendations. In addition, a significant portion (25 percent or more) of the recommendations generated under Areas 4B (Deterrence) and 4C (Program Management) were priority recommendations. Specifically:

- Area 4A (Prevention - Driver Licensing) produced 39 percent of all Driver Licensing recommendations.

- Area 4B (Deterrence) produced 37 percent of all Driver Licensing recommendations and 38 percent of the recommendations were priority recommendations.

- Area 4C (Program Management) produced 25 percent of all Driver Licensing recommendations and 32 percent of the recommendations were priority recommendations.

TABLE 6**NUMBER OF RECOMMENDATIONS FOR GUIDELINE AREA 4
DRIVER LICENSING**

	Total Number of <u>Recommendations</u>	Number of Priority <u>Recommendations</u>	Percent that are <u>Priority</u>
4A - Prevention (Driver Licensing)	133	31	23%
4B - Deterrence	127	48	38%
4C - Program Management	<u>85</u>	<u>27</u>	<u>32%</u>
TOTAL GUIDELINE AREA 4 RECOMMENDATIONS	345	106	31%

B. 4A - Prevention (Driver Licensing). Per NHTSA Highway Safety Guidelines, each State should have a licensing/registration system that reinforces the deterrence and prevention of impaired driving and fosters the treatment and rehabilitation of impaired drivers.

There were 133 recommendations for Guideline Area 4A, including 31 priority recommendations. In general terms, most of the recommendations for this area fall into one of the following categories: (1) implement/adopt/revise/evaluate some form of a graduated drivers license, provisional, and/or restricted licensing program; (2) ensure DMV involvement in PI&E efforts; adapt/use driver license technology to enhance prevention efforts; (3) develop/enhance an administrative license revocation system; (4) improve driver education; and (5) develop/expand highway safety information system. Recommendations made 10 or more times for Guideline 4A include (in descending order):

	Total Number of <u>Recommendations</u>	Number of Priority <u>Recommendations</u>	Percent that are <u>Priority</u>
• Provide/implement a graduated driver/ restricted/provisional licensing system.	24	7	29%
• Ensure/promote active DMV involvement in PI&E efforts.	17	1	6%
• Adopt driver license technology to reduce fraud, identify juvenile drivers, etc.	13	2	15%
• Develop or enhance existing administrative license revocation system.	11	2	18%
• Mandate/enhance driver training and education.	11	2	18%

C. 4B - Deterrence. Per NHTSA Highway Safety Guidelines, the State driver-licensing agency should support the passage and implementation of laws to deter impaired driving.

There were 127 recommendations for Guideline Area 4B, including 48 priority recommendations. In general, the recommendations for Guideline Area

4B involved enhancing the deterrence effect by: (1) providing for more severe administrative penalties; (2) enhancing the speed and efficiency of the administrative license revocation process; (3) developing a zero tolerance policy for drivers under age 21; (4) evaluating deterrence efforts; and (5) improving data reporting systems, availability and exchange. Recommendations made 10 or more times for Guideline 4B include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Develop increasingly severe administrative penalties to enhance deterrence effect.	29	8	28%
• Improve/enhance the speed and efficiency of the administrative license revocation process.	25	12	48%
• Enact legislation to increase the deterrent effect on drivers under age 21.	19	10	53%
• Perform program evaluations/data analysis to support legislative arguments.	11	3	27%

D. 4C - Program Management. Per NHTSA Highway Safety Guidelines, the effective management of the motor vehicle agency primarily involves the use and dissemination of the information that the agency houses. Other factors that support the workings of the system must also be considered to operate at peak efficiency.

There were 85 recommendations for Guideline Area 4C, including 27 priority recommendations. Nearly 50 percent of these recommendations fell into two categories: (1) improving data exchange between DMV and court systems and (2) adopting a Statewide uniform traffic citation system. Recommendations made 10 or more times for Guideline 4C include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Develop/improve data exchange between courts and DMV.	29	8	28%
• Adopt/implement Statewide uniform traffic citation including electronic citations and/or tracking.	13	6	46%

V. GUIDELINE AREA 5 - TREATMENT AND REHABILITATION. NHTSA Highway Safety Program guidelines provide that many first-time impaired-driving offenders and most repeat offenders have substantial substance abuse problems that affect their entire lives, not just their driving. They have been neither prevented nor deterred from impaired driving. Each State should implement a system to identify and refer these drivers to appropriate substance abuse treatment programs to change their dangerous behavior.

A. ANALYSIS. Guideline Area 5 (Treatment and Rehabilitation) contains two components: Diagnosis and Screening, and Treatment and Rehabilitation. As shown in **Table 7**, 196 recommendations were produced and 67 of the recommendations were priority recommendations. **Appendix G** compiles all of the Guideline Area 5 recommendations.

Guideline Area 5 generated the fewest number of recommendations, compared to the other guideline areas. However, a significant portion (25 percent or more) of recommendations for both Areas 5A (Diagnosis and Screening) and 5B (Treatment and Rehabilitation) were priority recommendations.

TABLE 7

**NUMBER OF RECOMMENDATIONS FOR GUIDELINE AREA 5
TREATMENT AND REHABILITATION**

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
5A - Diagnosis and Screening	28	9	32%
5B - Treatment and Rehabilitation	<u>168</u>	<u>58</u>	<u>35%</u>
TOTAL GUIDELINE AREA 5 RECOMMENDATIONS	196	67	34%

B. 5A - Diagnosis and Screening. Per NHTSA Highway Safety Guidelines, each State should have a systematic program to evaluate persons who have been convicted of an impaired-driving offense to determine whether they have a significant alcohol or drug use problem.

There were 28 recommendations for Guideline Area 5A, including 9 priority recommendations. The majority of these recommendations involved developing or providing a screening mechanism for DUI offenders. Recommendations made 10 or more times for Guideline 5A include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Develop/provide a screening mechanism for DUI offenders.	16	5	31%

C. 5B - Treatment and Rehabilitation. Per NHTSA Highway Safety Guidelines, each State should establish and maintain programs to treat alcohol- and other drug-impaired persons referred through traffic courts and other sources.

There were 168 recommendations for Guideline Area 5B, including 58 priority recommendations. In general terms, most of these recommendations fell into one of several categories, including: (1) provide offenders, including youths, with appropriate treatment access; (2) perform evaluations of assessment and treatment programs; (3) develop and implement a client tracking system; (4) develop and use standard treatment guidelines and

criteria; and (5) provide adequate resources for treatment programs. Recommendations made 10 or more times for Guideline 5B include (in descending order):

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
• Evaluate assessment/treatment programs.	24	5	21%
• Develop/implement a DUI client tracking system.	16	8	50%
• Provide offenders with access to treatment and/or education programs.	14	5	36%
• Create task forces to explore variety of treatment and rehabilitation issues.	11	5	45%
• Ensure availability of appropriate alcohol and drug treatment/rehabilitation for youthful offenders.	11	6	55%
• Provide adequate funding for treatment programs.	10	4	40%
• Use of standard criteria for determining treatment and rehabilitation needs.	10	2	20%

SECTION THREE - CONCLUDING REMARKS

I. STUDY LIMITATIONS. It should be noted that there are inherent limitations to this retrospective review and compilation of assessment recommendations. Data for this study consists solely of recommendations produced in the impaired-driving assessment reports. Each assessment took place within a limited time frame (one week) and assessment team recommendations were based on the information provided to them. This review does not account for any changes that may have taken place in the various State impaired-driving programs since the original assessments. This effort did not seek to determine whether the assessment process was responsible for changes to a State's impaired-driving program. More specific information related to the recommendations and associated outcomes would be needed to evaluate the impact of the assessment process.

This study was an effort by a single reviewer to subjectively categorize and then quantify a very large number of varied assessment team recommendations that were produced in the assessment reports. There has been no evaluation of this single reviewer's interpretation of the recommendations. The reviewer's categorization effort was complicated by several factors.

First, while assessment team members used the guidelines for each assessment, the sheer complexity and variety of State impaired-driving programs and the different State environments in which they exist, led to an extremely wide variety of recommendations. Second, each of the five guideline areas contains several components (altogether 21 different components) and there was a wide variety of recommendations within each of

the components, so the reviewer had to create "sub-categories" within each component. The reviewer used his interpretation and judgment to decide to which "sub-category" the individual recommendation belonged. The reviewer also developed multiple "themes" for the recommendations within each guideline area based on his judgment. Third, many of the recommendations were very lengthy, contained legal or technical language, or both. Many recommendations were similar, but contained dissimilar wording. In addition, a large number of recommendations were "compound" and actually contained multiple recommendations. Further, the scope of the recommendations varied considerably, ranging from Statewide recommendations to those involving a specific locality or even employer.

Finally, it should be noted that there was no attempt to compare the State re-assessments to the original assessments. There were several reasons for this. First, the primary purpose for each assessment and subsequent re-assessment was to identify weaknesses or deficiencies as compared to the standard and make recommendations for improvement. Second, each assessment and re-assessment reflects the views of a different assessment team and is considered a standalone snapshot of the current status of a State's impaired-driving program. Third, it could not be determined that any post-assessment changes made to a State's impaired-driving program could be attributed to the previous assessment. There are no attempts to penalize a State if assessment recommendations are not followed.

II. SUMMARY. The Statewide impaired-driving assessment process has been employed 42 times (32 assessments and 10 re-assessments) through October 2003. Assessment recommendations draw attention to critical needs and problem areas for each State. There were 2,982 recommendations produced in the assessment reports and this study effort was an attempt to sort, categorize and quantify those recommendations for each of the guideline areas and their respective components. The sheer number and wide variety of assessment recommendations indicate that most, if not all, of the assessed States have significant needs regarding their impaired-driving programs. Large numbers of recommendations and high percentages of priority recommendations within a guideline area may reflect overall importance and breadth of its various components. It should not be assumed that a particular guideline area is strong or weak based solely on the number of recommendations regarding the area.

Despite the complexity of categorizing the myriad of recommendations, most of them could be applied to one of several large thematic areas (see Table 8). Most of the guideline areas contained recommendations matching these themes. It is recommended that this compilation of recommendations be used to highlight those guideline areas and components with a preponderance of recommendations and to help illuminate those areas where perhaps there have been fewer recommendations made. This could help focus attention on specific problem areas, identify where future attention should be given and help establish new, or revise existing, guideline areas and components. It is hoped that this compilation of assessment recommendations will assist the Impaired-driving Division of the Office of Impaired-driving and Occupant Protection in enhancing assessments of State impaired-driving programs in the future.

TABLE 8**NUMBER OF RECOMMENDATIONS BY GENERAL CATEGORIZATION (OR THEME)**

	<u>Total Number of Recommendations</u>	<u>Number of Priority Recommendations</u>	<u>Percent that are Priority</u>
Increase deterrence effect by prioritizing enforcement and by enhancing arrest, prosecution, and adjudication processes.	470	156	33%
Provide/increase PI&E efforts for DUI prevention and deterrence.	370	82	22%
Remedy DUI data/records problems (e.g., accessibility, offender tracking systems, data linkages, data reporting, etc.).	352	106	30%
Create/revise laws and other legislative efforts to increase DUI deterrence.	344	136	40%
Increase/enhance training for law enforcement, prosecution, and judicial personnel.	259	73	28%
Strengthen DUI prevention efforts by creating new, or revising existing laws and other legislative efforts to strengthen prevention.	215	72	34%
Evaluate impaired-driving programs and activities.	211	47	22%
Provide sufficient treatment and rehabilitation resources (screening, diagnosis, facilities, personnel).	138	55	40%
Improve inter/intra-governmental coordination and cooperation regarding DUI efforts.	136	51	38%
Funding-related recommendations to provide adequate resources and/or promote self-sufficiency efforts.	118	44	37%
Develop/increase number of task forces or increase community involvement	117	30	26%

**HIGHWAY SAFETY PROGRAM
GUIDELINE AREA No. 8
IMPAIRED DRIVING**

Each State, in cooperation with its political subdivisions, should have a comprehensive program to combat impaired driving. This guideline describes the areas that each State's program should address. Throughout this guideline, "impaired driving" means operating any motor vehicle while one's faculties are affected by alcohol or other drugs, medications, or other substances. "Impaired driving" includes, but is not limited to, impairment as defined in State statutes.

I. PREVENTION

Each State should have prevention programs to reduce impaired driving through approaches commonly associated with public health -- altering social norms, changing risky or dangerous behaviors, and creating protective environments. Prevention and public health programs promote activities to educate the public on the effects of alcohol and other drugs, limit alcohol and drug availability, and prevent those impaired by alcohol and drugs from driving. Prevention programs are typically carried out in schools, work sites, medical and health care facilities, and community groups. Each State should implement a system of impaired driving prevention activities and work with the traffic safety, health and medical communities to foster health and reduce traffic-related injuries and their resulting costs.

A. Public Information and Education for Prevention

States should develop and implement public information and education (PI&E) programs directed at impaired driving, and reducing the risk of injury or death and their resulting medical, legal and other costs. Programs should start at the State level and extend to communities through State assistance, model programs, and public encouragement. States should:

- Have a statewide plan, program, and coordinator for all impaired driving PI&E activities;
- Develop their own PI&E campaigns and materials, either by adapting materials from the Federal government or other States, or by creating new campaigns and materials;
- Encourage and support communities to implement awareness programs at the local level;
- Encourage businesses and private organizations to participate in impaired driving PI&E campaigns; and
- Encourage media to support impaired driving highway safety issues by reporting on programs, activities (including enforcement campaigns), alcohol-related arrests, and alcohol-related crashes.

B. School Programs

Student programs, including kindergarten through college and trade school, play a critical role in preventing impaired driving. States should:

- Implement K-12 traffic safety education, with appropriate emphasis on impaired driving, as part of a comprehensive health education program;
- Establish and support student safety clubs and activities and create a statewide network linking these groups;
- Establish liaisons with higher education institutions to encourage policies to reduce alcohol, other drug, and traffic safety problems on college campuses;
- Promote alcohol- and drug-free events throughout the school year, with particular emphasis on high-risk times such as prom, spring break, and graduation;
- Coordinate closely with anti-drug education efforts and programs;
- Develop working relationships with school health personnel as a means of providing information to students about a variety of traffic safety and health behaviors; and
- Make effective use of criminal justice, medical, or other professionals through presentations in the classroom or assembly programs.

C. Employer Programs

States should provide information and technical assistance to all employers, encouraging them to offer programs to reduce impaired driving by employees and their families. These programs should include:

- Model policies for impaired driving and other traffic safety issues, including safety belt use and speeding;
- Management training to recognize and address alcohol and drug impairment; Education and treatment programs for employees; and Employee awareness activities.
- States should especially encourage companies and businesses to provide impaired driving programs to their youthful employees. The States should also be familiar with FHWA's drug and alcohol requirements for employers of commercial motor vehicle (CMV) drivers.

D. Responsible Alcohol Service

States should promote responsible alcohol service policies and practices through social host programs and well-publicized and enforced laws, regulations, policies and education in the retail alcohol service industry (including package stores, restaurants, and taverns). States should:

- Implement and enforce programs to eliminate the sale or service of alcoholic beverages to those under 21 years of age;
- Promote alcohol server and service programs, including assessments, written policies, and training;
- Ensure adequate alcohol control regulations dealing with issues such as service to visibly intoxicated patrons and the elimination of "happy hours" during which free or reduced-price alcoholic beverages are offered (food and non-alcoholic beverages may be offered instead during such times);
- Provide adequate resources (including budget, staff, and training) to enforce alcohol beverage control regulations;
- Promote the display of responsible alcohol use and drinking and driving information in alcohol sales and service establishments;
- Promote participation in designated driver, safe rides, and other alternative transportation programs; and
- Provide that commercial establishments may be held responsible for damages caused by any patron who was served alcohol when visibly intoxicated.

E. Transportation Alternatives

States should promote alternative transportation programs that enable drinkers to reach their destinations without driving. Alternative transportation programs include:

- Designated drivers; and
- Safe rides.

II. DETERRENCE

Each State should have a deterrence program to reduce impaired driving through activities to create the maximum possible perception of detection, arrest and punishment among persons who might be tempted to drive under the influence of alcohol or other drugs, including CMV drivers. Close coordination with law enforcement agencies on the municipal, county, and state levels is needed to create and sustain the perceived risk of being detected and arrested. Specialized traffic enforcement efforts, such as the Motor

Carrier Safety Assistance Program (MCSAP), also serve as a core element in the detection of impaired drivers. Equally close coordination with courts and the motor vehicle licensing and registration agency is needed to enhance the fear of punishment. Effective use of all available media is essential to create and maintain a strong public awareness of impaired driving enforcement and sanctions.

Each State should implement a system of activities to deter impaired driving. The deterrence system should include legislation, public information and education, enforcement, prosecution, adjudication, criminal sanctions, driver licensing, and vehicle registration activities. The goal should be to increase the perception and probability of arrest for violators and the imposition of swift and sure sanctions.

A. Laws To Deter Impaired Driving

States should enact laws that define and prohibit impaired driving in broad and readily enforceable terms, facilitate the acquisition of evidence against impaired drivers, and permit a broad range of administrative and judicial penalties and actions. These laws should:

Define impaired driving offenses -

- Establish .08 Blood Alcohol Concentration (BAC) as the blood alcohol level at or above which it is illegal to operate a motor vehicle ("illegal per se");
- Establish .04 BAC as the illegal per se blood alcohol level for commercial truck and bus operators, as provided by commercial driver license regulations;
- Establish that it is illegal per se for persons under the age of 21 (the legal drinking age) to drive with any measurable amount of alcohol in their blood, breath, or urine;
- Establish that driving under the influence of other drugs (whether illegal, prescription, or over-the-counter) is unlawful and is treated similarly to driving under the influence of alcohol;
- Establish vehicular homicide or causing personal injury while under the influence of alcohol as a separate offense; and
- Prohibit open alcohol containers and consumption of alcohol in motor vehicles.

Provide for effective enforcement of these laws -

- Authorize police to conduct checkpoints, in which vehicles are stopped on a nondiscriminatory basis to determine whether or

not the operators are driving under the influence of alcohol or drugs;

- Authorize police to use a preliminary breath test for a vehicle operator stopped for a suspected impaired driving offense;
- Authorize police to test for impairing drugs other than alcohol;
- Include implied consent provisions that permit the use of chemical tests and that allow the arresting officer to require more than one test of a vehicle operator stopped for a suspected impaired driving offense;
- Require prompt and certain license revocation or suspension for persons who refuse to take a chemical test to determine whether they were driving while intoxicated ("implied consent"); and
- Require mandatory blood alcohol concentration testing whenever a law enforcement officer has probable cause to believe that a driver has committed an alcohol-related offense.

Provide effective penalties for these offenses --

- Require prompt and certain administrative license revocation or suspension of at least 90 days for persons determined by chemical test to violate the State's BAC limit;
- Provide for increasingly more severe penalties for repeat offenders, including lengthy license revocation, substantial criminal fines, jail, and/or impoundment or confiscation of license plates or vehicles registered by the offender;
- Provide for more stringent criminal penalties for those convicted of more serious offenses, such as vehicular homicide;
- Contain special provisions for youth under the age of 21 that mandate driver's license suspension for any violations of laws regarding the use or possession of alcohol or other drugs; and
- Establish victim assistance and victim restitution programs and require the use of a victim impact statement prior to sentencing in all impaired driving cases where death or serious injury occurred.

B. Public Information and Education for Deterrence

States should implement public information and education (PI&E) programs to maximize public perception of the risks of being caught and punished for impaired driving. Public information programs should be:

- Comprehensive;

- Seasonally focused; and
- Sustained.

C. Enforcement

States should implement comprehensive enforcement programs to maximize the likelihood of detecting, investigating, arresting, and convicting impaired drivers. These programs should:

- Secure a commitment to rigorous impaired driving enforcement from the top levels of police management and State and local government;
- Provide state-of-the-art training for police officers, including Standardized Field Sobriety Testing (SFST) and Drug Evaluation and Classification (DEC);
- Provide adequate equipment and facilities, including preliminary and evidentiary breath test equipment;
- Deploy patrol resources effectively, using cooperative efforts of various State and local police agencies as appropriate;
- Maximize the likelihood of violator-officer contact;
- Make regular use of sobriety checkpoints;
- Facilitate the arrest process;
- Implement state-of-the-art post-arrest investigation of apprehended impaired drivers;
- Emphasize enforcement of youth impaired driving and drinking age laws; and
- Emphasize enforcement of laws regulating alcohol or drug impairment by CMV drivers.

D. Prosecution

States should implement a comprehensive program for visible and aggressive prosecution of impaired driving cases. These programs should:

- Give impaired driving cases high priority for prosecution;
- Provide sufficient resources to prosecute cases presented by law enforcement efforts;
- Facilitate uniformity and consistency in prosecution of impaired driving cases;
- Provide training for prosecutors so they can obtain high rates of conviction and seek appropriate sanctions for offenders;

- Prohibit plea bargaining in impaired driving cases, through appropriate legislation;
- Encourage vigorous prosecution of alcohol-related fatality and injury cases under both impaired driving and general criminal statutes; and
- Ensure that prosecutors are knowledgeable and prepared to prosecute youthful offenders appropriately.

E. Adjudication

The effectiveness of prosecution and enforcement efforts is lost without support and strength in adjudication. States should implement a comprehensive impaired driving adjudication program to:

- Provide sufficient resources to adjudicate cases and manage the dockets brought before them;
- Facilitate uniformity and consistency in adjudication of impaired driving cases;
- Give judges the skills necessary to appropriately adjudicate impaired driving cases;
- Provide similar training to administrative hearing officers who hear administrative license revocation appeals;
- Inform the judiciary about technical evidence presented in impaired driving cases, including SFST and DEC testimony;
- Educate the judiciary in appropriate and aggressive sanctions for offenders including violators of commercial motor vehicle safety regulations; and
- Ensure that judges are knowledgeable and prepared to adjudicate youthful offenders cases in an appropriate and aggressive manner.

F. Licensing

Driver licensing actions can be an effective means for preventing, deterring, and monitoring impaired driving. In addition to the license sanctions for impaired driving offenses discussed earlier, States should:

- Implement a graduated licensing system for novice drivers;
- Provide for license suspension for drivers under age 21 who drive with a BAC exceeding .02 (or some other low BAC value);
- Issue distinctive licenses to drivers under the age of 21;
- Monitor licensing records to identify high risk drivers for referral to education or remediation programs;

- Ensure the accurate and timely reporting of alcohol and drug violations as prescribed by the Commercial Drivers License (CDL) regulations;
- Assure that all licensing records are used to help assess whether a driver requires alcohol or drug treatment; and
- Actively participate in the Driver License Compact to facilitate the exchange of driver license information between jurisdictions.

III. TREATMENT AND REHABILITATION

Many first-time impaired driving offenders and most repeat offenders have substantial substance abuse problems that affect their entire lives, not just their driving. They have been

neither prevented nor deterred from impaired driving. Each State should implement a system to identify and refer these drivers to appropriate substance abuse treatment programs to change their dangerous behavior.

A. Diagnosis and Screening

States should have a systematic program to evaluate persons who have been convicted of an impaired driving offense to determine if they have an alcohol or drug abuse problem. This evaluation should:

- Be required by law;
- Be conducted by qualified personnel prior to sentencing; and
- Be used to decide whether a substance abuse treatment program should be part of the sanctions imposed.

B. Treatment and Rehabilitation

States should establish and maintain programs to treat alcohol and other drug dependent persons referred through traffic courts and other sources. These programs should:

- Ensure that those referred for impaired driving offenses are not permitted to drive again until their substance abuse problems are under control;
- Be conducted in addition to, not as a substitute for, license restrictions and other sanctions; and
- Be conducted separately for youth.

IV. PROGRAM MANAGEMENT

Good program management produces effective programs. Planning and coordination are especially important for impaired driving activities, since many different parties are involved. Each State's impaired driving program management system should have an established process for managing its planning (including problem identification), program control, and evaluation activities. The system should provide for community traffic safety programs (CTSPs), State and local task forces, data analysis, and funding. It also should include planning and coordination of activities with other agencies involved in impaired driving programs, such as MCSAP, and expansion of existing partnerships, such as with the health and medical communities.

A. State Program Planning

States should develop and implement an overall plan for all impaired driving activities. The plan should:

- Be based on careful problem definition that makes use of crash and driver record data; and
- Direct State and community resources toward effective measures that address the State's impaired driving issues.

B. Program Control

States should establish procedures to ensure that program activities are implemented as intended. The procedures should provide for systematic monitoring and review of ongoing programs to:

- Detect and correct problems quickly;
- Measure progress in achieving established goals and objectives; and
- Ensure that appropriate data are collected for evaluation.

C. State and Local Task Forces and Community Traffic Safety and Other Injury Control Programs

States should encourage the development of State and community impaired driving task forces and community traffic safety and other injury control programs. States should:

- Use these groups to bring a wide variety of interests and resources to bear on impaired driving issues;
- Ensure that Federal, State, and local organizations coordinate impaired driving activities, so that the activities complement rather than compete with each other; and
- Ensure that these groups include traditional and non-traditional partners, such as law enforcement, local government, business, education, community groups, health,

medicine, prosecutors and judges.

D. Data and Records

States should establish and maintain records systems for accidents, arrests, dispositions, driver licenses, and vehicle registrations. Especially important are tracking systems which can provide information on every driver arrested for DWI to determine the disposition of the case and compliance with sanctions. These records systems should be:

- Accurate;
- Timely;
- Able to be linked to each other; and
- Readily accessible to police, courts, and planners.

E. Evaluation

States should evaluate all impaired driving system activities regularly to ensure that programs are effective and scarce resources are allocated appropriately. Evaluation should be:

- Designed to use available traffic records and other injury control data systems effectively;
- Included in initial program planning to ensure that appropriate data are available and that adequate resources are allocated; and
- Conducted regularly.

Evaluation results should be:

- Reported regularly to project and program managers; and
- Used to guide further program activities.

F. Funding

States should allocate funding to impaired driving programs that is:

- Adequate for program needs;
- Steady -- from dedicated sources; and
- To the extent possible, paid by the impaired drivers themselves. The programs should work toward being self-sufficient.

APPENDIX B

IMPAIRED-DRIVING ASSESSMENT RECOMMENDATIONS:

- Number by Guideline Area

- Categorization of Recommendations by Guideline Area

**NUMBER OF IMPAIRED DRIVING
ASSESSMENT
RECOMMENDATIONS BY GUIDELINE AREA**

	NUMBER OF RECOMMENDATIONS		% of	% of
	Total Number	Number of Priority	Total Rec	Priority Rec
GUIDELINE AREA 1 - PROGRAM MANAGEMENT	647	178	21.89%	21.24%
1A STATE PROGRAM PLANNING	138	51		
1B PROGRAM CONTROL	86	16		
1C STATE AND LOCAL TASK FORCES AND SAFE COMMUNITIES PROGRAM	124	26		
1D DATA AND RECORDS	156	53		
1E EVALUATION	91	17		
1F FUNDING	52	15		
GUIDELINE AREA 2 - PREVENTION	556	147	18.81%	17.54%
2A PUBLIC INFORMATION AND EDUCATION FOR PREVENTION	125	32		
2B SCHOOL PROGRAMS AND COMMUNITY YOUTH PROGRAMS	105	31		
2C EMPLOYER PROGRAMS	81	10		
2D ALCOHOL AVAILABILITY AND SERVICE	171	61		
2E TRANSPORTATION ALTERNATIVES	74	13		

GUIDELINE AREA 3 - DETERRENCE			1238	354	41.88%	42.24%
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3A LAWS TO DETER IMPAIRED DRIVING			301	120		
3B PI&E FOR DETERRENCE			151	30		
3C ENFORCEMENT			391	104		
3D PROSECUTION			171	44		
3E ADJUDICATION			224	56		

GUIDELINE AREA 4 - DRIVER LICENSING			345	106	11.67%	12.65%
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4A PREVENTION (DRIVERS LICENSING)			133	31		
4B DETERRENCE			127	48		
4C PROGRAM MANAGEMENT			85	27		

GUIDELINE AREA 5 - TREATMENT AND REHABILITATION			196	67	6.63%	8.00%
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5A DIAGNOSIS AND SCREENING			28	9		
5B TREATMENT AND REHABILITATION			168	58		

TOTAL NUMBER OF RECOMMENDATIONS			2982	852		
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4A PREVENTION (DRIVERS LICENSING)			133	31	0.045	0.037	0.678	0.726
4B DETERRENCE			127	48	0.043	0.057	0.721	0.783
2A PUBLIC INFORMATION AND EDUCATION FOR PREVENTION			125	32	0.042	0.038	0.763	0.821
1C STATE AND LOCAL TASK FORCES AND SAFE COMMUNITIES PROGRAM			124	26	0.042	0.031	0.805	0.852
2B SCHOOL PROGRAMS AND COMMUNITY YOUTH PROGRAMS			105	31	0.036	0.037	0.841	0.889
1E EVALUATION			91	17	0.031	0.020	0.871	0.909

1B PROGRAM CONTROL	86	16	0.029	0.019	0.901	0.928
4C PROGRAM MANAGEMENT	85	27	0.029	0.032	0.929	0.961
2C EMPLOYER PROGRAMS	81	10	0.027	0.012	0.957	0.973
2E TRANSPORTATION ALTERNATIVES	74	13	0.025	0.016	0.982	0.988
1F FUNDING	52	15	0.018	0.018	0.999	1.006
5A DIAGNOSIS AND SCREENING	28	9	0.009	0.011	1.009	1.017

TOTAL NUMBER OF RECOMMENDATIONS	2982	852
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APPENDIX B (continued)

**CATEGORIZATION OF IMPAIRED DRIVING ASSESSMENT
RECOMMENDATIONS BY GUIDELINE AREA**

**NUMBER OF
RECOMMENDATIONS**

Total Number Number of Priority

	Total Number	Number of Priority
1A STATE PROGRAM PLANNING	138	51
Coordinated approaches to state program planning.	25	11
Crash/impaired driving data (access, usage, validity, etc.)	21	3
PI&E efforts (develop, re-emphasize, improve, etc.).	14	3
Specific legislation to enhance DUI efforts.	13	8
State government/agency reorganization.	12	7
Develop/continue State DWI Task Forces.	9	5
Staffing (adequacy, funding for, appointments, etc.)	9	1
Gov. Highway Safety Program Office (development, coordination, interaction..)	7	5
Grants (identifying needed grants, application process, flexibility, etc.)	7	3
Funding resources/allocation issues.	5	1
Hold Alcohol Forums.	3	1
BAC testing requirements.	3	1
Education/training regarding DUI issues.	3	0
Problem identification analysis to ID problem areas.	3	1
Development of Safe Communities Teams.	2	1
DUI paperwork reduction.	2	0
1B PROGRAM CONTROL	86	16
Develop/continue program monitoring capability.	26	3
Dissemination/sharing of data/information.	19	4
Training/workshops.	12	2
Problem identification.	7	3
Funding requirements.	6	2
Progress reports/meetings.	4	0
Require performance-based projects.	3	0
Review/revise program control procedures.	2	0
Review/update grant procedures.	2	0
Ensure projects have realistic goals/objectives.	2	1
Auditing requirements.	2	0
Reduce duplication of effort.	1	1
1C STATE AND LOCAL TASK FORCES AND SAFE COMMUNITIES PROGRAMS	124	26
State support/assistance to safe communities programs/task forces.	24	3
Develop/hold workshops or working groups for training/discussion.	18	4
Publicize DUI task force and/or safe communities programs.	16	3
Encourage partner involvement in safe communities coalitions.	15	3
Coordinate efforts of various DUI task forces/safe communities groups.	13	4
Program evaluation/review/feedback.	11	1
Expand/market Safe Communities Programs.	10	2
Create/develop/expand local DUI task forces.	8	3
Create/develop statewide DUI task forces.	4	2
Develop performance measures.	3	0

**NUMBER OF
RECOMMENDATIONS**

Total Number	Number of Priority
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1D DATA AND RECORDS	156	53
Develop/improve/expand data linkages.	34	8
Crash/BAC reporting requirements.	27	4
Establish/develop DWI records/tracking system.	18	12
Data/records management/planning/coordination recommendations.	18	12
Data analysis/evaluation.	13	2
Enhance data accessibility for law enforce., courts, state, community planners.	12	6
Traffic Records Assessments.	10	4
Data/information sharing.	8	1
Uniform traffic citation.	6	1
BAC testing requirements.	4	0
FARS data.	3	1
Proposed data/records-related legislation	3	2
1E EVALUATION	91	17
Data (collection, availability, use of, etc.)	21	3
Require/perform evaluations of impaired driving activities.	15	2
Evaluation project planning.	13	1
Report/share/publicize evaluation results.	12	1
Seek evaluation assistance, contracts, etc.	12	4
Ensure appropriate methodologies, benchmarks, milestones, etc.	11	3
Develop an evaluation capability.	4	3
Coordinate evaluation activities.	3	0
Inventory existing impaired driving programs/efforts.	1	0
1F FUNDING	52	15
Use of offender fees for impaired driving efforts.	11	3
Review/encourage/adopt self-sufficiency efforts.	11	4
Funding evaluation/cost-benefit analysis.	9	0
Federal funding eligibility.	7	0
Increase fees that are used for impaired driving programs.	6	5
Legislation to require use of offender fees to combat impaired driving.	5	2
DUI tracking systems.	2	0
Publicize costs of impaired driving.	1	1
2A PUBLIC INFORMATION AND EDUCATION FOR PREVENTION	125	32
Improve/expand agency/interagency PI&E planning and coordination efforts.	30	6
Develop/implement statewide PI&E plans.	15	8
Establish statewide PI&E Coordinator positions/staffing.	13	6
Business/advocacy group/school involvement in PI&E efforts.	13	1
Messages promoting public awareness of DUI risks, health consequences, etc.	13	3
Evaluation of PI&E activities.	12	2
PI&E efforts aimed at high risk groups (primarily youth).	8	2
PI&E recommendations with cultural emphasis.	8	3
PI&E funding recommendations.	5	0
Encouragement of media involvement/reporting.	4	0
PI&E materials.	4	1

RECOMMENDATIONS

Total Number Number of Priority

	Total Number	Number of Priority
2B SCHOOL PROGRAMS AND COMMUNITY YOUTH PROGRAMS	105	31
Coordination of interagency/intergovernmental involvement in youth programs.	19	6
Develop/implement K-12 alcohol and drug education programs.	16	7
Evaluation of efforts/data utilization.	16	4
Develop/encourage alcohol/drug education programs/efforts for college students.	12	3
Examine, review, revise state curriculum emphasis.	7	1
State/local government and college coordination/cooperation.	5	1
Establish task force/consortium to review/improve campus alcohol policies.	5	2
Establish a youth coordinator position.	5	3
Involve youth in program development.	5	0
Community coalition involvement in school and community youth programs.	4	1
State/local government and school coordination/cooperation.	4	1
Recommendations with a cultural emphasis.	3	2
Promote alcohol-free events.	2	0
Recommendations to involve local and school health personnel.	2	0
2C EMPLOYER PROGRAMS	81	10
Develop/expand NETS programs/employer traffic safety programs.	20	3
Employer/employee public awareness education.	19	1
Collaboration/interaction efforts to expand/enhance programs.	16	3
Programs for small employers.	10	1
Program/effort evaluation.	5	0
Youth-oriented efforts.	4	2
Interaction with insurance industry.	3	0
Culture-related awareness recommendations.	2	0
OSHA regulations.	2	0
2D ALCOHOL AVAILABILITY AND SERVICE	171	61
Programs/legislation to control alcohol sales/service to those under 21.	23	9
Alcohol tax revenue allocation.	18	10
Mandatory training for sellers/servers (including recertification).	16	3
Dram Shop laws/liability.	14	7
Require beer keg registration.	13	3
Restrict alcohol sales promotion and/or hours of sale.	9	3
Incentives for training.	8	4
Review/examination of ABC laws/enforcement.	8	6
State/local government, community ABC enforcement cooperation, coordination, consistency, etc.	7	4
Licensee sanctions.	6	2
Social host liability laws.	5	0
Placement of alcohol outlets.	5	1
Training standards uniformity for sellers/servers.	5	0
Enhance ABC enforcement (resource adequacy).	5	1
Enhance ABC enforcement (training).	5	2
Requirement for one trained/certified server on site at all times.	4	1
Alcohol advertising.	3	0
Enhance ABC enforcement (staffing).	3	2
Enhance ABC enforcement (organization).	3	0

Prohibit sales to visibly intoxicated persons.	2	0
Private club licensing.	2	0
Age requirements for servers of alcohol.	2	1
Content of alcohol server/seller training.	2	1
Training in identification of minors.	2	1
Enhance ABC enforcement (approach).	1	0

**NUMBER OF
RECOMMENDATIONS**

Total Number of
Number Priority

2E TRANSPORTATION ALTERNATIVES	74	13
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Discourage designated driver consumption/overconsumption by all.	22	5
Promote/continue/expand designated driver or safe alternative programs.	17	1
Designate driver programs should discourage underage drinking.	15	3
Community participation in developing transportation alternatives.	7	1
Provide information regarding the health consequences of alcohol use.	5	1
Enhance education regarding safe transportation alternatives.	4	0
Website development.	2	0
Evaluation of safe ride alternatives.	1	1
Requirement to provide safe alternative transportation for event licensing.	1	1

3A LAWS TO DETER IMPAIRED DRIVING	301	120
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Enact/amend laws providing for increasingly severe penalties for repeat or habitual offenders, driving with greater BAC, child endangerment, etc.	44	14
Statutory Recommendations (to create body of law, revise language, close loopholes, clarification, etc.)	35	13
Enact/revise 0.08 BAC DUI law.	33	22
Enact/continue/amend open container laws.	24	12
Enact/revise laws requiring mandatory BAC testing	22	4
Enact/revise law for Administrative License Revocation/Suspension	19	10
Enact laws providing for special penalty provisions for Youth Under Age 21	16	5
Enact/revise Illegal Per Se Law for Drivers Under Age of 21	14	9
Enact/revise law for DUI of Other Drugs or Impairing Substances	12	6
Laws to allow the use of alternative sanctions in sentencing	12	3
Enact/revise implied consent laws.	11	4
Enact/revise laws to penalize test refusal	9	2
Revisions to state court/trial system and/or "adjudication process"	9	3
Enact/modify laws regarding use of Preliminary Breath Tests	8	1
Enact laws providing for more stringent penalties for more serious offenses (vehicular homicide, intoxication assault, etc.)	6	3
Laws to limit prosecutorial discretion/plea bargaining/charge reductions	6	3
Laws requiring offender assessment	6	3
Evidence Admission recommendations	4	1
Victim Assistance or Restitution Programs	3	1
Sobriety checkpoint laws	3	0
Laws requiring alcohol service/server training	2	0
Research/Evaluation Recommendations	2	1
Laws for Boating While Intoxicated	1	0

3B PI&E FOR DETERRENCE	151	30
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Statewide PI&E Plans (development, coordination, etc.)	18	10
PI&E Campaign (development, expansion, planning, etc.)	14	6
Build/Improve law enforcement and media relationships	14	1

PI&E efforts targeting high risk groups	14	1
PI&E Campaign Publicity Efforts	13	1
Public Education on Impaired Driving	11	4
PI&E funding requirements	11	2
PI&E efforts targeting specific groups (ethnic, cultural, regional, etc)	10	1
Intergovernmental/Inter-agency coordination and cooperation	8	0
DUI Reporting System for citizens	8	1
Campaign Messages and Themes	7	1
Encourage media involvement in DUI issues/efforts	7	0
Public/private organization partnership involvement	6	0
PI&E evaluation efforts	6	0
Statewide PI&E Coordinator/Staffing	3	2
Participation in National Campaigns	1	0

**NUMBER OF
RECOMMENDATIONS**

Total
Number Number of
Priority

3C ENFORCEMENT	389	103
PBT's/Intoxilyzers (buy, funding, training, policies for use, etc.)	32	7
Enhancement of the DUI Arrest Process	24	6
DUI Enforcement-related Funding	23	5
Sobriety Checkpoints/High Visibility/Saturation Patrol Efforts	22	6
Intergovernmental/Interagency Coordination, Cooperation Efforts	22	6
Standardized Field Sobriety Test Training	21	7
Drug Evaluation/Recognition Training	21	3
Multi-agency/jurisdiction DUI Law Enforcement Efforts	20	7
Legislative Support to Enhance DUI Enforcement Efforts	18	4
Data Handling/Evaluation	18	1
Prioritize DUI Enforcement Activity.	17	11
Enforcement Efforts Targeting Underage Drivers	17	2
DUI Detection Training	17	8
Video/Audio Equipment (buy, funding, training, policies for use, etc.)	11	2
Drug Evaluation/Classification Programs (establishment of, maintain, etc.)	11	2
Law Enforcement Personnel (deployment, qualifications, hiring, retaining, etc.)	10	2
DUI Arrest/Traffic Law/Court Procedures for Law Enforcement Personnel	9	5
Adjudication Process	9	4
Judicial/Prosecutor Training	8	5
Community-based Partnerships, Coalitions, etc.	7	1
Enforcement Efforts Aimed at Repeat or Habitual Offenders	6	2
Training Regarding Underage Drinking Issues	6	3
Mobile DUI Testing/Processing Vehicles	5	0
Horizontal Gaze Nystagmus Training	5	0
Alcohol Servers/Seller Training	5	0
General Recommendations to Purchase of Equipment to Enhance DUI efforts	4	2
Law Enforcement Leadership/Management Training	4	0
ABC Enforcement Training	4	0
DWI Tracking/Data Systems	4	2
DUI Reporting System for Citizens	3	0
In-service Training Requirements	3	0
Impaired Commercial Motor Vehicle Operator Enforcement Training	2	0
Video Evidence Training	1	0

3D PROSECUTION	171	44
Prosecutor DUI training/education	37	5
Streamline/speed prosecution of DUI.	29	9
Strengthen prosecution of DUI	12	1
Prosecutor/Hearing Officer staffing resources	10	2
Prohibit/limit reduction of DUI charges.	10	3
Records/tracking/reporting systems.	10	3
Examine/resolve DUI body of law issues.	9	4
Evaluation/analysis efforts	9	1
Program/Commitment to vigorously prosecute DUI.	6	4
Utilize experienced prosecutors/reduce stigma of handling DUI cases.	5	1
Ensure state representation in court by prosecutor's office.	4	2
Recognize DUI as specialized prosecution area.	4	1
Prohibit/limit deferral of DUI charges.	4	2
Prosecution programs for youthful offenders.	4	1
Communication/coordination efforts.	4	2
Funding for DUI Prosecution Coordinator/Specialist.	3	2
DUI arrest process.	3	0
Funding for technology to enhance prosecution efforts.	2	0
Ensure availability of driver history to prosecutor.	2	0
Programs to retain qualified prosecutors.	2	0
Resources to inform public about prosecution efforts/roles.	1	0
Funding for planning efforts.	1	1

**NUMBER OF
RECOMMENDATIONS**

Total Number of
Number Priority

3E ADJUDICATION	224	56
Educational opportunities for judges/ALR officers to help adjudicate DUI.	49	15
Procedural changes for adjudication of impaired driving.	27	5
Trial System Organization/Jurisdiction.	19	7
Provide courts with sufficient resources to adjudicate/manage case load.	18	5
Adequate staffing of probation and parole programs and resources to monitor.	16	5
Court Information and Records Systems	12	1
Potential conflict of interests	12	1
Sentencing guidelines/alternatives.	10	0
Adjudication of youthful offenders.	9	1
Administrative adjudication.	8	3
Judicial involvement in public awareness activities.	7	0
Review of State DUI adjudication system by judicial representatives.	5	4
Evaluation/Analysis	5	0
Refine/rewrite body of DUI statutes.	4	2
Limit/prohibit plea bargaining/charge reduction.	4	2
Reduce/eliminate deferral of charges.	4	2
Sentencing consistency.	3	0
Judicial oversight.	3	0
Availability of enhanced sanctions.	3	2
Evaluate disparities in conviction rates.	2	0
Provide judges with capacity to oversee offender screening.	2	0
Develop plans to improve adjudication of impaired driving.	1	0

Coordination of standards, policies, administration.	1	1
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4A PREVENTION (DRIVERS LICENSING)	133	31
Graduated/restricted/provisional drivers licensing	24	7
DMV involvement in PI&E efforts.	17	1
Driver license technology.	13	2
Develop/enhance administrative license revocation system.	11	2
Driver training/education.	11	2
Develop comprehensive highway safety information system.	9	3
Information system with tracking capability.	6	4
Items to include in driver history records.	6	1
Proof-of-age identification/license.	6	1
Develop/improve data linkages.	4	0
DMV reorganization.	4	2
Uniform traffic citations.	3	1
Ensure validity of driver record data.	3	2
Data/records maintenance.	3	0
Centralized data base.	3	1
Repeat/habitual offenders.	3	0
Compliance with treatment recommendations.	2	1
DMV-medical advisory board interaction.	2	0
Licensing sanctions.	2	1
DMV training efforts.	1	0

**NUMBER OF
RECOMMENDATIONS**

Total	Number of
Number	Priority

4B DETERRENCE	127	49
Enhance deterrence effect by more severe administrative penalties.	29	8
Enhance speed/efficiency/deterrence effect of the ALR process.	25	12
Enhance deterrence for drivers under 21.	19	10
Program evaluation/data analysis efforts.	11	3
Administrative License Revocation Program/Legislation.	9	6
Assist/train law enforcement preparation for ALR hearings.	6	1
Uniform traffic citation/tracking/reporting systems.	6	2
DUI arrest process improvements.	5	1
Make licensing sanctions administrative vice judicial in nature.	4	2
Data reporting requirements (Courts to DMV).	4	1
Data maintenance.	3	0
Driver license compacts.	3	3
Data linkages.	2	0
Commercial drivers.	1	0

4C PROGRAM MANAGEMENT	85	27
Court-DMV data exchange.	29	8
Adopt use of uniform traffic citations/citation tracking/electronic citations	13	6
Agency/interagency coordination, oversight.	9	2
Access to records of prior DUI convictions in other states.	8	2
Data availability/ease of use for law enforcement officer.	6	1
Develop/expand/improve tracking systems.	5	4
Examine/improve other data linkages.	5	1

Fee structures.	5	2
Evaluation/research recommendations.	3	0
Develop a statewide comprehensive highway safety MIS.	2	1

5A DIAGNOSIS AND SCREENING	28	9
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Develop/provide screening mechanism for DUI offenders.	16	5
Provide appropriate screening based on individual needs (youth, repeat, etc.)	6	0
Evaluate diagnosis and screening programs.	6	4

5B TREATMENT AND REHABILITATION	168	58
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Evaluation of assessment/treatment programs/efforts.	24	5
Client/referral tracking system.	16	8
Offender access to treatment/education programs.	14	5
Task force creation/coordination.	11	5
Youthful offender treatment.	11	6
Funding for treatment programs.	10	4
Treatment/assessment program criteria.	10	2
Standards for treatment/assessment personnel.	8	3
Appropriate treatment recommendations.	8	1
Interagency cooperation.	8	2
Substance abuse process.	6	4
Recommendations for judiciary regarding offender assessment	5	2
Offender assessment procedure.	5	1
Oversight of assessment program.	5	1
Health insurance coverage for alcohol/substance abuse treatment.	4	1
Identify/research/replicate programs.	4	2
Requirement for treatment.	3	3
Mandatory substance abuse assessments.	3	1
Repeat offender treatment.	3	0
Supervision of offenders	3	2
Define, regulate ASAP operation, roles, etc.	2	0
Female offender assessment.	1	0
Cultural issues regarding treatment.	1	0
Voluntary organization involvement	1	0
Ignition Interlock usage	1	0
Sanctions for failure to complete ASAP	1	0

APPENDIX B (continued)

**NUMBER OF IMPAIRED DRIVING
ASSESSMENT
RECOMMENDATIONS BY GUIDELINE AREA**

	NUMBER OF RECOMMENDATIONS		% of	% of
	Total	Number of	Total	Priority
	Number	Priority	Rec	Rec
GUIDELINE AREA 1 - PROGRAM MANAGEMENT	647	178	21.89%	21.24%
1A STATE PROGRAM PLANNING	138	51		
1B PROGRAM CONTROL	86	16		
1C STATE AND LOCAL TASK FORCES AND SAFE COMMUNITIES PROGRAM	124	26		
1D DATA AND RECORDS	156	53		
1E EVALUATION	91	17		
1F FUNDING	52	15		
GUIDELINE AREA 2 - PREVENTION	556	147	18.81%	17.54%
2A PUBLIC INFORMATION AND EDUCATION FOR PREVENTION	125	32		
2B SCHOOL PROGRAMS AND COMMUNITY YOUTH PROGRAMS	105	31		
2C EMPLOYER PROGRAMS	81	10		
2D ALCOHOL AVAILABILITY AND SERVICE	171	61		
2E TRANSPORTATION ALTERNATIVES	74	13		
GUIDELINE AREA 3 - DETERRENCE	1238	354	41.88%	42.24%

3A LAWS TO DETER IMPAIRED DRIVING	301	120
3B PI&E FOR DETERRENCE	151	30
3C ENFORCEMENT	391	104
3D PROSECUTION	171	44
3E ADJUDICATION	224	56

GUIDELINE AREA 4 - DRIVER LICENSING	345	106	11.67%	12.65%
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4A PREVENTION (DRIVERS LICENSING)	133	31
4B DETERRENCE	127	48
4C PROGRAM MANAGEMENT	85	27

GUIDELINE AREA 5 - TREATMENT AND REHABILITATION	196	67	6.63%	8.00%
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5A DIAGNOSIS AND SCREENING	28	9
5B TREATMENT AND REHABILITATION	168	58

TOTAL NUMBER OF RECOMMENDATIONS	2982	852
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4A PREVENTION (DRIVERS LICENSING)	133	31	0.045	0.037	0.678	0.726
4B DETERRENCE	127	48	0.043	0.057	0.721	0.783
2A PUBLIC INFORMATION AND EDUCATION FOR PREVENTION	125	32	0.042	0.038	0.763	0.821
1C STATE AND LOCAL TASK FORCES AND SAFE COMMUNITIES PROGRAM	124	26	0.042	0.031	0.805	0.852
2B SCHOOL PROGRAMS AND COMMUNITY YOUTH PROGRAMS	105	31	0.036	0.037	0.841	0.889
1E EVALUATION	91	17	0.031	0.020	0.871	0.909
1B PROGRAM CONTROL	86	16	0.029	0.019	0.901	0.928
4C PROGRAM MANAGEMENT	85	27	0.029	0.032	0.929	0.961
2C EMPLOYER PROGRAMS	81	10	0.027	0.012	0.957	0.973

2E TRANSPORTATION ALTERNATIVES	74	13	0.025	0.016	0.982	0.988
1F FUNDING	52	15	0.018	0.018	0.999	1.006
5A DIAGNOSIS AND SCREENING	28	9	0.009	0.011	1.009	1.017

**TOTAL NUMBER OF
RECOMMENDATIONS**

2982	852
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**RECOMMENDATIONS FOR GUIDELINE AREA 1A
STATE PROGRAM PLANNING
(** Priority Recommendations)**

Recommendations are presented State-by-State, with the State's initials listed after the recommendation, and also the year of the Assessment if that State had more than one Assessment, e.g. IN02 means Indiana, 2002.

1. GOVERNOR'S HIGHWAY SAFETY PROGRAMS OFFICE/COMMISSIONS (development, interaction, coordination, leadership, planning, etc.)

- ** Restructure the Coalition Against DWI and Alcohol Abuse to become the Governor's Commission on Traffic Safety. It should consist of a chairperson, an executive board, and the operating committee. The executive board should be made up of State officials whose departments are involved with impaired-driving issues, designated representatives of the State House and Senate, and the Chief Justice or a designated representative. NM91

- ** The newly restructured Governor's Commission on Traffic Safety should expand on the work of the State's coalition report and take into account the State's Section 410 program and its Highway Safety Plan when developing an overall DWI plan for New Mexico. NM91

- ** Create a Governor's Commission on Alcohol and Traffic Safety to facilitate cooperation and coordination among programs. It should consist of executive committee (cabinet level officials; government highway safety representative; designated reps from legislature and judiciary); Operating Committee (comprised of State and local government representatives and members of community). Commission should expand on the recommendations of the Connecticut Impaired Driving Assessment. CT93

- ** Continue to enhance the identity of the Bureau of Transportation Safety as the strong voice of positive change regarding impaired driving. WI

- ** Continue to seek and encourage State and local input into the Highway Safety Plan development process. WI

- The Governor's Highway Safety Program should continue serving as West Virginia's lead agency in highway safety program planning, coordinating, education and information. WV93

- The Governor's Highway Safety Program is encouraged to continue its leadership in developing highway safety initiatives. NC95

2. STATE GOVERNMENT/AGENCY REORGANIZATION

- ** Strengthen operation of the Governor's Council on Impaired and Dangerous Driving Advisory Board. Form a Program Operations Committee to increase coordination of varying programs. Standing committees should include Law Enforcement Prevention; Public Information and Education; Youth; Treatment; Prosecution/Adjudication; Driver Licensing; Emergency Response and Roadway Safety. IN01

- ** Elevate the Traffic Safety Bureau so that its Chief reports directly to the Secretary of Highway and Transportation. NM95

- ** Traffic Safety Operations Office should be elevated within Texas DOT to division status to provide for more effective and comprehensive traffic safety program planning and implementation of Texas impaired-driving countermeasures. TX
- ** Appoint the Secretary of Safety and Security as the State's Governor's Highway Safety Representative. OK
- ** Elevate the Oklahoma Highway Safety Office currently in DPS and have the Director of OHSO report directly to the Secretary of Safety and Security. OK
- ** The Oregon DOT should ensure that organizational changes made within the department do not degrade the effectiveness of the traffic safety programs. OR
- ** The Transportation Safety Section should make every effort to maintain its identity as the focal point for highway safety activities in the State; and, ensure they are specifically identified in all promotional printed material as well as on all news releases and media campaigns. OR
- Maintain the current position of Office of Traffic Safety within the State government hierarchy in order to retain current emphasis on traffic safety issues in general, and DUI of alcohol and other drugs in particular. CA
- Responsibilities for the Traffic Safety Operations (TSO) Division and the districts should be more clearly spelled out as they relate to traffic safety programs. Clarity in roles should give the TSO the ability to provide clear direction to and oversight of the Traffic Safety specialists in the impaired-driving area. TX
- Responsibility for Traffic Safety Operations Office's impaired-driving programs should be handled by one director. TX
- Traffic Safety Operations Office Division Director (under recommended structure) should be designated as State's Highway Safety Coordinator. TX
- Expand the authority and make-up of the current Traffic Safety advisory committee to become a policy advisory board reporting to the Secretary of Highway and Transportation and the Governor. NM95

3. COORDINATED APPROACHES TO STATE PROGRAM PLANNING (intergovernmental, government/public partnerships, etc.)

- ** Office of Traffic Safety should convene a statewide policy group consisting of upper level management from State agencies that are involved in reducing the impaired driver problem in Colorado. This group should be chaired by the OTS Director and should meet as needed to discuss and solve the problems and close the loopholes that are created by a "shared responsibility" system. The true policymakers be active in the group and the responsibility not be delegated to non-policymaking members of their staff. CO
- ** Alaska must take a coordinated, comprehensive approach involving executive, legislative, and judicial decision makers. AK
- ** By Executive order, the Governor should create an interagency DWI working group that would consist of representatives from all State agencies, divisions or sections involved in alcohol and DWI prevention programs. AK

- ** Office of Transportation Safety (OTS) should include the Law Enforcement Assistance Fund prevention projects that are funded by the Alcohol and Drug Abuse Division (ADAD) in the Highway Safety Plan. This should result in closer planning coordination between agencies at the project development stage rather than waiting until implementation. Joint problem identification processes should also be initiated to increase the likelihood of prevention programs being coordinated with LEAF enforcement projects. CO
- ** Expand the role of the Safety Web Action Group within Wisconsin DOT to oversee the development and implementation of a comprehensive Impaired Driving Plan for the State. This plan would include input from ALL players and should have a PI&E component to it. WI93
- ** The local commissions need to be closer partners with Office of Traffic Safety in the development and implementation of the State's Impaired Driving Plan. OTS should take a lead role in developing these local commissions as a key advocate for implementation of the State's Impaired Driving Plan. WI93
- ** Strengthen the County Master Plan concept by requiring an increased level of involvement by all agencies represented on the Governor's Policy Council. This should include linking funding decisions by State agencies to participation by local grant applicant in the Master Plan process. CA
- ** Activate the Safety Management System Coalition. OK
- ** Formalize planning meetings so that interested parties are aware of timeframes for submitting recommendations or project proposals. MT
- ** The GHSP should assume the leadership role for DUI program planning and be the primary focal point for coordinating all DUI statewide activities. WV
- ** Implement the '91 Assessment recommendation to develop a statewide DWI plan which should take into account the State's Highway Safety Plan, the state's Safety Management Plan, the state's Injury Prevention Plan, the Local DWI Grant Program plans, the Community DWI Prevention Plans, and the State's Substance Abuse Plan. NM95
- Increase State and local involvement in the development of the statewide impaired-driving program by involving other disciplines representing prevention, treatment, education, adjudication, legislation, insurance providers, etc. DE
- Create an informal review process for local community highway safety professionals and volunteers to provide input concerning the design, content, dissemination of future campaigns and programs to insure the diverse needs of the Commonwealth's citizens are being met. VA
- Develop a more formal method to ensure that all needed perspectives are represented on the HSPC and that appropriate new members are courted and brought to the table. VT
- Expand the membership of the Vermont DUI Interagency Work Group to include members of the Legislature, the Judiciary, the Vermont Agency of Transportation, the TRCC, and appropriate private partners. VT
- Work with the National Sheriff's Association or Missouri Sheriffs' Association to increase involvement in traffic enforcement and training. MO

- Continue to increase partnerships with other agencies and groups including MO State Water Patrol, Department of Economic Development, Division of Motor Carriers and Rail Safety, schools and others to share the messages, resources, activities. MO
- Consideration should be given to adding the DMV, the Department of Insurance and other agencies that represent private-sector interests to the Governor's Policy Council so that a more complete representation of the agencies involved in the alcohol program area can be achieved. CA
- Look to expand existing coalitions or create new ones that could become Safe Communities. MO
- Develop a working relationship with RIDOT Traffic and Safety Management and Planning Divisions to better use technical resources and work toward integrating the State's transportation safety planning process. RI
- The Governor's Executive Steering Committee on Drunk and Drugged Drivers should serve as a Statewide coordinating body. It should be expanded to include a subcommittee structure to address not only enforcement but also prevention and deterrence issues. MD91
- The Interagency DWI working group should be chaired by the Administrator of AK Highway Safety Planning Agency who is designated as the Governor's Representative for Highway Safety. The group would ensure a coordinated approach to planning, implementation and evaluation of impaired-driving activities. AK
- Office of Traffic Safety should consider having local judges, victims, server representatives, and other public and private groups serve as ad hoc members of these local commissions. WI93
- The Traffic Safety Bureau needs to focus more time and effort on cultivating and maintaining closer working relationships with those organizations that are key players in solving New Mexico's DWI problem. NM95
- Use the Annual Traffic Safety Action Plan as a program reference document for traditional and new partners. This format should include data analysis, performance measures, performance goals, performance objectives, planned countermeasures and a legislative update. IN01

4. PI&E EFFORTS

- ** Identify within the statewide DWI plan a section addressing the State's PI&E efforts in combating the DWI problem. NM95
- ** Expand PI&E efforts so that partners, in addition to the OHS, publicize and emphasize impaired driving efforts at the State and local levels. DE
- ** Expand Interagency Policy Level Group by adding a PI&E specialist. NM
- Expand the portion of the "Highway Safety and Performance Plan" devoted to the Public Awareness Campaigns to fully describe the various public information and education activities being conducted by the various contractors and not-for-profit organizations. NM
- The GHSP should develop a PI&E plan and strategy to regularly inform all participants, including the public, about DUI issues. WV

- Re-emphasize and re-energize impaired-driving PI&E campaigns. DE
- Add a public information and education specialist to the DWI Interagency membership. NM
- Publish a newsletter to inform partners of the activities and decisions of the Highway Safety Policy Council (HSPC). VT
- The GHSO should contract for services, such as PI&E campaigns and Network of Employers for Traffic Safety (NETS). TN
- Develop a PI&E plan for encouraging public support for improving impaired-driving programs in Wisconsin. WI
- Use Council's Internet site as an opportunity to increase PI&E and program coordination efforts. Also included should be a list of traffic safety events occurring throughout the State, training opportunities, available documents and links to other partners. IN01
- The newly restructured Governor's Commission on Traffic Safety's overall DWI plan for New Mexico should address the State's PI&E program for impaired-driving. NM91
- The Division of Highway Safety should work to develop a statewide enforcement and media plan for impaired-driving enforcement. CT00
- The Division of Highway Safety should continue to improve their Internet site to increase PI&E efforts, including links to other partners. CT00

5. CRASH/IMPAIRED DRIVING DATA (access, usage, validity, etc.)

- ** GOHS should convene a traffic records advisory group to develop a statement of data needed for improved data analysis, problem identification, communication, program monitoring and evaluation. AZ
- ** Develop a data-driven problem identification process as the basis for the State's highway safety plan using the assistance of a qualified data analyst or university with statistical and preferably human behavior expertise. RI
- ** Provide impaired-driving data to local groups and partners for analysis and recommendations on current and innovative strategies to combat impaired driving at the State and local levels. DE
- Ensure all partners, including those at the local level, have access to highway safety data systems generated by the State systems. DE
- Improving traffic records data resources and facilitating access to that data by local agencies and organizations is critical in order to improve the quality of problem identification and the measurable impact of targeted countermeasure activities. Improvement in determining actual cost benefit of program activities will aid in gaining public support for continued funding of programs. ND
- Establish a more timely and complete crash data system. VT
- Enact legislation to mandate reporting of all crashes to single agency. MT

- Tennessee, in cooperation with local agencies, should develop a DUI/DWI tracking system to enable the collection for all violations. TN
- Tennessee, in cooperation with local agencies, should develop a uniform traffic citation. TN
- Tennessee should develop an offender-based court tracking system. TN
- Post county profiles on the Internet for access by partners and others interested in traffic safety. MT
- Develop city and town-level profiles for use by the communities. MT
- Incorporate the use of both fatality and injury data in the development of performance measures. RI
- Advocate for changes to the electronic crash reporting system that will assure more complete reporting of alcohol-related crash data. RI
- Encourage electronic data gathering and transfer between all stakeholders of crashes, citations, and DWI information. MO
- Assign a team to examine and make recommendations to improve the uniformity and timeliness in reporting DWIs. MO
- Continue Office of Traffic Safety process of improving timely and credible data to all users in the State. MN03
- Continue to support the development of the State's CODES project and begin using the data in the State highway safety plan development process. RI
- Efforts should be made to make crash data available for problem identification on a more timely basis. CO
- Improve the editing process for non-fatal crash records. MI
- The accident and driver record data must be validated so that all elements of the system can have confidence in implementing programs based on the data used in the planning process. MT94

6. SAFE COMMUNITIES TEAM DEVELOPMENT

- ** The Alaska Highway Safety Planning Agency should begin efforts to establish local groups that will focus local efforts toward impacting the DWI problem in their communities. AK
- The TSP should continue to aggressively support and develop safe communities teams throughout the State and reservations. These safety partners provide the necessary link for developing local comprehensive injury prevention and control, especially in the problem areas of impaired driving and occupant restraint use. ND

7. STATE DWI TASK FORCES

- ** The Governor's DUI Task Force should be made permanent. MT94
- ** By Executive order, the Governor should create a Governor's Task Force on Impaired Driving that would consist of representatives from private industry, advocacy groups, prosecutors, Departments of Public Safety, Health

and Social Services, Corrections, Transportation and Public Facilities, ethnic groups, youth and local government. AK

- ** The Repeat Offender Task Force should evolve into an Impaired Driving Task Force and be charged with oversight of the repeat offender recommendations and any new initiatives that come from the Impaired Driving Plan, the Wisconsin Impaired Driving Assessment, or the Task Force itself. WI93

- ** Continue the Governor's Statewide DUI Task Force. GA

- ** Implement the Governor's Task Force on Impaired Driving as proposed by the GHSO and the OSHP. OH

- The State Impaired Driving Task Force should be reactivated with new appointees and be charged with reviewing and considering the implementation of the recommendations contained in the North Dakota Impaired Driving Assessment for 2001. ND

- Office of Traffic Safety should continue its involvement with the Minnesota DWI Task Force and the DPS DWI/Impaired Driving Discussion Network committees. MN95

- Continue Office of Traffic Safety involvement with the Minnesota DWI Task Force. MN03

- The Governor's Task Force on Impaired Driving should identify problems, set policy and direct the resources of those involved toward reducing the impaired-driving problems in Alaska. AK

8. ALCOHOL FORUMS

- ** Give the Alcohol Issues Forum the responsibility for developing a coordinating council. MI

- The DLTS should consider conducting a Traffic Safety Summit/Alcohol Forum. The forum is designed to discuss the current status of activities, problems, and potential solutions to reduce the incidence of impaired driving in the state, and to improve the understanding of the public and policymakers around complex issues that affect impaired-driving behavior. The forum has been used successfully in several other jurisdictions. ND

- Use the Alcohol Forum as an opportunity to select several assessment recommendations deemed a priority to the council and establish workgroups from a variety of existing and new disciplines to initiate discussions towards fruition. IN01

9. BAC TESTING

- ** Enact qualifying 0.08 BAC legislation to comply with Federal regulations in order to obtain Federal funding. CT00

- State should consider adopting a requirement that all drivers (both deceased and surviving) involved in a fatal crash submit to a test for alcohol and other drugs. Without these data, the likelihood is that the actual alcohol involvement in fatal crashes is under-reported. This is essential to have accurate data to measure countermeasure effectiveness.

ND

- The GHSO should establish a staff position as a coroner's liaison to work directly with the coroners to increase the testing of fatally injured drivers and the reporting of test results to the Bureau of Motor Vehicles. OH

10. FUNDING RESOURCES/ALLOCATION

- ** Require a surcharge on DWI fines or license reinstatement targeting enforcement for DWIs. MO

- The West Virginia Department of Military Affairs and Public Safety management should review the dual program effort within the department that focuses money on DUI programs and issues. WV93

- The newly restructured Governor's Commission on Traffic Safety should be provided with a budget and resources to support its activities. NM91

- Field test and evaluate the Request-for-Proposal process for project selection to assure assistance to small counties. WI

- The Governor's Rep and the GHSP should increase efforts to communicate and coordinate funding initiatives with other State agencies (e.g., the Department of Health, CDDP, the Insurance Commission, and the Alcohol Beverage Control Commission. WV

11. GRANTS

- ** Integrate DUI enforcement into Police Traffic Safety grants. CT93

- ** Realign OHS staff assignments to provide a single point of grant program planning and management responsibility for the impaired-driving program. RI

** Explore the feasibility of using grant funds to complete as much of the coordination work as possible in order to free up the current GHSP staff for other tasks. NC

- Consider using task forces, focus groups and other partners to assist in identifying "system support" grants needed to improve the impaired planning process. NC

- Use Web sites to solicit grant applications. Provide information, application procedures, and forms on the site. HI

- Employ planning strategies that allow greater innovation, creativity, and flexibility in local grants. GA

- Develop a grant project selection process that assures the only projects selected for funding: directly address the State's impaired-driving program priorities established through the problem ID process; include specific, measurable, performance-based grant objectives; provide for self-sufficiency; and have a reasonable chance of assisting the State in significantly reducing the percentage of alcohol-related traffic crashes, deaths, and injuries. RI

12. EDUCATION/TRAINING

- Education efforts are needed to inform legislators, public officials, business, law enforcement, advocates, and the public of the facts of Zero Tolerance, realistic levels on 0.08 BAC, Open Container laws, etc. CT00

- Attend available NHTSA training opportunities and the Governor's Highway Safety Association's State highway safety executive management seminar to assure high skill levels for management, staff, and project managers. RI
- HDOT management and staff should attend nationally conducted impaired-driving conferences and training workshops much more frequently. HI

13. STAFFING

- ** Address the staff shortage and work with the NHTSA Regional Office to complete a "460" Management Review. IN01
- Designate the Transportation Programs Division Director as the Governor's Representative for Highway Safety. NM
- Retain the current position of Governor's Office of Highway Safety (GOHS) within the Georgia State government to maintain visible emphasis on DUI and other traffic safety issues. GA
- Re-evaluate existing staffing to determine if it is sufficient to meet workload demands. NC
- The MHSO should consider re-aligning staff duties based on the current program needs of the State. Impaired driving is one of the two largest program areas and should be assigned a full-time position to manage the funds, provide technical expertise, and oversee the impaired-driving elements of the CTSP area. MD
- Expertise from the NHTSA Region office should be used, particularly at the onset of the annual planning process, due to current vacancies and recent hiring of other program staff. MD
- Secure funding to hire the three full-time positions identified in the SMS plan. OK
- Obtain law enforcement liaison resources through contractual services or an appropriate grantee to address the difficulty in directly hiring additional staff. RI
- The Governor's Highway Safety Program should determine if its existing staffing level is appropriate as compared to its workload demands. NC95

14. LEGISLATION ENACTMENT

- ** Enact qualifying Open Container legislation to comply with Federal regulations in order to obtain Federal funding. CT00
- ** Enact legislation to require 30-day hard suspension of driver license prior to issuance of work permit. CT00
- ** Enact qualifying Repeat Offender legislation to comply with Federal regulations in order to obtain Federal funding. CT00
- ** Enact legislation to require driver license suspension for a 12-month period upon receipt of a second *per se* offense. CT00
- ** Enact 0.08 BAC legislation. MO

- ** Recodify the laws governing DWI so that statutes are under the same chapter. MO
- ** Enact Open Container legislation. MO
- ** Enact beer keg registration legislation. MO
- Enact possession by consumption legislation. MO
- Enact legislation allowing all law enforcement to use PBTs as a screening tool. MO
- Tighten plea bargain and Suspended Imposition of Sentence requirements. MO
- Change nomenclature from Involuntary Manslaughter to Vehicular Homicide. MO
- Connecticut should enact qualifying legislation to remove the exact time of incident for the ALR *per se* requirement. CT00

15. DUI PAPERWORK REDUCTION

- The Division of Highway Safety should bring together a group of partners to reduce paperwork for DUI arrests. CT00
- The Division of Highway Safety should look into the potential of technology to reduce the paper flow. Encourage electronic data gathering and transfer between all stakeholders of crashes, citations, and DUIs. CT00

16. PROBLEM IDENTIFICATION

- ** Office of Traffic Safety and the other agencies on the Governor's Policy Council should closely monitor the processes used to develop the County Master Plans to ensure that project development and problem identification are genuine and supportable. The local planning bodies must be provided with the appropriate data and expertise to enable the counties to make supportable and effective decisions regarding resource allocations. CA
- Establish a process for developing specific performance-based goals and program priorities for the impaired-driving program using the results of the problem identification analysis. RI
- Transportation Safety Section should review its problem identification and grant selection process to ensure that projects are funded in areas that are identified as high problem areas. OR

**RECOMMENDATIONS FOR GUIDELINE AREA 1B
PROGRAM CONTROL
(** Priority Recommendations)**

1. REQUIRE PERFORMANCE-BASED PROJECTS

- The GHSO should continue to require performance-based projects. OH
- Continue to require performance-based projects. TN
- Continue to require performance-based projects with increased PI&E efforts beyond the overtime projects. CT00

2. REDUCE DUPLICATION OF EFFORT

- ** The Department of Finance and Administration and the Department of Health need to work with Traffic Safety Bureau to reduce and where possible eliminate duplication of program requirements of local Planning Councils and DWI Task Forces. NM95

3. REVIEW/REVISE PROGRAM CONTROL PROCEDURES

- Continue to examine the program control procedures to assure maximum effectiveness, efficiency in collecting program and financial information. NC
- Transportation Safety Section should update its Policies and Procedures Manual to reflect current organizational and program status. OR

4. REVIEW/UPDATE GRANT PROCEDURES

- GOHS should continue to revise the grants manual as needed. GA
- Update procedures for subgrantees to ensure adherence to contract requirements. MT

5. PROGRESS REPORTS/MEETINGS

- Develop a standard progress report format to be used by all grantees. RI
- Require written progress reports to be submitted by all grantees not less frequently than quarterly and assure that all progress reports are submitted on a timely basis. RI
- Establish a system to use the information obtained from the progress reports to assess the performance of all grantees and make future program planning and grant projects selection decisions. RI
- Continue the quarterly program sessions. Scheduling considerations to help with long-distance travel has proven to be helpful for attendance and participation. MD

6. ENSURE PROJECTS HAVE REALISTIC GOALS/OBJECTIVES

- ** The new Data Analysis and Evaluation unit should play the role of internal program auditor, making sure each approved project has clear, measurable, and realistic goals and objectives. WI93

- There should be realistic goals and objectives in each approved plan, which should be integrated into the larger Impaired Driving Plan. NM91

7. AUDITING REQUIREMENTS

- The Traffic Safety Bureau should require that at the conclusion of each fiscal year an independent fiscal audit be conducted of each local DWI program. NM95

- Traffic Safety Bureau and DFA should continue to place primary importance on the audits conducted in accordance with the Single Audit Act and not routinely duplicate audit efforts. NM

8. DEVELOPING/CONTINUE PROGRAM MONITORING CAPABILITY

- ** Obtain additional law enforcement liaison services to begin monitoring enforcement grantees and to generate local support for alcohol campaigns. RI

- ** Update the project monitoring process. MT

- ** Contract for project monitoring services if T&SB staff cannot accomplish the required monitoring tasks. MT

- The Director of the Transportation Programs Division should insure that sufficient resources (in-house) or contracted) are available to provide an acceptable level of program monitoring. NM

- Continue program monitoring efforts. VT

- The GHSP should continue to implement effective monitoring procedures and reporting mechanisms so that potential problems can be identified early and mid-year corrections made to assure grant success. WV

- Monitor the progress of the crash reporting system upgrade to assure that its completion will improve the problem identification, monitoring and evaluation components of the planning process. IL

- Increase time allotted to the program specialist working with and monitoring the impaired-driving projects. TN

- Expand review to identify more measures of success and effectiveness. VT

- Continue Office of Traffic Safety aggressive monitoring and review process. MN03

- Office of Traffic Safety should continue its aggressive monitoring and review process. MN95

- Improve the Oklahoma HSO's monitoring and reporting systems. OK

- Establish and implement an on-site grant monitoring procedure and monitoring schedule. RI

- Provide grant monitoring training to all OHS program staff. RI

- Assure that all grant monitoring activity is completed on a timely basis by OHS staff. RI

- Review the grant monitoring reports submitted by OHS staff to ensure consistency and timely corrective action. RI
- Office of Traffic Safety should continue to provide adequate monitoring of all grantees regardless of funding source. CA
- Office of Traffic Safety should consider unique local circumstances of the County Master Plans when developing its monitoring requirements by coordinating monitoring data with other agencies involved. CA
- The Highway Traffic Safety Division should monitor State traffic records to ensure that traffic record data is adequate. MT94
- Establish a procedure to monitor every Section 410-funded project throughout the project period to ensure that funds are being expended appropriately. MI
- Continue monitoring efforts already undertaken and enhance them with improved project data. AZ
- Office of Traffic Safety should continue to monitor its projects and should keep its procedures and contract manuals current. CO
- Continue project monitoring system. AK
- A formalized monitoring procedure should be developed and adopted for both the Traffic Safety Operations Office and the district staffs. TX
- Continue to aggressively monitor and review approved grants for effectiveness. WI
- All Traffic Safety Specialists and TSO staff should be trained in the procedures for project monitoring once a formal process is in place. TX

9. DATA/INFORMATION DISSEMINATION/SHARING

- ** Explore methods of effectively disseminating "Best Practices" information learned from grantees. WI
- ** Explore methods of effectively disseminating "Best Practices" information learned from grantees. MN03
- ** Establish in Oklahoma HSO a Data Sharing Coordinator position. OK
- ** Explore and implement methods to effectively disseminate "Best Practices" information learned from grantees. NC
- The TSP is encouraged to fully use available electronic communication with all traffic safety partners. With a small staff, the use of e-mail, Web sites, Web or video conferencing, etc. is essential in improving communications and sharing the most available data and information. ND
- The TSP is encouraged to consider a periodic news bulletin that could be e-mailed to other division staff within the ND DOT. The bulletin would be short and contain "bullet-point" news regarding projects, activity, data, etc., related to TSP (i.e., impaired driving, safety belts, safe communities). Providing other agency personnel with more information expands the opportunity for detecting and responding to potential problems more quickly, while gaining potential new advocates and partners. ND

- Expand the county-level profile to include all of the elements needed for local highway safety plans. This would allow the local coordinators to spend more time on project implementation and less on tracking down various databases and reports. MD
- Explore methods of increasing awareness through PI&E. TN
- The GHSP should provide data that are as current as possible to grantees so measurable grant objectives can be developed. WV
- The GHSP should continue and expand, where possible, the amount of up-to-date information and materials provided to grantees. For example, data and grant information could be readily available on a Web site. WV
- Increase data reporting requirements from grantees. TN
- Fill the Data Sharing Coordinator position. OK
- Data should be packaged in a format that allows increased use by potential end users. WI93
- The Alaska Highway Safety Planning Agency should issue an annual report to interested parties and the media, detailing the success of certain high-profile projects. AK
- Explore methods to increase public information and the use of media to publicize successful programs. CT00
- The Traffic Safety Bureau should ensure local and statewide data are provided in a timely manner so localities can conduct problem identification and provide technical assistance as plans are developed and implemented. NM91
- The Governor's Highway Safety Program is encouraged to share its program manager handbook with the individual Governor Highway Safety representative. NC95
- Expand the council's use of electronic communications with all partners. With a small staff, the use of e-mail, Web sites, video or teleconferencing is vital to assure continual communication and sharing of information and data. IN01
- The GHSP should facilitate efforts to link crash, driver records, and other data relevant to motor vehicle injury prevention. WV93

10. TRAINING/WORKSHOPS

- ** Provide training for subgrantees on fiscal responsibility and performance accountability. MT
- ** Provide cross-training of T&SB staff to ensure program stability and adherence to regulations. MT
- Provide training on problem identification, analysis of data, and development of strategies at the local level. DE
- The TSP staff should continue to be encouraged to take advantage of available training, workshops, and conference opportunities to maintain and enhance professional skills. ND

- The GHSO should take advantage of available NHTSA program training opportunities and conferences to assure high skill levels for management, staff and project managers. OH
- HDOT should take advantage of available NHTSA program training opportunities to increase the skill levels of more management and staff. HI
- GHSO should take advantage of available training opportunities to assure high skill levels for management, staff, and project managers. TN
- Conduct a project monitoring workshop CTSPs and provide the necessary forms to the CTSP Coordinators to ensure statewide consistency and oversight. MD
- GOHS should continue to provide training for local project directors. GA
- MDHS should take advantage of available training and conference opportunities to maintain high level of skills for management, staff, and project managers. MO
- The Division of Highway Safety should take advantage of available NHTSA program training opportunities and conferences to assure high skill levels for management, staff and project managers. CT00
- Continue to take advantage of available NHTSA and NAGHSR program training opportunities and conferences to assure high skill levels for management, staff, project managers and subgrantees. IN01

11. FUNDING

- ** TSB and DFA should continue to provide funding on a reimbursement basis, rather than consider up-front funding. NM
- ** More funding should be used for PI&E to support the overall traffic safety program for HDOT and for local projects. HI
- The Traffic Safety Bureau should use the Federal reporting requirements for all funds provided by the TSB to localities. NM91
- The Traffic Safety Bureau should require coordination of plans developed by localities and submitted to the TSB to receive monies from the enforcement fund, DWI arrest fund, and Federal funds. The plans should become part of the State's Impaired Driving Plan. NM91
- Include project planning and grant writing information, an application checklist, and a grant application in the next printing of the *Administrative Manual*. WV93
- The Traffic Safety Bureau should provide funds up front once the Local DWI Task Force plans have been approved and discontinue the current reimbursement system. NM95

12. PROBLEM IDENTIFICATION

- ** The new Data Analysis and Evaluation unit should play the role of internal program auditor making sure that each approved project has good problem identification. WI93
- ** Provide local and statewide data so that impaired-driving problems can be identified at the local level. DE

- ** Consider an annual or biennial statewide traffic safety public opinion survey that would include those critical problem identification issues. The survey results would assist by providing a means of measuring the North Dakota residents' knowledge and attitudes related to the effect of the implemented strategies and support or lack of support for emerging public policy initiatives. ND
- Expand the users of software packages to assist in conducting problem identification at the local level. TX
- Conduct training programs to promote problem identification and the need for reliable crash and arrest data. TX
- Establish a linked data system for evaluating the entire impaired driver system. CO
- Increase data reporting elements from grantees, to include local problem identification, with technical assistance from the DHS. CT00

**RECOMMENDATIONS FOR GUIDELINE AREA 1C
STATE AND LOCAL TASK FORCES AND SAFE COMMUNITIES PROGRAMS
(** Priority Recommendations)**

1. CREATE/DEVELOP/EXPAND LOCAL DUI TASK FORCES

- ** Office of Traffic Safety should require the creation of local DUI Task Forces by enforcement agencies that receive LEAF enforcement grants. These Task Forces could aid in publicizing and supporting local DUI enforcement activities. They would provide constituent input to State legislators on local programs and on needed changes in State laws to help address local DUI problems. CO
- ** Continue to encourage the development of local task forces or coalitions to address community impaired-driving issues. MN03
- ** Continue expansion of the successful DUI: Taskforce Indiana concept. IN01
- Complement local law enforcement task forces with a community task force representing the needs of the community. GA
- Office of Traffic Safety should require all projects to create a local task force, representative of the traffic safety community, to serve as an Advisory Board to the local Project Director. MN95
- MDHS should expand the number of community impaired-driving task forces. MO
- GHSO should expand community impaired-driving task forces. TN
- Encourage the development of additional local task forces to address community impaired-driving issues. WI

2. CREATE/DEVELOP STATEWIDE DUI TASK FORCES

- ** Reactivate the statewide DUI task force. MT
- ** Establish a North Carolina DWI task force with comprehensive representation. NC
- The Governor should create, through an Executive order, a Governor's Task Force on Impaired Driving that would consist of representatives from private industry, advocacy groups, prosecutors, Departments of Public Safety, Health and Social Services, Corrections, Transportation and Public Facilities, ethnic groups, youth and local government. AK
- Ohio Department of Public Safety should establish the Governor's Task Force on Impaired Driving. OH

3. EXPAND/MARKET SAFE COMMUNITIES PROGRAMS

- ** Increase the number of CTSPs in the State and include disciplines other than law enforcement as lead agencies. GA
- ** Continue expansion of the successful Safe Communities programs. IN01
- Promote Safe Communities. OK
- Continue to expand the Safe Communities programs. NC

- MDHS should expand the number of "Safe Communities" programs. MO
- The Governor's Highway Safety Program is encouraged to continue its expansion of CTSPs. NC95
- Develop additional CTSPs as local task forces come on line. IL
- Office of Traffic Safety should expand CTSP statewide. WI93
- GHSO should expand "Safe Communities" programs. TN
- Encourage the development of additional Safe Communities coalitions to address community impaired-driving issues. WI

4. COORDINATE EFFORTS OF VARIOUS DUI TASK FORCES/SAFE COMMUNITIES GROUPS

- ** Continue to coordinate the efforts of many impaired-driving task forces and consolidate efforts where appropriate. WI
- ** Establish a Safe Community Coordinator position within the Oklahoma HSO. OK
- ** The Highway Traffic Safety Division needs to create a mission statement for the task forces, develop statewide goals and objectives with them and then coordinate the various highway safety activities throughout the State to ensure that the priorities of the State are receiving appropriate attention and resources. MT94
- ** There should be more coordination of the activities of the task forces throughout the State. The Governor's DUI Task Force could be the vehicle for accomplishing this task. MT94
- Traffic Safety Operations Office should develop an overall impaired-driving plan to ensure that Federal, State and local organizations coordinate impaired-driving activities. TX
- Expand the role of the Governor's Executive Steering Committee on Drunk and Drugged Drivers to address a statewide coordinating responsibility and maximization of these invaluable citizen groups and interests. MD91
- Coordinate county law enforcement agencies' activities with appropriate local communities or task forces. HI
- Formalize interaction and coordination with other State agencies and local entities. MT
- Work closely with the Governor's statewide DUI task force to implement the recommendations in interim and final reports. GA
- Coordinate and integrate strategic planning and prevention initiatives developed under the State Incentive Cooperative Agreement (SICA) with existing impaired-driving and injury prevention efforts at the State and local level. DE
- The Traffic Safety Bureau should address ways to coordinate information sharing between CTSPs. NM91
- By Executive order, the Governor should create an interagency DWI working group that would consist of representatives from all State agencies,

divisions or sections involved in alcohol and DWI prevention programs. The group should be chaired by the Administrator of the Alaska Highway Safety Planning Agency, who is designated as the Governor's Representative for Highway Safety. The group would ensure a coordinated approach to planning, implementation and evaluation of impaired-driving activities. AK

- Increase efforts to get State collaborative working groups to expand their focus to include enforcement. CT00

5. ENCOURAGE/PROMOTE PARTNER INVOLVEMENT/PARTICIPATION IN SAFE COMMUNITIES COALITIONS

- ** Efforts should be made to encourage youth involvement and participation on safe communities coalitions. A strong youth emphasis should be developed to target young driver traffic safety issues within those communities. ND

- ** Revitalize the DUI Prevention Task Force ensuring appropriate representation from all disciplines involved in improving State impaired-driving programs. DE

- ** Market the Office of Highway Safety programs and strategies to stimulate active participation and to encourage and increase partnerships through training, workshops, and forums. DE

- Bring together existing and potential partners and allow them to interact and educate each other about their responsibilities and activities related to impaired driving. DE

- Engage members of the hospitality industry to become part of the solution. VT

- The GHSP should develop partnerships with non-traditional groups such as County Extension Offices and the Farm Bureau. WV

- Increase interaction with and participation by tribal communities in impaired-driving activities. MT

- Re-establish partnerships or reactivate the women's groups that can promote and advocate impaired-driving countermeasure programs. MT

- Work to increase involvement of local law enforcement in traffic safety. TN

- Host a State traffic safety summit to encourage collaboration on State and local traffic safety issues, encourage enhanced partnerships at the State and local level, and educate the traffic safety community on current and emerging traffic safety issues including impaired driving. RI

- Pull together a team to examine methods to increase involvement of local law enforcement in traffic safety. MO

- Request that the Rhode Island DOT be invited to join the Children's Cabinet. RI

- Encourage the local traffic safety committees to communicate with Oregon Student Safety On the Move groups and other groups operating at the local level. OR

- Solicit the support of the Traffic Safety Coalition in developing and implementing the program goals and objectives of the impaired-driving program. RI

- Traffic Safety Operations Office should expand its relationship with the Texas Agricultural Extension Service both at the State and local level. TX

6. STATE SUPPORT/ASSISTANCE TO COMMUNITY PROGRAMS/TASK FORCES

- ** Provide technical support to the statewide and local DWI Task Forces. MN03

- ** The GHSP should develop a mini-grant system to provide assistance in meeting the needs of the less populated areas of the State. WV

- ** Initiate statewide impaired-driving emphasis events outside of the 3-D Month program to encompass a year-round focus. Dedicate CTSP funds for impaired driving to be used to provide local participation in a statewide initiative. Themes could include "You Drink & Drive. You Lose." and "Zero Tolerance Means Zero Chances" campaigns provided by NHTSA. MD

- Attention and resources should be provided to ensure that data and expertise are made available to the local planning bodies so proper decisions are made in the allocation of resources at the county level. CA

- Contract to obtain additional personnel services to encourage and assist communities in developing local traffic safety coordinating committees. AK

- Establish a statewide, high level, impaired-driving advisory committee to provide advice and support for policy decisions. WI

- The GHSP should provide "mini-grants" as a means of helping communities deal with the DUI problem in their area. WV93

- The Governor's Task Force on Impaired Driving should identify problems, set policy and direct the resources of those involved toward reducing the impaired-driving problem in Alaska. AK

- Using the problem ID method, the TSP should establish a priority listing of those communities with the most serious alcohol-related crash problem and the lowest occupant restraint use. Those communities should be given priority ranking in establishing new safe communities programs. ND

- The GHSO should continue through the local grant process, to foster the establishment of local DUI task forces throughout the State, particularly in the major metropolitan areas. OH

- The Traffic Safety Bureau should continue to support the activities of the DWI Interagency Policy and Work Groups as well as the six Highway-District-oriented task forces. NM

- The TSP is encouraged to continue to provide support necessary to the existing eleven established safe communities programs. The support should continue until or when these communities can establish funding self-sufficiency. ND

- The GHSP should continue to provide funding and leadership to the Safe Communities and assist them in obtaining needed materials and data. WV

- Consider technical support and/or funding to assist MADD with its "Youth In Action" program. HI
- The GHSP should enhance the efforts and foster the development of citizen groups, such as MADD, SADD, NETS, and the medical community. WV
- The GHSO should request that each local Safe Communities program receiving grant funding has an impaired-driving countermeasure component as part of the overall program. OH
- DMV should fully staff, with full-time positions, all district CTSPs. VA
- Office of Traffic Safety should continue to provide grant preparation assistance to its grantees and should encourage other members of GPC to do the same, especially for rural counties. CA
- Provide continued support to the 11 CTSPs currently established. OK
- Continue to support the activities of Operation Impact and Operation Gateway. MO
- The GHSP should explore potential needs in some of the State's less populated communities. WV93
- Office of Traffic Safety, as the agency responsible for overall traffic safety efforts in the State, should expand programs such as the "Drive Smart" into other cities. CO
- Expand the mini-grant concept for the CTSPs. MI
- Where possible, provide some level of technical support to local task forces or Safe Communities coalitions. WI

7. DEVELOP PERFORMANCE MEASURES

- GHSO should assist grantees in setting performance measures. TN
- Review and establish performance measures for the Governor's Impaired Driving Task Force. HI
- MDHS should assist grantees in setting performance measures. MO

8. ALCOHOL FORUMS

- ** Convene an Alcohol Forum to address legislative issues, as well as other youth issues, alcohol and other drugs (e.g., heroin) that can impact highway safety, leveraging of resources, and building a community-wide, cross-systems approach to reduce impaired driving. VT
- Work with NHTSA to host an Alcohol Forum which focuses on the State's major impaired-driving issues. This could be the basis for starting a statewide DWI task force. NC

9. PUBLICITY

- ** Require CTSPs to perform impaired-driving activities at the community level in order to emphasize and publicize impaired-driving goals and activities. Provide funding as necessary for CTSPs to perform these activities. DE

- ** The GHSP should publish a newsletter at least twice a year to keep all agencies and organizations informed on DUI issues. WV
- ** Publicize Traffic Safety O.N.E. to encourage other communities to act before tragedy strikes. VT
- Publicize successful projects and share best practices via newsletters, partnership meetings, and other forums. DE
- Publicize successful task force and Safe Communities programs and replicate successful efforts in other areas of the State. TN
- Publicize local ordinances that promote traffic safety, such as those dealing with open containers. MT
- Establish programs to involve the media in the education and development of impaired-driving programs. MT
- Establish a central clearinghouse for T&SB information and materials that can be accessed by partners, community organizations, and the public. MT
- Provide a list of resources (presenters or materials) that can be accessed by student organizations or other partners involved in promoting traffic safety. MT
- Publicize the successful projects of local coalitions or CTSPs through regular newsletters, statewide program sessions, Web sites, and at any statewide prevention or public safety conferences. MD
- Publicize successful task force and Safe Communities programs and replicate successful efforts in other areas of the State. MO
- Share the success of the CTSP program through a statewide TSC/CTSP Alert that focuses on ideas, successes, and "Best Practices." MI
- Enhance Web site information and links to local, State, and National sites, i.e., MADD, Connecticut Clearinghouse, NHTSA, etc. CT00
- Explore methods to publicize successful task force and CTSPs and to spread their successful efforts to others areas of the State. CT00
- The Connecticut Clearinghouse's services should be widely publicized in order to maximize use of their resources. CT93
- The Traffic Safety Bureau should continue to produce its Traffic Safety News Letter and incorporate a highlighted section on local program accomplishments. NM95

10. TRAINING/WORKSHOPS/WORKGROUPS

- ** Department of Highway Safety should sponsor an annual highway safety conference to provide an opportunity for State and local highway safety and health participants to interact and exchange information and programs. CT93
- ** Conduct workshops or forums to market impaired-driving programs and encourage the exchange of information between community-based programs. MT
- ** Expand training for new Safe Communities projects and maintain support of developing teams. HI

- ** The GHSP should host an annual statewide traffic safety educational conference that would include emphasis on DUI to maintain the focus and support for programs. WV
- Provide opportunities for specialized training to task force and Safe Communities. These could include Lifesaver conferences, advocacy training, instructor development, and Safe Communities training. TN
- Provide training for law enforcement, prosecutors, courts, media, and decision makers on the effects of alcohol and other drugs. TN
- As funding permits, provide opportunities for eligible safe communities team members to attend conferences (i.e., Lifesavers) and other advocacy training. ND
- Conduct workshops to encourage teachers to focus on and add emphasis to impaired-driving issues within the traffic and driver's education curriculum. MT
- Develop a DUI workgroup that meets regularly to identify problems and discusses programs or methods of sharing resources, changing laws, or improving programs or processes. MT
- Provide regional workshops that include representatives from law enforcement, prosecution, and adjudication in order to create a better understanding of problems tracking the impaired driver through the system and suggest improvements. Be sensitive to the need to instill a sense of partnership in the representatives from these diverse communities in all deliberations. MD
- The county traffic safety councils should be reviewed for possible "Safe Communities" training or alternative action to make these groups effective. HI
- Continue to offer training and educational options for Taskforce and Safe Communities leaders. IN01
- Provide opportunities for specialized training to task force and CTSPs. These could include Lifesavers conferences, advocacy training, instructor development, and Safe Community training. CT00
- Provide training on the effects of alcohol and/or drugs to law enforcement, prosecutors, courts, media, and decision makers, including NHTSA's training course "Drugs That Impair." CT00
- Explore training for law enforcement and alcohol outlets in "Cops in Shops" and compliance checks. CT00
- Provide MADD's Death Notification Training to law enforcement. CT00
- Provide opportunities for specialized training to task forces and Safe Communities. These could include Life Saver conferences, advocacy training, instructor development, and Safe Communities training. MO
- Provide training for law enforcement, prosecutors, courts, media, and decision makers on the effects of alcohol and/or drugs. MO

11. PROGRAM EVALUATION/REVIEW/FEEDBACK

- ** TX should review the October 1982 Governor's Task Force Report to assess the status of its recommendations and determine the need for change. TX
- The Field Operations Manager should be given the responsibility to facilitate the use of the Community Traffic Safety Assessment Survey. WI93
- OTS should take the results of these surveys into account when developing strategies for expansion of CTSPs. WI93
- Strengthen overall data analysis and establish a permanent DUI advisory group that will review and analyze the data to determine the effectiveness of the programs efforts. AZ
- The Governor's DUI System Evaluation Task Force should be continued but should conduct public meetings on the DUI problem and solicit the public's view concerning solutions. CO
- The GHSP should coordinate CTSPs and other local highway safety data gathering efforts, especially if equipment and time is purchased with Federal Section 402 funds. WV93
- The community/corporate standing committee (within the Governor's Commission on Traffic Safety) should take the outcomes of the motor vehicle crash prevention retreat into account when developing strategies for expansion of CTSPs. NM91
- Provide feedback to project directors about how they are contributing to goals, whether goals are met, and how they can coordinate their activities with State and other highway safety partners. DE
- Request a status of the Criminal Justice Committee's Task Force Report recommendations. OK
- Transportation Safety Section should continue the use of mini-grants while ensuring that projects funded through these grants continue to be effective. OR
- Traffic Safety Operations Office should use the Bexar County DWI Task Force as an impaired-driving model for those communities planning to implement such task forces. TX

**RECOMMENDATIONS FOR GUIDELINE AREA 1D
DATA AND RECORDS
(** Priority Recommendations)**

1. ESTABLISH/DEVELOP DWI RECORDS/TRACKING SYSTEMS

- ** Continue emphasis on the adoption of a method to effectively track citations and their dispositions. CT00
- ** Create a multi-agency task force to examine the possibility of having a central Impaired Driver Offender Tracking System. MI
- ** Arizona should develop and implement a comprehensive Statewide Citation Tracking/Management Information System that would provide vital information for State's impaired-driving programs. AZ
- ** Develop a DUI tracking system for all alcohol offenses from the time of the incident (crash/arrest) until the conclusion of each case, including treatment information. CO
- ** Develop a statewide, standardized, integrated, comprehensive highway safety MIS. This could include currently available information from the DMV, Motor Vehicle Hearing Section, the courts, EMS, the Department of Transportation, Alcohol and Drug Division, and other pertinent highway safety files. CO
- ** Improve the tracking of DWI cases and paperwork now to eliminate the problem of "lost cases". MN03
- ** Design and implement an Offender Based Tracking System, using the ACIS as the backbone and ensure linkage (via the driver license number) with other data sources (particularly the FTA blood test data and the DMV driver history data) to form a virtual system containing the entire range of data needed to record information about DWI offenders and their progress throughout the enforcement, judicial, licensing, and treatment systems. NC
- ** Utilizing the STRCC, investigate the possible establishment of a statewide DUI tracking system. Such a system should include a unique and sequential identifier on each DUI report/citation. ND
- ** Develop a DWI Citation Tracking System that can follow the progress of a DWI case from initial arrest to its final disposition. NM
- ** Establish a uniform citation tracking management information system. GA
- ** Develop an electronic DUI records information system that incorporates the following: electronic citations and BMV Form 2255; a statewide citation tracking system; immediate online access to LEADS by law enforcement officers in the field, courts, and prosecutors; electronic transmission of information among the law enforcement agencies, the courts, and the BMV; and, the creation of a statistical data warehouse. OH
- ** CA should implement the comprehensive DUI MIS now being developed by DMV and other agencies. CA
- Develop and implement a Citation Tracking System that: creates individual record for each citation form at time of its distribution to a police agency

by recording the citation number and the police agency; is capable of updating the record upon receipt of arrest forms from the arresting officer, the final disposition from the courts and other relevant data, such as alcohol test results, sanctions, and penalties, etc.; and, places the responsibility for maintenance of this system in the DMV. WV

- Support law enforcement agencies efforts to implement electronic citation systems, including DUI citations. OH

- Develop a uniform citation tracking system. IL

- Develop a citation tracking and management information system for all State and municipal traffic violation arrests and dispositions. CO

- Implement a citation tracking system to track arrests, especially DUI arrests, from the time of arrest to final disposition of the case. VT

- Explore the feasibility of implementing a capability to quantify DWI arrests statewide, to record their associated BAC levels, to determine the status of the arrests filed, to determine the extent of plea bargaining by comparing the original offense with the conviction, and to provide a better means to monitor delayed and unreported convictions. Options suggested for consideration: Design and implement a Citation Tracking System with capability to track a citation from its original distribution to a police officer, to its issuance to a traffic offender, to the court of jurisdiction, to its final disposition; Establish a Missouri Local Traffic Information Systems capability at the Missouri State Highway Patrol to process for each DWI arrest - the Alcohol Influence Report, the UCS, and the Record of Conviction; or, Revise the current Alcohol and Drug Offense Records System to initiate a record upon receipt of the ALR and UCS, and add an identifier to match with the Record of Conviction when received from the Court. MO

2. DEVELOP/IMPROVE/EXPAND DATA LINKAGES

- ** Continue emphasis on reducing the error rate in matching the motor vehicle law violation and disposition data from the courts to the DMV driver history record. CT00

- ** Connecticut should link its various record systems including DOT, DMV, court, and treatment record systems. CT93

- ** Continue to explore development of a mechanism to allow electronic or automated transfer of crash reports from local law enforcement to the State crash file, circumventing inefficient duplicate data entry. IN01

- ** Pursue and use accident records information provided and entered by local and Indian Nations' agencies. This would require developing appropriate protocols and data linkages with MVD. AZ

- ** Continue the planned implementation of electronic transmission of citations to the courts and the transmission of dispositions from the courts to DMV. VT

- ** Assign high priority for implementation of the Justice Link Project. RI

- ** Develop a methodology to periodically download data from the Datamaster breath-testing devices into a centralized database to be available for analysis. VT

- ** Redesign the present CTP system to accept data from other screening instruments or assessments used in lieu of screening in order to become a statewide, comprehensive Offender Based Tracking System (OBTS). Include a capability to submit reports to the courts and to the MVD. NM
- Encourage those courts not now reporting dispositions to the DELJIS, particularly Family and Superior Courts, to use existing DELJIS technology. DE
- In addition to crash report data, a comprehensive traffic safety MIS should ultimately include data elements described above, along with information from the Department of Justice Bureau of Forensic Services, EMS, Department of Alcohol and Drug Programs and other agencies. Participant information from the Drinking Driver Programs should also be included in the system. CA
- Develop linkages to correlate data among the CTF file at MVD, the proposed OBTS, the AOC database, and the Crash File. NM
- Design linkages between the driver and vehicle files with other components of the traffic records system, such as the crash and EMS files, similar to the linkages that exist with the DUI Tracking System and the DELJIS system. Place special emphasis on linkages between the DMV driver file and the crash file in preparation of the move to automated field crash data entry and automated citation issuance to improve the quality of the data required for management and evaluation of impaired-driving programs. DE
- Continue to implement plans to achieve full electronic reporting of records between the courts and the Administrative Office of the Courts, and between the courts and MVD. NM
- Link crash information with driver history records. GA
- Continue technological improvements to key data files, such as the recently implemented on-line crash data entry in order to improve file linkages for crash, driver, and vehicle files. ND
- Redesign the present Administrative Office of the Courts data repository to meet the requirements of the DWI Citation Tracking System and develop procedures to electronically receive copies of all DWI citations filed in all courts with DWI jurisdiction, and to electronically receive the disposition of these cases. NM
- The courts and the BMV should establish a mechanism to obtain treatment-related information on DUI offenders and completion of court sanctions. OH
- Continue working with local communities to expand and link their data collection capabilities and their capacity to use the data for enhanced problem identification. WV93
- Continue emphasis on linking various highway safety data files. CT00
- Continue to expand efforts by EMS to link data sets. WV93
- GHSP should have direct access to crash data collected by DOH. WV93
- The computer systems of all agencies need to be linked so that courts and other users have on-line access to all data. MT94

- The research/evaluation standing committee (within the Governor's Commission on Traffic Safety) should develop a plan to address data linkage to provide comprehensive, timely, and accurate DWI data among contributing agencies. NM91
- Develop and employ linkages between and among the ALISS, Alcohol Data Acquisition and Management, and MVD driver files to ensure that existing data can be efficiently used to secure required management information and to avoid duplication and costly data entry and processing. AZ
- Develop a single unique personal identifier which can be used to insure proper identification and to link information between and among local and State agency files. CO
- Department of Public Safety should identify a minimum data set that will allow linking of data systems within DPS as well as other agencies such as the courts, prosecutors, TX DOT, TDH, and local law enforcement agencies. TX
- Upgrade the DMV driver records system to provide a capability for accepting electronic record transmissions and to provide more summary reporting capability. VT
- Design a process to enter BAC results for drivers arrested in connection with a crash either by (1) extracting the records from the CTF file and matching with the crash file or (2) implementing a supplemental reporting process for officers to submit BAC results to the crash data section. NM
- Revise the CAS to capture additional data variables from the court supplied tapes which will allow the State to (1) track offenders from arrest to final disposition, (2) link with data in the driver history records and the crash file (MAARS), and (3) generally provide the State with information on its statewide impaired-driving enforcement and adjudication activity. MD
- Working through the STRCC, explore the feasibility of implementing a latitude/longitude-based roadway location system that would allow uniform crash location. ND
- Continue to develop a central Web-based system to collect the data for the OBTS and place the Web server at the Office of Epidemiology to become the manager of the newly formed OBTS. NM
- DOJ should continue to pursue its plans to correct reporting problems with the CIB component of the system, in part by linking to Wisconsin DOT conviction records for comparison purposes, then conducting routine exception analysis. WI93
- The Governor's Highway Safety Program is encouraged to complete the research into the linking of the current data systems. NC95
- A pilot project should be developed with the Metropolitan Court and the MVD to test interagency electronic data linkages to transmit completed court dispositions to the MVD. NM91

3. ENHANCE/IMPROVE DATA ACCESSIBILITY FOR LAW ENFORCEMENT, COURTS, STATE AND COMMUNITY HIGHWAY SAFETY PROGRAM PLANNERS

- ** Continue to investigate the possibility of Web-based access to State crash data for local law enforcement, traffic engineers and other users with appropriate protocols and safeguards. IN01

- ** Move forward on introduction of new technology such as photo imaging.
NM95

- ** Develop methods to allow easier access to the DSP crash data and/or train authorized users, especially the Office of Highway Safety staff, in the query language now required for access. DE

- ** Enhance access to and use of the State crash file by local law enforcement, traffic engineering, and safety groups via a Web-based or CD-ROM application. ND

- ** Expand the availability of DELJIS to the OHS staff and provide training in the use of DELJIS's access language. DE

- ** Representatives from the Traffic Records Task Force/Committee and perhaps other appropriate agencies and organizations should immediately begin addressing the forms and processing concerns expressed by law enforcement agencies. AZ

- Support and expand training for law enforcement officers and prosecutors regarding the DWI laws, enhanced charges, sanctions, and the requirements of the driver control processes managed by the DPS/DVS Driver Education section.
MN03

- Develop and employ user-friendly programs and systems to quickly and easily provide operational, planning and evaluation information to appropriate State, local and Indian Nations' agencies and organizations and citizen activist groups. AZ

- Continue to examine new technology for improving ease of collection and dissemination of traffic records. HI

- Expand access to both TRASER and HARM to all Traffic Law Enforcement agencies. OK

- Develop a long-range traffic safety information system plan to implement new technology and total system integration considering the needs of users at all levels. OR

- DMV is encouraged to maintain the driver history file to assure research and other governmental data needs are met. NC95

4. FATALITY ANALYSIS REPORTING SYSTEM (FARS) DATA

- ** Provide the FARS unit with copies of the results of BAC tests given to surviving drivers of fatal crashes arrested for impaired driving. MD

- The DMV needs to strongly encourage compliance from those jurisdictions that chronically do not forward copies of the fatal crash reports to the FARS unit. WV

- Study feasibility of relocating FARS function to the State Highway Administration as described in State's Traffic Records System Strategic Plan.
MD

5. CRASH/BAC DATA REPORTING

- ** Officers should be assured of support when they indicate a driver involved in a crash had been drinking but no arrest was made. This information needs to be included on the crash report and the report form needs revision to accommodate this input. CT00
- ** Revise the crash report form to provide a better means to quantify the State's alcohol-related crash problem. MO
- ** Continue the progression to a fully electronic crash data collection and reporting system by placing computers in all police vehicles to eliminate the reliance on local data entry from hard copy forms. RI
- ** Require the submission of supplemental crash reports. IL
- Adopt a standardized reporting threshold for crash reporting as described in the State's Traffic Records System Strategic Plan. MD
- Continue the implementation of the traffic records strategic plan, including an electronic crash reporting and statistical system. OH
- Create a statewide repository for BAC and drug testing information, either through the BMV driver license files or at the Bureau of Alcohol and Drug Testing. OH
- Continue implementing planned electronic crash reporting system. VT
- Develop a procedure to routinely obtain BAC results for those drivers arrested for DWI in connection with a crash for entry in the crash file. NC
- Revise the crash file data entry process to provide data for entering the following data variables when applicable: Citation Number and/or Citation Charge; Sobriety Test Given; Type of Test Given; Test Results. WV
- Revise the Commonwealth's crash report form to incorporate commercial vehicle data elements currently being collected on a supplemental form, and to capture nationally recommended CADRE information. VA
- Automate EMS run reports. WV
- Improve crash data collection with training for law enforcement. HI
- The MIS should include a uniform crash report used by all police agencies and data should be centralized in a single State database. A unique case ID should be used for all crash reports in order to provide direct linkage to ticket and driver license files. The crash report should include a data element for recording a unique ticket case number when a citation is issued. CA
- Revise the current crash form to include a notation for the issuance of a DUI citation. RI
- Revise the current crash form to bring it into conformance with Model Minimum Uniform Crash Criteria. RI
- Encourage and educate law enforcement to record any observation of impairment on the crash form. RI

- Expedite the implementation of the Tracs system for crash reporting to the extent possible. WI
- Include a field on the new electronic crash report format to record the Uniform Traffic Citation Number. WI
- Include a field on the new electronic citation report format to record location data. WI
- Design and implement a procedure for updating the crash file with BAC data on crash involved drivers arrested for OWI. WI
- Revise the software algorithm for counting alcohol-related crashes to include checking for the issuance of OWI citations. WI
- Examine ways to improve the non-fatal crash data by creating additional edit checks for this file. MI
- Address the issue of the importance of including "property damage only" crashes on local roads in future upgrades of the crash reporting system. CT00
- Continue emphasis on the development and implementation of an automated crash reporting system, Phase I of an officer information management system. CT00
- Emphasize the importance of a possible Phase II of the officer information management system to include an automated citation reporting system. CT00
- Continue emphasis on efforts to eliminate the backlog of crash reports to be processed. CT00

6. BAC TESTING REQUIREMENTS

- The State should mandate blood testing of drivers involved in fatal/serious injury crashes. MI
- Increase the rate of testing for alcohol in fatal crashes, including permitting paramedics to withdraw a blood sample at the scene of a crash. WV
- Increase the BAC testing of all drivers involved in fatal and serious personal injury crashes. OH
- Consider requiring an alcohol test for all drivers in injury crashes when any person involved with the crash requires medical treatment. HI

7. DATA/INFORMATION SHARING

- ** Assign a high priority to the establishment of the planned Driver, Vehicle, Accident, Medical research database at Morgan State University as described in the State's Traffic Research System Strategic Plan. Develop a data dictionary for distribution to the user community containing information on the types of information available and the procedures for requesting information from the clearinghouse. MD
- Continue to examine new technology for improving the collection and dissemination of data. TN

- Work with the BMV, the court system, and other stakeholders to develop an annual statistical report of DUI-related citation, license suspension, and conviction information. OH
- Information combining DUI crash, arrest, conviction/disposition, and other highway safety statistical and trend information for State and local problem identification, planning and evaluation activities should be produced and shared between and among State agencies, local safety officials, and highway safety activists. CO
- Establish a working group of Administrative Office of the Courts, law enforcement, the GHSP, and HSRC staff to develop a protocol for obtaining data from the Administrative Office of the Courts. NC
- Seek increased data sharing between tribal governments and the State. ND
- OTS's Traffic Records Committee should be made operational and given the immediate charge to launch or expand multiple initiatives with sister agencies, communities, and universities -- this will vastly expand access and analytical use of this data. WI93
- CT should produce and share with local safety officials and activists community profiles, combining DUI crash, arrest, conviction, and trend information for use in communicating, evaluating, and improving local DUI prevention activity. CT93

8. DATA ANALYSIS/EVALUATION

- ** Use available data such as police crash reports, DUI arrests, emergency medical services, and hospital trauma registries to document alcohol/drug problems and related costs. University research services may be available to accomplish this recommendation. GA
- ** Have an outside source (e.g., a university) compile and analyze highway safety-related data to assist in DUI systems analyses and the development of the State's Highway Safety Plan. CT93
- Conduct a study on the frequency of completion of the variables used to compute alcohol-related fatal crashes and institute appropriate measures for improvements as necessary. MD
- Conduct comprehensive analyses of traffic crash injury data, especially the most severe (injury level A) and moderate (level B), to ascertain whether alcohol/drug traffic crash injury data are under-reported. GA
- Develop and adopt a uniform definition for an "alcohol-related crash" that will provide a more meaningful and consistent measure of these crashes. NC
- Use nighttime fatal and injury data for proxy measures of alcohol/drug involvement as additional measures of problem identification. GA
- Obtain the services of a data analyst for Office of Highway Safety, either through direct hire or by contract. This individual should become the primary user of the analytical software package to be installed and also serve as the chair of the Traffic Records Committee. RI
- Traffic Safety Operations Office should continue to provide crash data to localities for the purpose of conducting problem identification. TX

- DMV should develop analytical statistical summaries from the Driver File to identify problems relating to DWI drivers to assist other public safety agencies increase their effectiveness in reducing the incidence of DWI. AK
- Continue examining new technology for traffic records. MI
- Rearrange priorities in the next Highway Safety Plan to address the deficiencies in the State data collection system. WV93
- A Traffic Records audit should be conducted on the various systems currently in place. NM95
- Review the formula used to derive the final index to ensure that it is an appropriate algorithm for ranking local jurisdictions. Users should have sufficient knowledge to explain the index. GA

9. DATA/RECORDS MANAGEMENT/PLANNING/COORDINATION RECOMMENDATIONS

- ** Communicate frequently with all partners and stakeholders to inform them of all the activities in progress and the intended benefits to them. WI
- ** Assign a high priority to the "Model System" project and insure that the many other projects planned and ongoing are coordinated with the plans for this effort. WI
- ** Plan now for ongoing IMDLIS development well beyond the current project timeline. The vehicle registration and title systems should be similarly upgraded. MN03
- ** Charge a multi-agency stakeholder group to develop a strategic plan to study efforts already underway, by FHWA, AASHTO, and others, which may be applicable to similar long-range efforts underway in Montana. MT
- ** Establish a multi-agency Traffic Records Coordinating Committee with collectors, custodians, and users of the data to facilitate long range planning. HI
- ** Office of Traffic Safety should establish a DWI Tracking System Advisory Committee representative of all users, including State and local law enforcement. MN95
- ** Mandate that any changes to the current or future traffic records systems must have the review and approval the Oklahoma Traffic Records Council. OK
- ** Designate the Oklahoma HSO Representative to the Oklahoma Traffic Records Council as a permanent chair. OK
- ** Reactivate the Traffic Records Committee and reconstitute the Committee with the inclusion of representatives from all highway safety stakeholders. RI
- ** Implement the recommendations of the DWI Tracking System Project (Draft Report, July 1995). MN95
- ** Initiate a cooperative effort between the GHSP management and Department of Health management to develop a plan for the following: publicize the availability of reports from the crash file with instructions for requesting them; publicize the types of reports available to highway

safety users in the State (e.g., Safe Communities programs); and, procure assistance in developing the specifications for a PC and appropriate software for use by the GHSP in analyzing data to be obtained from the crash file, and secure an arrangement with DOH for providing data sets from the crash file to be used with such systems. WV

- ** The DWI Process and Data Standards Committee should become a standing committee to oversee the integrity of DWI data. NM95

- Assign responsibility to the Traffic Records Committee for the oversight and leadership in the crash and other records system improvement activities. RI

- Designate DPS as the authorizing agency to be accountable for the production, distribution, and quality control of each citation throughout the State. OK

- Create a stable funding source for IMDLIS and similar efforts through use of driver license fees or other dedicated funds. MN03

- OTS's Traffic Records Committee should monitor the use of the new crash form and make adjustments. WI93

- Establish a multi-agency Traffic Records Coordinating Committee with collectors, custodians, and users of the data to facilitate the following: long range planning; establish a DUI/DWI Tracking System; a uniform traffic citation; enhancements to the current data system; and, methods to demonstrate the value of data to local agencies. TN

- Traffic Records Committee should work closely with the Highway Safety Strategies/Analysis Section, Division of Planning and Budget and OTS's Data Analysis and Evaluation unit to ensure that the data continues to maintain its quality and usability. WI93

10. LEGISLATION

- ** Enact legislation requiring law enforcement agencies to investigate and report all crashes that involve a fatality, an injury, or damage to a vehicle that requires towing from the scene. VT

- ** Enact legislation mandating crash reporting with sanctions for non-compliance. GA

- Propose legislation to mandate use of a standard alcohol-screening instrument by all courts with DWI jurisdiction. NM

11. TRAFFIC RECORDS ASSESSMENTS

- ** Colorado should request that a current NHTSA Traffic Records Assessment be conducted to ensure that necessary linkages are available between and among the existing and planned highway safety files. CO

- ** Request a Traffic Records Assessment through NHTSA to clearly identify the system-wide problems and recommend strategies for solutions. OR

- ** GOHS should create a permanent task force/committee to address all traffic records activities including the revision of forms, procedures, systems, and other relevant areas; and, the development of recommendations

affecting any changes to the driver, vehicle, accident, citation/conviction, EMS, and roadway environment files. AZ

- ** To restore confidence in the traffic records system, a working group including representatives of the management of all State agencies involved should be established as a subcommittee of the Governor's DUI Task Force. MT94

- Request a traffic records assessment to aid in the planning of future - improvements and requirements, especially the necessary linkages to EMS and the Safety Management System. VA

- Consider requesting a NHTSA Traffic Records Assessment for the State. HI

- Continue implementation of the Traffic Records Assessment recommendations. IL

- Office of Traffic Safety should request a Traffic Records Assessment to identify possible data linkage strategies. MN95

- Implement all the recommendations in the Traffic Records Assessment. OK

- Wisconsin should take inventory of its traffic records systems by way of an assessment process. WI93

13. UNIFORM TRAFFIC CITATION

- ** State should mandate a single uniform citation and criminal complaint form to be used by every law enforcement agency in the State and sent to DPS for record keeping. TX

- Adopt the use of a uniform traffic citation by all law enforcement agencies as the first step in the development of a citation tracking system. ND

- Develop and implement the Uniform Traffic Ticket. IL

- Adopt a single uniform traffic ticket (UTT) to be used in Colorado for all State and municipal traffic violations. CO

- The MIS plan should include the development of a uniform traffic ticket and a ticket disposition system. CA

- Develop one uniform traffic citation. OK

**RECOMMENDATIONS FOR GUIDELINE AREA 1E
EVALUATION
(** Priority Recommendations)**

1. REQUIRE/PERFORM EVALUATION OF IMPAIRED DRIVING ACTIVITIES

- ** Significant components of the impaired-driving program should be evaluated for impact. CT93
- ** Evaluation of education, enforcement, and prevention activities should be conducted so that future projects might be better targeted and more focused, thus increasing their likelihood of both success and future replication in other locations. CA
- Require programs supported by GHSP to evaluate their efforts and to assess whether progress is being made in reducing crashes, injuries, and fatalities. VT
- Require project pre- and post-evaluation from projects. TN
- Require pre- and post-evaluation on all projects. MO
- Encourage impact evaluations for local projects. GA
- Require that all grant-funded projects include an administrative evaluation component, and if a multiple-year or large project, a research-based evaluation component. RI
- Require pre- and post-evaluation of projects. CT00
- Evaluate the impact of the State's impaired-driving program using similar strategies and services incorporated into the State's occupant protection plan. RI
- Impact evaluation should be included in the planning process for new DUI-related activities. CT93
- AK Highway Safety Planning Agency should conduct at least one impact evaluation each year using experienced contract evaluators. AK
- Ensure that overall program areas are evaluated on a regular basis. MI
- The Center for Substance Abuse Research should conduct impact evaluations to ensure that local government and the Resource Centers are allocating their resources in the most efficient and effective manner. MD91
- OTS's Data and Evaluation unit should ensure impact evaluation is conducted, building it in during the planning process for all new OWI prevention activities. WI93
- Traffic Safety Operations Office should continue to require evaluation of its programs and use data that will provide impact measures for such projects as STEP. TX

2. DEVELOP AN EVALUATION CAPABILITY

- ** The Governor's Highway Safety Program should create an internal evaluation unit of the appropriate size to assure quality assessments of existing countermeasures. NC95
- ** Office of Traffic Safety should establish its own evaluation expertise either through contract or agency staffing changes so that evaluation becomes an integral part of OTS activities. CA
- ** Establish an outcome evaluation capability within OHS. DE
- Create an internal evaluation section sufficient to assure consistent program evaluations. Charge the group with developing a comprehensive traffic safety evaluation plan. NC

3. EVALUATION PROJECT PLANNING

- ** Expand the use of attitude surveys. OK
- Develop a long-term evaluation plan to measure the effectiveness of Virginia's impaired-driving programs. The plan should address the problems of data availability, the possible need for additional staff or consultant help, the possible need for legislative change, and the savings to the citizens of the Commonwealth, both in terms of hard dollars and in terms of lives and injuries. VA
- GOHS and the DUI advisory group should develop a long-term evaluation plan that will address the measurement of the effect of legislative changes and program implementation in order to provide direction to the overall program. AZ
- Use surveys to target high-risk groups. OK
- Evaluation of PI&E efforts is needed to determine their effectiveness, as well as to assist in designing future PI&E programs. Regularly scheduled public opinion surveys should be conducted to measure the general public's knowledge and attitudes on traffic safety issues. These surveys could be conducted in concert with existing survey instruments at relatively low cost. CA
- The research/evaluation standing committee (within the Governor's Commission on Traffic Safety) should advise the TSB on what evaluation is needed to address impact of the State's programs. NM91
- Facilitate discussions between local communities and State agencies that now share DUI data. This process will aid in the development of a statewide, unified outcome evaluation plan. WV93
- The Governor's Commission on Traffic Safety should recommend research projects to be conducted by the Division of Government Research at the UNM. These projects should be tied to the Commission's goals and objectives, milestones, and evaluation measures. NM91
- Identify those programs that seem most likely to have an effect on reducing the incidence of DUI. Design and conduct evaluations of those projects. CO

- Traffic Safety Operations Office should develop a long-term evaluation plan to measure the effectiveness of anticipated legislative changes and program implementation. TX
- Resource Centers should conduct regional needs assessments for use with local project development and Statewide planning. MD91
- Establish a committee to provide recommendations regarding research and evaluation projects that should be implemented. DE
- Use the traffic records assessment recommended earlier in this report to assist in the development of this long-range evaluation plan. VA

4. ENSURE APPROPRIATE METHODOLOGIES, USE OF BENCHMARKS/MILESTONES, ETC.

- ** Develop a baseline and performance-based goals for the impaired-driving program area and all other traffic safety program areas. RI
- ** Establish appropriate benchmarks and evaluations on sub-projects funded through the CTSP format to ensure valid projects are implemented. MD
- ** All program and individual project goals should be quantifiable with appropriate milestones and performance indicators. HI
- Continue to ensure that appropriate evaluation methodologies are selected for each funded project. WI
- All program and individual project goals should have appropriate milestones and performance indicators. TN
- Establish appropriate benchmarks and performance indicators for all impaired-driving programs and individual grants. MD
- The GHSO should require/approve all program and individual project goals, including appropriate milestones and performance indicators. OH
- Continue to ensure that appropriate evaluation methodologies are selected for each funded project. MN03
- Office of Traffic Safety should ensure appropriate evaluation methodology is selected for each funded project. MN95
- All program and individual project goals should have appropriate milestones and performance indicators. MO
- All program and individual project goals should have the appropriate milestones and performance indicators. CT00

5. REPORTING/SHARING/PUBLICIZING EVALUATION RESULTS

- ** Create and distribute summary reports from the Annual Evaluation Report to appropriate city, county, and State officials. OR
- Publicize results of successful projects. MO
- Establish evaluation teams including current and former project directors to increase the sharing of project information. MO

- The Traffic Safety Bureau should continue to share results of research with key traffic safety organizations to include local CDWI's and local DWI grant programs. NM95
- Publicize results of successful projects. CT00
- The Highway Traffic Safety Division should set up a formal system of reporting evaluation results of all programs on a regular basis to local and State project and program managers. MT94
- Establish evaluation teams including current and former project directors to increase the sharing of project information between projects. CT00
- OTS should make special efforts to communicate results of its analyses and interpretations of safety issues more effectively to the many individuals throughout Wisconsin who are part of the impaired-driving prevention effort. WI93
- OTS should take formal steps to expand participation in traffic safety evaluation by other agencies and general sharing of results. WI93
- The TSB should continue to share results of evaluations with key traffic safety partners and publicize the positive achievements made. NM
- The GHSO should publicize results of successful projects. OH
- Publicize results of successful projects. TN

6. COORDINATION OF EVALUATION ACTIVITIES

- OTS's Data and Evaluation unit should take on the coordinating role for all traffic safety research and evaluation. WI93
- Traffic Safety Operations Office should continue its working relationship with TTI and develop relationships with other research and evaluation institutions. TX
- Each local plan submitted to the TSB for approval should be based upon guidelines established by the community/corporate standing committee (within the Governor's Commission on Traffic Safety) to include an evaluation component. NM91

7. DATA (COLLECTION OF/AVAILABILITY/USE OF)

- ** Indiana should strengthen reporting requirements of DUI arrest data to a designated central repository. IN01
- ** Indiana should consider initiating an education program to help create new legislation requiring all drivers (deceased and surviving) involved in a fatal crash be tested for alcohol and other drugs. Previous lack of data led to probability that the number of alcohol-involved fatal crashes were underreported. Accurate data are essential when measuring program effectiveness. IN01
- ** Use results of attitudes surveys to make program changes. OK
- A DUI tracking system should be developed to assist with determining whether resources are being used effectively. WV

- Establish a requirement to test all drivers involved in fatal and serious injury crashes for alcohol and/or other drugs. ND
- Continue to improve the capability of on-line access to data and training for use of data by project and program managers. ND
- Require more than fatality data in the evaluations. The relatively small number of traffic fatalities (especially alcohol-related fatalities) in Vermont makes it more difficult to identify trends and improvements; adding at least serious injuries to the databases would plump up the numbers and make for more accurate analysis. VT
- Support the development of the new electronic crash reporting system. VT
- Encourage the State toxicologist to use the electronic capability of the new Intoxilyzer instruments to collect data more frequently on alcohol content, time of day, gender, and age of offenders to evaluate the effectiveness of periodic sobriety check points and saturation patrols. ND
- Continue to use the Center for Substance Abuse Research (CESAR), Substance Abuse Management Information System (SAMIS), and Crash Outcome Data Evaluation System (CODES) for related data. MD
- Establish alcohol crash rates and projected rates to compare effectiveness of projects and programs among counties. HI
- Use other data sources such as EMS, Hawaii Department of Health, University of Hawaii studies, Hawaii's Department of Attorney General's Office and Judiciary. HI
- Consider using data obtained from conducted surveys such as the Dept. of Health's Youth Behavior Risk Inventory to determine impact. HI
- Create an annual Impaired Driving Systems Performance data report, broken down at the county level. MD
- Use the "Major Traffic Accidents, State of Hawaii 1987-1996" annual reports to obtain non-fatal injury crash data to estimate alcohol involvement in injury crashes in Hawaii in addition to FARS data. HI
- Use the program evaluation results in the planning process for developing the following year's highway safety plan, in the grant project selection process, and in maintaining trend data. RI
- Develop a DUI tracking system to determine whether resources are being managed to have the maximum effect on the problem of impaired driving. WV93
- The Alaska Highway Safety Planning Agency should use the evaluations and other pertinent data and information as the basis for an annual traffic safety report to the Governor, legislature and Congressional delegation. AK
- Continue to provide timely data to grantees and other users. WI
- Adjust the public opinion survey sampling size to allow for more sensitive measurements and more detailed targeting of messages to subgroups of the population. OR
- Departments and agencies responsible for monitoring DWI related activities should review their internal evaluation procedures to determine if the data

they collect meets not only their needs but also the needs of related agencies. NC95

8. SEEK ASSISTANCE/CONTRACTUAL AGREEMENTS FROM OTHER AGENCIES, UNIVERSITIES, OR NHTSA/DOT

- ** The Alaska Highway Safety Planning Agency should investigate the availability of evaluation professionals at the universities located in the State or within the Department of Health and Social Service's Epidemiology Section. AK
- ** Consider using outside sources, such as a university, for assistance in program and systems evaluations. WI
- ** Seek assistance from other State agencies and universities with data processing and evaluation capabilities to conduct impact evaluations on selected projects to determine effectiveness. GA
- ** Collaborate with the Highway Safety Research Center on other entities to explore ways of providing comprehensive statewide effectiveness evaluations. NC
- The Traffic Safety Bureau should develop contractual agreements for the performance of program impact evaluations. NM
- The Traffic Safety Bureau should continue to contract with a variety of Universities and other contractors to conduct impact evaluations. NM95
- The Vermont GHSP should seek NHTSA assistance in program evaluations. A State with a small amount of NHTSA funds has a difficult time diverting any of them from programs into evaluations. VT
- Resource Centers should be integrated into the college structure to take advantage of the organizational resources. MD91
- The advisory group should determine whether evaluation capabilities are available in State government or the university system. AZ
- The Traffic Safety Bureau should continue to contract with a variety of Universities and other contractors to conduct impact evaluations. NM95
- Use the Missouri Safety Center to evaluate selected projects. MO
- The TSP may consider requesting the no-cost assistance of a representative from NHTSA to review and recommend the best strategies to conduct evaluations using what data is currently available. ND

9. INVENTORY EXISTING IMPAIRED DRIVER PROGRAMS/EFFORTS

- Counties and Baltimore City should conduct an inventory of existing programs, interest groups, and resources directed at the impaired driver. MD91

**RECOMMENDATIONS FOR GUIDELINE AREA 1F
FUNDING
(** Priority Recommendations)**

1. USE OF OFFENDER FEES FOR IMPAIRED DRIVING EFFORTS

- ** Consider consolidation of fines, penalties, and fees and centralize collection procedures. Such a system would make it possible to impose real property liens, wage garnishment, income tax penalties or to limit public assistance of those offenders refusing to pay. Collections could then be distributed proportionally to the appropriate designated agencies. CA
- ** Dedicated tax or program revenue must be earmarked for specific purposes as specified by either the voters or the governing legislative body (may require constitutional amendment). AK
- ** Continue the LEAF program. CO
- Recommend that funds be targeted for the State's impaired-driving programs. OK
- Dedicate a portion of the State's alcohol excise tax to impaired-driving and/or alcohol abuse programs. TX
- DPS should seek authority to charge a reinstatement fee to every convicted DWI offender whose driving privilege has been suspended with funds being used for traffic safety purposes. TX
- Develop plans to phase in a cost share ratio for overtime enforcement efforts to facilitate department ownership. IN01
- Create a dedicated funding source, preferably supported by a new fee imposed upon impaired-driving offenders, to adequately support the operation of essential impaired-driving enforcement, education, training, prevention, and treatment programs at the State and local level. RI
- Continued leadership is needed to provide oversight and support to the surcharge system so that all localities receive an appropriate level of funding for assessment programs. WI93
- Implement a centralized collection system, whereby funds collected could be redistributed to the appropriate agency. WV93
- The Department of Highway Safety should actively encourage public/private-funded traffic safety programs. CT93

2. INCREASE FEES THAT ARE USED FOR IMPAIRED DRIVING PROGRAMS

- ** The amount of existing drivers license reinstatement fee dedicated to the impaired driver program should be increased from one-half of the fee to the full \$100 imposed. MT94
- ** Court, costs should be increased to provide funds for the County DUI Task Forces' administration and programs. MT94
- ** A permanent one-dollar surcharge should be added to the vehicle registration/renewal fee to promote anti-DUI activities. This money should be budgeted to the Department of Highway Safety, and used to fund activities as

directed by the recommended Governor's Commission on Alcohol and Traffic Safety. CT93

- ** Increase the beer tax and dedicate a portion to enforcement, prosecution, and adjudication. WI
- ** The Wisconsin legislature should consider changing the current State statute to allow DMV to increase the driver license renewal fee by \$1.00 and have those funds be dedicated to supporting the agencies CTSP effort. WI93
- Continue to review the level of offender fees being charged to determine if some might be appropriately increased to help defray current costs. WI

3. LEGISLATION TO REQUIRE USE OF OFFENDER FEES TO COMBAT IMPAIRED DRIVING

- ** Examine legislative initiatives requiring collection of offender fees to support chemical testing equipment, and overtime enforcement. Examples are surcharges on DUI fines, reinstatement fees for driver license, or impound fees. CT00
- ** Continue to examine legislative initiatives requiring the earmarking of offender fees (including reinstatement fees for driver license, impound fees, surcharges on DUI fines) to support DUI countermeasure activities. IN01
- Enact legislation to ensure that the \$15.00 LEAF fee returned to the counties is designated for DUI enforcement costs. CO
- Examine legislative initiatives that would enable the collection of offender fees to support equipment, overtime, and education for the apprehension and conviction of impaired drivers to reduce impaired-driving injuries and deaths. Funding would come from a surcharge on DWI fines or license reinstatement targeting enforcement for DWIs. MO
- Seek legislative change to dedicate to DPS the State's surcharge realized from conducting DWI breath testing. TX

4. FEDERAL FUNDING ELIGIBILITY

- The State should encourage local acquisition of tax exempt status, or becoming part of county or city governments in order to qualify as applicants for various Federal fund programs available to direct such entities. MT94
- Because of fiscal shortfalls, the State should take the necessary measures to achieve eligibility for Federal Section 408/410 dollars. MD91
- Continue to offer Section 402 and 410 funds as "seed money" to initiate successful impaired-driving countermeasure projects with special consideration of grant awards to those with well-conceived self-sufficiency plans. MO
- Dedicate a greater portion of Section 164 transfer funds to the enhancement of the State's impaired-driving program. RI
- Review the requirements of Section 410 impaired-driving incentive program to determine whether the State's saturation patrol program meets the Federal criteria, or, may only need to be slightly altered to meet the criteria. RI
- Continue to fund "seed money" requiring matching funds to continue successful impaired-driving countermeasure projects with special

consideration of grant awards to those with well-conceived self-sufficiency plans. CT00

- Continue to promote the "seed money" concept of the Section 402 program and to provide follow-on technical support to those programs, which attain self-sufficiency. MI

5. REVIEW/ENCOURAGE/ADOPT SELF-SUFFICIENCY EFFORTS

- ** The Governor's Highway Safety Program should develop a self-sufficiency task force charged with the responsibility of reviewing existing self sufficiency programs in other States to determine which programs would be suitable for North Carolina. NC95

- ** Cost assumption should be an objective of all traffic safety programs. CT93

- ** Assure long-term successful impaired-driving countermeasure projects by giving special consideration to those grant submittals with well-conceived realistic self-sufficiency plans. IN01

- ** Continue to review self-sufficiency programs in other States while at the same time continuing to encourage self-sufficiency programs in Minnesota. MN03

- Continue to review self-sufficiency programs in other States while at the same time continuing to encourage self-sufficiency programs in Wisconsin. WI

- GOHS and any DUI advisory group established should continue to emphasize program self-sufficiency funding in the development of legislation. AZ

- North Carolina should adopt the self-sufficiency recommendations of the task force. NC95

- Office of Traffic Safety should review existing self-sufficiency measures throughout the US, with the intent of developing a viable self-sufficiency plan for impaired-driving programs. MN95

- Self-sufficiency measures should be taken to ensure long-term funding. The use of penalty assessments or user fees associated with the apprehension, prosecution, and adjudication of the impaired driver should be actively pursued. MD91

- Remove prohibition of dedicated funds so that programs can become self-sustaining. AK

- Consider mass distribution of the NHTSA/National Association of Governor's Highway Safety Representative Underage Drinking Prevention "Community How-To Guides" to stakeholders. Included in this multi-booklet package is a self-sufficiency guide. IN01

6. PUBLICIZE COSTS OF IMPAIRED DRIVING

- ** Ensure that public and State legislators are made aware of the societal impact of impaired driving, including the costs which are borne by the State and its citizens. MI

7. FUNDING EVALUATION/COST-BENEFIT ANALYSIS

- Make an effort to identify the savings that result from the reduction in DUI crash costs, including medical and social program costs. AZ
- Conduct a study to determine potential funding sources within the current system that may require administrative and/or legislative action. TX
- Develop cost benefit analysis for impaired-driving countermeasure programs to secure ongoing support from local and State officials. CT00
- Evaluate fines and other monetary penalties to determine if they are in line with the cost of operating the system. WV93
- Develop cost benefit analysis for impaired-driving countermeasure programs to secure ongoing support from local and state-elected officials. MO
- Record revenue information in the data system when upgraded to allow for cost benefit analysis of the programs involved. OR
- Calculate an estimate of all DUI-related expenses to illustrate the costs of those activities, including police, prosecution, courts, MVD, treatment and corrections. AZ
- Record revenue information in the data system when upgraded to allow policy makers to determine whether offenders and users of the system are paying for the bulk of the costs incurred. OR
- Develop a reporting system that aggregates the funds collected by all agencies as a result of DUI activities. AZ

8. DUI TRACKING SYSTEM

- Develop a DUI tracking system that would include information on uncollected money. WV93
- Develop a DUI tracking system to include EMS recordkeeping. WV93

**RECOMMENDATIONS FOR GUIDELINE AREA 2A
PUBLIC INFORMATION AND EDUCATION FOR PREVENTION
(** Priority Recommendations)**

1. DEVELOP/IMPLEMENT STATEWIDE PI&E PLANS

- ** The Division of Highway Safety should develop a statewide enforcement and prevention plan and program for impaired-driving PI&E activities. The plan should include attention to public health approaches that are designed to alter social norms with regard to impaired driving, to change risky and/or dangerous behaviors, and to create more protective environments especially for youth. CT00
- ** Design and implement a specific statewide PI&E plan for an expanded effort to increase public awareness and to reduce impaired-driving problems throughout Indiana. IN01
- ** The Office of Highway Safety Planning should assume responsibility for development of a statewide PI&E plan. It should consider contracting this responsibility for implementation to the Alcohol Issues Forum. MI
- ** OTS should proceed with development of a comprehensive PI&E plan in support of an overall Impaired Driving Prevention Plan. The plan should include: needs assessment, marketing plan, and evaluation of target group exposure, recall, and assimilation of messages. The planning process should include participation of all public and private organizations providing PI&E activities. WI93
- ** Develop a comprehensive prevention and PI&E plan for the State. OK
- ** Design, fund and implement a comprehensive statewide plan for all impaired-driving PI&E activities; this plan should describe and delineate an ongoing statewide PI&E program and include a dedicated coordinator responsible for these impaired-driving activities. VT
- ** GHSP should develop a PI&E plan for the State. At a minimum, such a plan should encompass discussion of the extent of the problem, a strategy for addressing the problem, and a discussion of resources available to inform the public about the problem and effective ways of addressing it. WV
- ** The PI&E coordinator should develop a statewide plan and program for all impaired-driving PI&E activities. GA
- Develop a coordinated and comprehensive statewide PI&E plan including standardized materials and strategies for media support. DE
- DTS should develop and follow a statewide PI&E plan. IL
- Develop a PI&E plan for the State. This plan should set reasonable goals and should coordinate them with Healthy Marylanders 2010 efforts. MD
- The "Comprehensive Substance Abuse Prevention Five-Year Plan" described in section 2-B, should include a statewide coordinated PI&E component. ND
- Develop an impaired-driving PI&E plan, coordinated with substance abuse and health promotion campaigns, including needs assessment, tested messages, targeted media and sustained campaigns. RI

- Develop a comprehensive PI&E plan coordinating the efforts of various agencies involved in impaired-driving prevention. OR
- Develop a coordinated, interagency traffic safety PI&E plan. MO

2. ESTABLISH STATEWIDE PI&E COORDINATOR POSITION/RESPONSIBILITIES OF

- ** The Division of Highway Safety should develop a statewide enforcement and prevention plan and program for impaired-driving PI&E activities and designate a coordinator to implement the plan. CT00
- ** Traffic Safety Bureau should designate a full-time PI&E Coordinator either in the agency or on a contract basis. NM95
- ** Office of Traffic Safety should designate a PI&E coordinator responsible for development of a comprehensive PI&E plan. MN95
- ** DTS should create and staff a position responsible for coordinating public and private DUI activities. IL
- ** Hire a full-time PI&E coordinator to ensure that the plan is implemented on a reasonable timeline. MD
- ** Expand the PI&E staff contingent within the GHSP, and specifically hire a full-time coordinator with the responsibility to annually develop a statewide plan and program for all PI&E activities related to impaired driving. NC
- GHSP should designate a PI&E coordinator. WV
- Designate a statewide traffic safety PI&E coordinator in the GHSO. OH
- Appoint a coordinator for traffic safety PI&E activities within the GHSO. TN
- A position for a permanent, full-time PI&E coordinator should be established by GOHS. GA
- Designate a statewide traffic safety PI&E coordinator. MO
- The PI&E coordinator should be responsible for a comprehensive statewide PI&E plan. NM95
- The PI&E coordinator should be encouraged to participate in workshops and seminars on PI&E strategies and techniques that apply to activities outside the scope of law enforcement in order to broaden his perspective and statewide network. GA

3. IMPROVE/EXPAND AGENCY/INTERAGENCY PI&E PLANNING AND COORDINATION EFFORTS

- ** New Mexico should continue to work with regional task forces and attempt to expand them and develop better coordination. NM91
- ** Continue and expand GOHS' planning and coordinating in the area of PI&E. AZ
- ** Increase interagency planning for State prevention and PI&E efforts. OK

- ** The Hawaii Department of Health, Alcohol and Drug Abuse Division should take a more active role in the coordination of and participation in PI&E activities that surround prevention. HI
- ** The GHSP should assume a leadership position in the coordination of highway safety efforts in the State. To this end, GHSP should convene an interagency group for the specific purpose of sharing information about issues of mutual concern and interest. Membership should include reps from insurance, health, DOT, DMV, and the WVSP. WV
- ** The Department of Highway Safety should provide coordination of PI&E activities consistent with a comprehensive plan. The PI&E plan should be consistent and coordinated with the Statewide Prevention Plan being developed by Interagency Coordinating Council. CT93
- Develop stronger relationships with selected State agencies to expand support for PI&E campaigns on impaired-driving issues. NC
- Develop a coordinated, interagency traffic safety PI&E plan. OH
- Establish an interagency prevention coordinating council that uses current impaired-driving/substance abuse data to determine what policy and behaviors should be targeted and develop strategies to educate the public and to garner public support. MD
- Establish an interagency alcohol, tobacco, and other drug prevention coordinating council with a PI&E sub-committee with representation from at least the GHSO, DOH, DOE, law enforcement agencies at the State and local level and college safety and substance abuse prevention programs. TN
- Create an inclusive prevention committee(s), and establish collective Hawaii-specific goals, through interagency, inter-organization agreements. HI
- The GHSP should develop a plan to promote substance abuse and impaired-driving prevention activities that enhance the likelihood that resources will not be duplicated and will target areas that may have been missed in earlier campaigns. Include the development of data-driven materials that underscore the costs of substance abuse with particular emphasis on DUI. WV
- Include the Department of Insurance in planning efforts. OK
- Office of Transportation Safety should develop strategies for more effective coordination of PI&E activities. CO
- Office of Highway Safety Programs and the Alcohol Issues Forum should encourage and assist other counties to adopt and adapt an "Impact Weekend" program. MI
- Prevention should be part of the proposed statewide Traffic Safety Conference in order to better coordinate prevention activities. CO
- Develop action teams in conjunction with State and local police whose goals should be to get relevant information regarding traffic safety problems in a timely manner to the OHSP public information office. MI
- Office of Highway Safety Planning should encourage and assist local coalitions in obtaining PI&E materials from private sources. MI

- Texas should continue expansion of the excellent inter-agency cooperation in PI&E campaigns. Traffic Safety Operations Office should work with other State and local groups to develop a comprehensive PI&E plan in order to avoid duplication of effort. TX
- Organizations such as the Maryland DOT or ADAA should sponsor periodic "sharing" conferences for local projects and Resource Centers and could also establish a network of local projects to share information. MD91
- OTS should fund the Resource Center on Impaired Driving to produce and distribute a newsletter to inform the highway safety community about legislative, policy and program changes and recent research findings related to impaired-driving prevention. WI93
- Support continued operation of the Wisconsin Clearinghouse for Prevention Resources and coordinate links to Web sites and other Clearinghouse resources with community and school-based prevention programs. WI
- The Resource Center on Impaired Driving and the Wisconsin Clearinghouse for Alcohol and Drug Information should coordinate their efforts. The programs should be aware of each other's holdings in order to refer patrons to the best source of specific information. The programs might consider producing joint publications on issues of immediate concern to the impaired-driving field in Wisconsin. WI93
- GHSP should lead in developing a coordinated PI&E plan. WV93
- Work with traffic safety coalitions, public health agencies, and citizen advocacy groups to correct public misinformation about DWI and alcohol use stemming from alcohol advertising. NM91
- TSB should establish a statewide body to coordinate its impaired-driving program and it should contain standing committees on Prevention PI&E. NM91
- Incorporate into the Oklahoma HSO statewide prevention plan the recommendations of the Oklahoma Drug and Alcohol Policy Board's substance abuse and treatment recommendation that pertain to highway safety. OK
- The Alaska Highway Safety Planning Agency should develop a comprehensive statewide presentation plan that should include decision makers from the education departments (or academia), State and local police, DMV, citizen groups, and alcohol industry. AK
- Because of the size of Alaska, regional prevention groups must be formed. These groups should plan for the region within the parameters of the State plan. AK
- The DUI Advisory Council should establish an ad hoc committee to determine how to best use current PI&E activities. IL

4. BUSINESS/PRIVATE/SCHOOL ORGANIZATION INVOLVEMENT IN PI&E EFFORTS

- ** The Division of Highway Safety should expand its contacts with and support of community not-for-profit organizations that implement impaired-driving PI&E programs at a regional and community level. In addition, the Division of Highway Safety should expand its media contacts related to impaired-driving issues. CT00

- Develop stronger relationships with private sector business leaders to expand support for PI&E campaigns on impaired-driving issues. NC
- Design and implement a statewide conference for community, voluntary organizations, and private sector leaders and use "lessons learned" to stimulate a wider geographic range of impaired and underage driving PI&E activities. NM
- Design and implement additional statewide and regional PI&E conferences for community, voluntary organizations and private sector leaders in order to stimulate and coordinate impaired-driving PI&E activities. NC
- The statewide plan should include a strategy for coordinating the PI&E activities of each grantee. Private sector, volunteer, and public agency activities that are not grant-funded should also be coordinated to the extent that this is possible. If multiple messages in multiple contexts can be coordinated, they may become synergistic. GA
- Coordinate highway safety initiatives with advocacy groups as well as private industry groups with an interest in highway safety and injury reduction. OK
- Promote better communications between State and private agencies advocating for safety and health. OK
- Conduct at least two meetings per year with traffic safety and other advocates to plan for future efforts and evaluate past activities. MO
- Businesses and private organizations should be encouraged to form public-private partnerships that further support existing PI&E efforts through increased funding, as well as access to other outlets. Where alcoholic beverage industry funds are used, advertising visibility should not be greater than that of any other participants. CA
- Continue the process of community-based empowerment, including support for citizen activist coalitions. CA
- Continue the public-private partnership with groups such as Farmers Insurance. Expand this effort to other potential sources of private sector involvement in PI&E. AZ
- State support for faculty research grants and/or student assistantships dedicated to prevention research could serve as an incentive for greater university participation. MD91
- GHSP should continue to encourage and assist local programs to obtain PI&E materials from private sectors including major corporations and local companies. WV93

5. PROMOTE PUBLIC AWARENESS OF RISKS OF DUI, HEALTH CONSEQUENCES, ETC.

- ** PI&E messages should be developed to inform drivers of the specific consequences of a DWI arrest and conviction. NC95
- ** A comprehensive PI&E plan should be developed to address all elements of public awareness, knowledge, and attitudes related to the prevention of DUI. MT

- ** Develop a working group to plan and develop an impaired-driving fact book that will be easily understood by lay people, that will have relevance for county and local task forces, that can provide at a minimum a compendium of information about impaired driving and other alcohol issues in each county. Impaired driving arrest data, as well as accident data, should provide demographics that enable prevention programs to choose appropriate strategies for targeting their limited resources. At the State level information should be released to the public indicating the disposition rates of impaired-driving cases in the courts for each judicial district. MD
- A PI&E strategy to educate the public and provide documentation in support of the goals of the Governor's Statewide DUI Task Force should be developed and implemented. No area of the State should be neglected, particularly if its electorate has substantial influence on the legislative process. GA
- The Transportation Policy Committee should involve local participation in the development process for statewide PI&E campaigns. VA
- GHSP should develop and maintain an updated fact sheet on DUI and its consequences in the State and on a county basis as well. At the state-level, information should be released to the public that indicates the disposition of DUI-related offenses. WV
- The content of PI&E messages should be expanded beyond the deterrence message to address the health and safety consequences of impaired driving. NC95
- Integrate impaired-driving messages into other ongoing public information activities, e.g., the Arizona DOT's Construction Alerts. This should be encouraged and expanded. AZ
- Explore the possibility of implementing a non-commercial, sustaining announcement program that provides the equivalent of PSAs. AZ
- Greater efforts should be directed to develop common themes and messages, with State and local groups encouraged to continuously create innovative methods of delivering the message. TX
- Efforts should be made to match the level of alcohol advertising with equivalent exposure for effective pro-health and safety messages to provide more complete and accurate information. CA
- Eliminate alcohol advertising and beverage industry promotion/sponsorship of public events where the majority of anticipated audience is under the legal drinking age. CA
- Develop messages that stress the promotion of healthy life styles and relate them to the costs of impaired driving. OK

6. MEDIA-RELATED RECOMMENDATIONS

- Long-term planning should include the development of personal relationships with local media markets and a strategy for ensuring statewide media coverage. The GOHS clipping service should be used to develop a media market database for this purpose. GA
- Consider establishing a contract with a public relations firm to conduct media activities. WV

- Hire a PR firm to conduct media activities after the above recommendations are implemented. MD

- Continue to encourage comprehensive news reporting of alcohol-related problems and crashes; continue the multi-media campaigns that are based on effective social marketing principles. Where necessary, repackage the message to make it more salient or reinforce the media's contribution to project successes by providing feedback to the public that emphasizes good results. CA

7. PI&E EFFORTS FOR HIGH-RISK GROUPS

- ** Design and implement specific education, information and media strategies to address binge drinking and other drug use by youth. These PI&E and related strategies may require a two-part approach, one directed primarily toward youth and the other directed to parents and other caretakers of underage people. IN01

- ** Convene and financially support a summit of college and university counseling, housing, student affairs, student government, and health clinic personnel to address issues of underage and binge drinking by students. NM

- GHSP should assess the effectiveness of prevention programs targeting youth through the use of Youth Behavior Risk Survey, which is conducted every other year in West Virginia's schools. GHSP should request permission to add questions specifically addressing the issue of drinking and driving by youth as well as the issue of riding with another youth who has been drinking. WV

- Target selected high-risk communities to conduct a special "I'd Rather Drive" campaign that would include providing each young person in the community with a personal copy of the tape. CA

- Use data provided from HARM coupled with DUI/DWI arrest data to identify areas at high risk for impaired driving. OK

- Designate a proportion of prevention dollars to assessing high-risk areas and for developing community programs promoting highway safety. OK

- Traffic Safety Attitude Surveys should be expanded to include targeted sub-populations of minorities, youth, and problem drinkers. OR

- Work with traffic safety coalitions, public health agencies, and citizen advocacy groups to oppose inappropriate targeting of youth and lower income groups in advertising, particularly in billboard placement. NM91

8. CULTURAL-RELATED PI&E EFFORTS

- ** All PI&E program materials used statewide should be available in Spanish. In addition, materials and programs should be developed to reflect Hispanic culture and concerns. TX

- ** Implement a sustained, targeted, and coordinated PI&E campaign to address the cultural norms related to alcohol use and impaired driving. WI

- ** Some multi-cultural PI&E campaigns and materials, primarily for Hispanic audiences have been developed. However, given California's cultural diversity, consideration should be given to expanding these efforts, particularly with respect to Asian and other ethnic populations. CA

- PI&E materials should reflect cultural, ethnic and literacy diversity in Virginia. VA
- Develop culturally sensitive PI&E materials and campaigns for Hispanics and Native Americans. OR
- Newly developed materials should be culturally relevant, should involve input from the populations for which they are intended, and should reflect regional values and concerns. CO
- Work with traffic safety coalitions, public health agencies, and citizen advocacy groups to oppose inappropriate targeting of minorities in advertising, particularly in billboard placement. NM91
- Traffic safety materials on impaired driving (brochures, films, manuals, posters, etc) should be available in and targeted to the various major ethnic groups in New Mexico. NM91

9. PI&E EVALUATION EFFORTS

- ** Conduct evaluations to determine the effectiveness of various campaigns, target group exposure and message recall. Use local resources when possible (University faculty). AZ
- ** Office of Highway Safety Planning should set specific goals for PI&E programs and conduct an evaluation using empirical data to determine the impact. MI
- Develop and distribute evaluation tools for all funded prevention programs. Publish results of evaluations conducted to show which are working. HI
- Expand comprehensive evaluations of PI&E campaigns. OH
- Conduct comprehensive evaluations of all PI&E programs. MO
- Develop outcome measures for programs and require that each program include at least a basic evaluation. OK
- Use evaluations to eliminate ineffective programs. OK
- Evaluation of PI&E should concentrate on measuring exposure, recall and correlated knowledge and attitudes. Existing surveys, such as the Behavioral Risk Factor Surveillance System, might prove to be an efficient tool for this purpose. CA
- PI&E programs should be evaluated to assure efficiency in use of limited resources. TX
- Evaluation of PI&E should concentrate on measuring exposure and recall and correlated knowledge and attitudes. MD91
- Overall prevention evaluation efforts should be designed and overseen by the Center for Substance Abuse Research. MD91
- GHSP should encourage prevention programs to develop and implement empirical evaluations of the impact of PI&E activities. GHSP should assist programs in identifying sources of assistance in conducting evaluation research, e.g., universities. WV93

10. PI&E FUNDING RECOMMENDATIONS

- Review strategies to seek creative means of funding existing viable programs. HI
- Use State grant funds to enhance PI&E functions. NC
- DMV should fund full-time PI&E positions in all district CTSPs. VA
- Insure that the Hawaii Department of Transportation has the funding necessary to carry out the PI&E for all islands. HI
- Resource Centers should become "institutionalized" by seeking multiple sources of funding (private and public) and by establishing cooperative agreements with regional authorities and organizations. MD91

11. PI&E MATERIALS

- ** Given the proportion of rural roadways within the State, some PI&E materials should focus on rural highway safety. CA
- Establish a clearinghouse for statewide PI&E materials that are accessible by all partners and highway safety advocates. MO
- The Department of Highway Safety should encourage and assist local programs to obtain PI&E materials from private sector sources including major corporations and local companies. CT93
- The Division of Highway Safety should develop its own PI&E campaigns and materials in the impaired-driving area. These materials may be either adapted from those developed by other sources and/or they may be created for, or by, the Division of Highway Safety. CT00

**RECOMMENDATIONS FOR GUIDELINE AREA 2B
SCHOOL PROGRAMS AND COMMUNITY YOUTH PROGRAMS
(** Priority Recommendations)**

1. DEVELOP/IMPLEMENT K-12 ALCOHOL AND DRUG EDUCATION PROGRAMS.

- ** Institute a comprehensive K-12 alcohol and other drug education program. Information on substance abuse and impaired driving should be presented progressively to students in each grade. NM91
- ** Colorado should incorporate alcohol and drug education programs in all early childhood education programs, where possible. CO
- ** The Alaska Highway Safety Planning Agency, along with the Department of Education should take the lead in establishing K-12 traffic safety education programs and materials with emphasis on alcohol and drug impaired driving. AK
- ** Implement appropriate model K-12 alcohol programs. MN03
- ** DMV, working in conjunction with the Dept. of Education, should develop and implement a K-12 alcohol highway safety curriculum. VA
- ** Implement the "Protecting You/Protecting Me" curriculum on a pilot basis including comprehensive evaluation. Based on findings from the pilot project, the curriculum should be implemented statewide. OH
- ** Alcohol/drug education should be mandated for grades K-12. IL
- All school districts in North Dakota should implement a science-based prevention program at all levels K-12. ND
- Develop drug and alcohol awareness programs with a highway safety message for use with middle school students. OK
- Promote the inclusion of alcohol highway safety curriculum in high schools no longer providing driver education programs. OK
- Encourage all schools to implement comprehensive health curriculum with substantial material related to DUI and alcohol and substance abuse related issues. MT
- The Department of Education in conjunction with the Department of Human Services and the Office of Traffic Safety should develop a comprehensive, progressive, public-oriented substance abuse and traffic safety curriculum for grades K-12. MN95
- Schools with DARE should be encouraged to expand the program to junior and senior high school levels. WI93
- Comprehensive substance abuse and traffic safety curriculum with impaired-driving prevention components should be implemented in K-12. TX
- Implement Life Skills Training in all schools in Delaware. DE
- Traffic Safety Bureau and Department of Health should prepare plans to expand DWI prevention activities in schools to replace programs lost in the event of anticipated funding cuts. NM95

2. EXAMINE, REVIEW, REVISE STATE CURRICULUM EMPHASIS

- ** The Department of Highway Safety should work through the recommended Governor's Commission on Alcohol and Traffic Safety to establish an articulated impaired-driving prevention emphasis in substance abuse programs for students at all levels. This prevention emphasis should embrace the public health/traffic safety model recommended by NHTSA. CT93
- Prevention efforts in the schools and in the community should emphasize parental and family use and abuse of alcohol, parent attitudes toward young people's use of alcohol and parenting skills, and family management. ND
- Continue and strengthen the emphasis on the consequences of drinking and driving in the driver education program. MD
- Review and develop the alcohol and substance abuse curricula to include appropriate, current and accurate information about impaired driving. AZ
- Existing State curriculum should be reviewed and revisions made as needed. Grade 1-12 faculty substance abuse education efforts should be supplemented with community project and/or Resource Center staff who could present special "units." MD91
- Information used in school-based programs should be updated frequently to reflect legislative and program changes and current statistics and research findings. TX
- Messages specific to impaired driving should be integrated into existing health and other education programs beginning in grade school with special emphasis in middle and early high school years. NC95

3. PROMOTE ALCOHOL-FREE EVENTS

- Alcohol-free events should be promoted in rural as well as in urban areas. GA
- Promote alcohol- and drug-free activities throughout the school year to include a focus on impaired driving. AK

4. DEVELOPMENT OR ENCOURAGEMENT OF ALCOHOL/DRUG EDUCATION PROGRAMS OR EFFORTS FOR COLLEGE STUDENTS.

- ** GOHS, Department of Health Services, and other agencies should work with the University System to develop and implement a comprehensive alcohol/substance abuse prevention and intervention program. AZ
- ** Implement appropriate model college alcohol programs. MN03
- ** Community colleges and universities need to develop, implement, enforce on- and off-campus alcohol and other drug policies for students. Consideration might be given to having students majoring in the area to spearhead awareness programs and to develop and staff peer assistance programs. CA
- College campuses should be encouraged to develop impaired-driving prevention activities within the framework of comprehensive risk reduction and health promotion programs. NC95

- Colleges should be encouraged to develop comprehensive alcohol and substance abuse programs with strong impaired-driving prevention components. TX

- Increase attention to prevention programs on college campuses, especially with respect to reducing underage consumption of alcohol and drinking and driving. VA

- University substance abuse prevention efforts should be coordinated with the communities where the campuses are located. Coordination should include inviting local prevention projects onto campus, conducting programs for youth in the community and making University resources and expertise, e.g., evaluation research, available to the community. AZ

- The university administration should become involved in the process of the placement and legal operation of alcohol outlets in close proximity to the campus. This should include providing impact statements to the Liquor Control Board (LCB) when new license applications are in process. Also, the university should pursue sanctions against licensed outlets involved in unsafe practices such as sales to underage students or to intoxicated patrons. AZ

- Continue the efforts of the Alcohol Issues Forum with the President's Council and others to reduce alcohol-related incidents on college campuses. MI

- Campus programs should be reviewed and encouraged to eliminate "responsible use" messages from programs intended for audiences under 21. Programs with alcohol free alternative activities and curriculum infusion should be encouraged. WI93

- Encourage elimination of alcohol advertising and promotion of college campuses where a high proportion of the audience is under the legal drinking age. CA

- A model program to reduce the use of alcohol by people under 21 and to promote traffic safety on a college or university campus should be considered for grant funding by GOHS. GA

5. STATE/LOCAL GOVERNMENT AND COLLEGE COORDINATION/COOPERATION

- ** Office of Traffic Safety and the Department of Human Services should facilitate the formation of a consortium of college substance abuse prevention programs to promote comprehensive campus prevention programs. MN95

- Develop a college, university, and trade school committee in conjunction with the State Department of Health and the Traffic Safety Bureau to determine how to develop more effective alcohol and other drug use and abuse policies. NM91

- Traffic Safety Bureau should work with the consortium of colleges to promote substance abuse prevention programs on campuses and to assure that DWI issues are incorporated into these programs. NM95

- GOHS should encourage the Board of Regents to adopt policies that eliminate alcohol advertising and promotion on college campuses where a high proportion of the audience reached is under the legal drinking age. AZ

- Expand liaisons with higher education institutions throughout the State in order to encourage the adoption of policies and practices that have been scientifically proven to reduce alcohol and other drug problems, and to lead to the reduction of a variety of traffic safety problems among college students. NC

6. ESTABLISH TASK FORCE/CONSORTIUM TO REVIEW/IMPROVE CAMPUS ALCOHOL POLICIES

- ** Establish a consortium of college traffic safety, injury prevention and alcohol and other drug abuse prevention programs to develop and implement a plan for DUI prevention and intervention and activities for college students. OR

- ** Establish a task force to conduct a comprehensive review of college DUI and substance abuse prevention programs including campus alcohol policies and make recommendations for creating a healthy environment in relation to use of alcohol. MT

- The Interagency Substance Abuse Prevention Team should establish a College Substance Abuse Prevention Consortium to conduct a needs assessment, develop a prevention plan, and implement science-based prevention programs on all campuses in the state. ND

- Establish a consortium of college prevention programs to exchange ideas and work toward a consistent and effective alcohol and other drug policy on campuses throughout Tennessee. TN

- Establish a College and University Prevention Consortium with coordinated planning and shared resources and materials. WI

7. COMMUNITY COALITION INVOLVEMENT IN SCHOOL AND COMMUNITY YOUTH PROGRAMS

- ** Coordinate the efforts of local Safe Kids/Safe Communities projects, local SICA, and other substance abuse prevention coalitions. MT

- Community coalitions should be established in the remaining regions in North Dakota. ND

- Community coalitions should be given technical assistance in implementing the Comprehensive Substance Abuse Prevention Five-Year Plan and include impaired-driving information in all components. ND

- Expand and coordinate Safe Communities and other community level coalitions' impaired-driving and underage drinking prevention activities in schools. OH

8. STATE/LOCAL GOVERNMENT AND SCHOOL COORDINATION/COOPERATION

- ** Office of Highway Safety Programs must become involved in prevention programs with schools and promote use of the health and safety modules. MI

- Establish a higher education alcohol awareness coordinating council to develop policies to effectively work with higher education administration, students, law enforcement and treatment providers. MD

- Project Celebration activities should be coordinated with TX Youth Safety Program committees. TX

-The Maryland DOT and/or ADA Regional Coordinators should help initiate school-based projects that receive direct support (e.g. school budget) or indirect (e.g. PTA, community organizations) support. The Maryland Department of Education, DOT, and the Governor's Commission should assist districts in obtaining Drug Free Schools funds for new and existing projects. MD91

9. IMPROVE COORDINATION OF INTERAGENCY/INTERGOVERNMENTAL INVOLVEMENT IN YOUTH PREVENTION/EDUCATION ACTIVITIES.

- ** Enhance coordination between the agencies working with youth groups so that funds are better used. OK

- ** Major prevention initiatives in Missouri should be coordinated by an interagency group consisting of at least the Missouri Division of Highway Safety, the Division of Alcohol and Drug Abuse, the Caring Communities Program, the Missouri Youth Adult Alliance, and the Missouri Association of Community Task Forces. MO

- ** Initiate an inter-island council on education and community involvement headed by the Hawaii Department of Education and Department of Health. HI

- ** Appoint a Traffic Safety Bureau representative to the Prevention Sub-Coordinating Agreement Advisory Committee and appoint a representative of the Transportation Department to the Cabinet-level Prevention Advisory Committee. NM

- ** Seek the cooperation of the Secretaries of Health, Transportation, and Education in efforts to institutionalize prevention programming within the schools. NM

- ** Formalize coordination of youth programs through formation of a Youth Prevention Summit Task Force. OR

- Establish an interagency alcohol, tobacco and other drug prevention coordinating council with a school and community sub-committee with representation from at least the GHSO, Department of Health, Department of Education, law enforcement agencies at the State and local level, citizen advocacy, and college safety and substance abuse prevention programs. TN

- Traffic Safety Bureau should coordinate with the Department of Health Prevention Coordinator to assure inclusion of DWI issues in prevention programs. NM95

- Interagency agreements should be signed by all major players. HI

- Include personnel from prevention services in DMH/SAS and the Department of Health in highway safety coordination efforts. OK

- Coordinate and integrate the strategic planning and prevention initiatives developed under the SICA with existing impaired-driving and injury prevention efforts at the State and local level. DE

- The Division of Highway Safety should maintain close cooperation and coordination with Federal and State agencies involved in reviewing scientific "best practices" related to the prevention and reduction of alcohol and other drug problems. Department of Health Services should keep apprised of the most current best practices, and to ensure that funding and other support is provided to those educational programs that demonstrate effectiveness in reducing youth alcohol problems. CT00

-The Maryland Department of Transportation and others in the impaired-driving field need to maintain a strong cooperative relationship with the Maryland Department of Education. MD91

- Office of Traffic Safety and all other agencies involved in the impaired driver field should continue to provide support for implementation of the Wisconsin Plan for AODA prevention in schools. WI93

- Facilitate collaboration between the Council and other State agencies, higher education resources, middle and high school educators, youth and parents to share and discuss research evidence on alcohol, tobacco and other drug problem prevention programs and strategies that have been scientifically demonstrated to work. IN01

- The Governor's Highway Safety Program should convene a task force to develop a comprehensive, coordinated plan to address prevention, adjudication, and rehabilitation of young impaired drivers. NC95

- Convene a statewide task force to develop a comprehensive, coordinated plan that addresses prevention, adjudication, and rehabilitation of young impaired drivers. NC

- Available education programs should be presented as an element of the proposed annual statewide Traffic Safety Conference. CO

- The Governor's Statewide DUI Task Force should pursue its draft proposals for an inventory of youth traffic safety programs and for a Statewide Teen DUI Conference. GA

10. ESTABLISH A YOUTH COORDINATOR POSITION

- ** Dedicate one full-time position to work as a youth coordinator. There is an important amount of activity occurring in the State and such a coordinator could make the prevention of juvenile impaired driving an issue. MD

- ** Retain the Hawaii Department of Education's Traffic Safety Coordinator position and seek permanent State funding of the same. HI

- ** GHSP should support a youth coordinator whose responsibility consists of developing uniform state-level guidelines for impaired-driving prevention activities at the high school and middle school levels. The Coordinator should work with Safe Communities as well as with people in under-served counties that have an interest in promoting DUI prevention activities in their areas. WV

- Establish a youth coordinator in the Oklahoma HSO to enhance communication and planning between the myriad of programs focusing on school-aged and college students. OK

- GHSP should pursue resources to establish a youth traffic safety coordinator within the office. WV93

11. YOUTH INVOLVEMENT IN PROGRAM DEVELOPMENT

- Middle school prevention programs should be developed by youth and whenever possible, implemented by young people. NC95

- GHSP should continue to support and encourage school and community prevention projects that involve young people in all levels of program planning and implementation. WV93
- Expand support for impaired-driving prevention efforts that include significant youth involvement in leadership roles such as the Vermont Teen Leadership Safety Program and Students Against Destructive Decisions (SADD). VT
- Establish Youth to Eliminate Loss of Life (YELL) chapters in all high schools and middle schools in Delaware. DE
- Student safety clubs and task forces should be established in as many additional schools as possible. The best of these should be recognized as model programs and should be replicated, perhaps under the direction of a Youth Programs Coordinator working out of GOHS. GA

12. SCHOOL AND COMMUNITY YOUTH PROGRAM RECOMMENDATIONS WITH A CULTURAL EMPHASIS

- ** The K-12 highway safety curriculum developed by DMV and the Department of Education should be culturally and ethnically sensitive and address the diverse needs of the Commonwealth's children. VA
- ** Continue to provide "El Protector" program to Hispanic youth and assess the feasibility of adapting the concept to Native American youth as well. AZ
- Develop culturally sensitive DUI prevention programs for Hispanic and Native American youth. OR

13. INVOLVEMENT OF LOCAL AND SCHOOL HEALTH PERSONNEL

- Collaborate with local health educators, nurses, guidance counselors and other health personnel at the middle and high school level to more effectively educate students about the dangers associated with among youth and to design new initiatives to prevent and reduce these problems. NC
- Expand prevention initiatives with K-12 educators, health educators, and school health personnel. IN01

14. EVALUATION OF EFFORTS/DATA UTILIZATION

- ** Reallocate monies from ineffective and less effective programs and strategies to programs and strategies proven to be effective. IN01
- ** Identify and analyze existing model K-12 and college alcohol programs. MN03
- ** Conduct outcome evaluations of all prevention efforts. RI
- ** Coordinate survey data collection and share results. MT
- Conduct a survey to determine what prevention programs currently exist in the areas of alcohol and other drug abuse on college campuses, and recommend implementation of appropriate programs statewide. NM
- Develop a vehicle to examine more closely areas where the system is failing its young people. OK

- DHS should review its alcohol abuse prevention/intervention programs to assure that impaired driving is included as a critical issue. AZ
- Coordinate the many school- and community-based prevention programs and develop and implement prevention strategies based on data driven needs assessments conducted under State Incentive Grants, Department of Health and Family Services health planning, Comprehensive Community Health Programs and other State and local programs. WI
- GHSP should assist programs in identifying sources of assistance in conducting evaluation research, e.g., universities. WV93
- Evaluate the amount of underage drinking and substance abuse on college and trade school campuses. Collect and evaluate college and trade school alcohol and other drug policies to determine their adequacy. NM91
- GHSP should encourage prevention programs to develop and implement empirical evaluations of the impact of school and community based prevention activities. WV93
- Ensure that new programs funded by the GHSP either have been scientifically evaluated and proven to be effective or that the programs themselves collect appropriate research data that will demonstrate they are effective in reducing youth alcohol and/or other drug use, or in reducing the level of impaired driving by program participants. NC
- GHSP should assess the effectiveness of prevention programs targeting youth through the use of Youth Behavior Risk Survey, which is conducted every other year in West Virginia's schools. GHSP should request permission to add questions specifically addressing the issue of drinking and driving by youth as well as the issue of riding with another youth who has been drinking. WV
- Build upon existing relationships with ADAP, the DOE, and universities within the State that have appropriate research capabilities in order to: assess and evaluate the effectiveness of existing school-based and other impaired-driving prevention approaches; and. reallocate existing and new resources to those programs and approaches that are determined to be most effective. VT
- GHSP should assemble available data on alcohol and drug use and alcohol-related driving behavior among middle school, high school and college students. This information is particularly important given the high likelihood that graduated licensing will be adopted in WV. WV
- Local projects should be evaluated to identify the most promising and effective activities for replication in other schools. TX

**RECOMMENDATIONS FOR GUIDELINE AREA 2C
EMPLOYER PROGRAMS
(** Priority Recommendations)**

1. DEVELOP/EXPAND NETS PROGRAMS/EMPLOYER TRAFFIC SAFETY PROGRAMS/ACCESS TO

- ** Traffic safety programs for employers should be developed and coordinated. NM95
- ** Transportation Safety Section should promote the establishment of employer programs through implementation of the NETS. OR
- ** Work with companies to expand their alcohol abuse/impaired driver programs to employees' families and the community served by the companies. AZ
- Develop a NETS chapter in Rhode Island to establish employer-based traffic safety workplace programs with the support of the insurers and other companies that currently participate in the Traffic Safety Coalition. RI
- Expand employer-based programs for employee assistance. OK
- Expand the use of NETS as a tool to expand impaired-driving activities in private sector employers. MI
- The Alaska Highway Safety Planning Agency should encourage employers to implement such programs based on national programs such as NETS and AAA. AK
- Develop a plan for implementing employer-based impaired-driving, traffic safety, and alcohol and substance abuse prevention programs. WI
- Office of Traffic Safety should foster implementation of the NETS program as a tool to expand impaired driver activities in the private business sector. WI93
- Implement the NETS or a NETS type program statewide. IL
- Establish an expansion plan for NETS. MD
- GHSP should use the interagency group as a mechanism to foster the use of a NETS-type program for State agencies since the State is West Virginia's largest employer. WV
- Services of the Georgia Network of Employers for Traffic Safety should be offered to employers throughout the State, by continued expansion into new industry sectors and geographic areas. GA
- Expand access to certified addiction specialists and encourage this group to become involved with private companies. MI
- Traffic Safety Bureau should expand the network of employers it works with and progressively incorporate other companies into that network. TSB should be particularly concerned with establishing ties with companies and government agencies involved in transportation and public safety. NM91
- Efforts should be made to make employee programs available to large and small employers in the private and public sectors throughout the State. WV93

- Efforts should be made to make Employee Assistance Programs available to all employers, large and small. MI
- Efforts should be made to make employee programs available to large and small employers in the private and public sectors throughout the state. WI93
- TX has model employee assistance programs for both large corporations and small companies as well as for State agencies. Efforts should be made to assure that all employers in TX become involved in programs to provide prevention and intervention services for employees. TX
- Traffic Safety Bureau should work with the set of model NETS guidelines for impaired-driving policies to ensure that companies develop effective workplace requirements that meet OSHA requirements. NM91

2. COLLABORATION/INTERACTION EFFORTS

- ** Work with Employee Assistance Program executives to obtain their input as to what specific steps need to be taken to ensure involvement of business leaders in this area. IN01
- ** Provide technical assistance and training that permit businesses to identify their workplace safety needs, as well as practicable policies that will contribute to enhanced businesses practices. CA
- ** The HDOH ADAD should seek an interface with the Liquor Commissions (four main islands), HDOT and HDOE as an initiating effort to look at the possibilities of centralizing or at least coordinating the EAP and employee wellness functions. HI
- Involve State-level OSHA representation in the NETS program. MD
- Encourage the GHSP grantees to include business leaders and EAP professionals on their advisory bodies and/or task forces. Strengthen business involvement in Safe Communities. NC
- Encourage the Vermont NETS to work more closely with EAP personnel in the private and public sectors in order to facilitate greater information sharing among business and governmental leaders on the most innovative and cost effective approaches to prevent and reduce impaired driving. VT
- The Missouri Division of Highway Safety should develop a coordinated employer traffic injury prevention program using the resources of the MO State Highway Patrol and the "Think First" Program. MO
- State and local projects should work with Employee Assistance Programs in larger companies. MD91
- Community programs, with assistance from the Resource Centers, should develop cooperative projects with local Chambers of Commerce, which can provide access to local resources and local policy makers. MD91
- Provide strong leadership from the top on this issue by asking the Governor, legislative leaders and/or judicial branch leaders to call a meeting of business leaders and to directly encourage their involvement on this issue. IN01

- Develop on ongoing relationship with the State Chamber of Commerce and the appropriate mining and manufacturing associations to explore ways that State agencies and private sector companies can work together. MT94
- Major employers should be recruited to serve on committees to develop workplace impaired-driving programs. AK
- MDOT and other agencies should promote use of NETS and development of NETS coalitions, perhaps coordinated by Regional Resource Centers. MD91
- Consider a high-level private-sector task force to provide for corporate support of and input into the community planning process. CA
- Include personnel involved with employee assistance programs in prevention coordination efforts. OK
- State and local projects should identify and recruit CEOs who can provide leadership. CA

3. EMPLOYER/EMPLOYEE/PUBLIC AWARENESS EDUCATION

- ** Include a broader spectrum of businesses and business leaders as part of the overall public awareness education program. NM
- Continue distribution of traffic safety materials to employers. MT
- Develop a coordinated program to provide employers with information about impaired-driving and traffic injury prevention and intervention programs for employees throughout the year. DE
- Impaired driving prevention components should be included in all workplace programs in the public and private sector. VA
- Publicize benefits of employee training in impaired-driving prevention. IL
- Identify and provide needed impaired-driving materials for use in employee assistance and wellness programs. MD
- Develop a resource library for use by employees in their EAP efforts and in employee wellness activities. HI
- Include a broader spectrum of business leaders as an integral part of the GHSP's overall public awareness, education, and other initiatives and activities. NC
- Publicize resource sharing to employees through HDOH Public Information Officer function. HI
- Safe communities coalitions should continue to promote EAPs, including substance abuse prevention and intervention components and impaired-driving information. ND
- The Oregon State Police should expand and refine the Demand Reduction Unit to help promote comprehensive employer programs in substance abuse prevention including traffic safety. OR
- Marketing, publishing, informational, and evaluative techniques that have been highly refined by NETS should be shared within GOHS by means of in-service training, workshops, lunch seminars, or other methods. GA

- Employee Assistance Programs should be encouraged to incorporate impaired-driving prevention information and activities. NC95
- Impaired driving prevention components should be included in all employee programs in the public and private sector. CT93
- The Connecticut DOT Employee Assistance Program, in conjunction with EAP representatives from larger private employers, should consider the possibility of developing and implementing appropriate mechanisms to more effectively share information on the successes of their EAPS with other employers, with employees, and with the general public. CT00
- Impaired driving prevention components should be included in all employee programs in the public and private sector. WV93
- Impaired driving prevention components should be included in all employee programs in the public and private sector. WI93
- DMV should implement procedures and provide information to encourage employer-users of the Automated Reporting System to use information about employees with DUI convictions in a manner that will reduce their risk of continued drinking driving behaviors. OR
- Office of Transportation Safety and ADAD should explore ways to increase impaired-driving prevention components in employee programs in the public and private sectors. CO

4. CULTURE-RELATED AWARENESS RECOMMENDATIONS

- Develop a Spanish-language outreach effort about the consequences of impaired driving to be distributed by employers of non-resident, non-English-speaking, seasonal workers. DE
- Assess the use of Spanish-language outreach effort regarding consequences of impaired driving and consider expansion to other areas. NM

5. PROGRAMS FOR SMALL EMPLOYERS

- ** Traffic safety programs for small employers should be developed and coordinated. NM95
- Complete development of the contract for NETS programs directed at small companies throughout Tennessee. TN
- Explore reaching employers with smaller numbers of employees with the alcohol traffic safety message. OH
- Strengthen technical assistance and other appropriate support to the NETS program in order to ensure that NETS provides a more comprehensive and effective array of services to businesses, particularly small employers, with regard to supporting impaired-driving programs and initiatives. NC
- The NETS program should continue to work toward involvement of small businesses and employers. NC95
- Efforts should be made to make employee programs available to small employers in the private and public sectors throughout the State. WV93

- The Traffic Safety Bureau or Public Health Division should establish a major outreach to smaller companies since they have little time or resources to develop their own substance abuse and impaired-driving programs. NM91
- Office of Transportation Safety and ADAD should produce and distribute the survey to smaller Colorado employers. CO
- Efforts should be made to make Employee Assistance Programs available to small employers. MI
- Efforts should be made to make employee programs available to small employers in the private and public sectors throughout the state. WI93

6. YOUTH-ORIENTED EFFORTS

- ** The Office of Traffic Safety and the Minnesota Safety Council should pursue continued support for the Youth in the Workplace Safety Program including development of a fee schedule for participating employers. MN95
- ** Create a plan that focuses on businesses that employ the out-of-high school to mid-twenties age category. NM
- Encourage NETS to focus some of its program development efforts on businesses that already include wellness initiatives and/or employ a large proportion of youth. NC
- Continue to identify creative ways to address the issues of with regard to younger employees. MN03

7. INTERACTION WITH INSURANCE INDUSTRY

- Seek an interface with HMOs and other private entities to facilitate a sharing of resources. HI
- Work with HMOs and other health plans in Maryland to garner their support for the dissemination of relevant information to the people covered by their respective plans. MD
- GHSP should contact the Commissioner of Insurance to ascertain the insurance benefits afforded to programs that participate in the NETS program. WV

8. PROGRAM/EFFORT EVALUATION

- Traffic Safety Bureau or Public Health Division should evaluate the extent of workplace substance abuse and impaired-driving programs and policies. NM91
- Identify and document the successes of model programs and policies within public agencies and private corporations, and direct corporate attention to these programs. CA
- Gather data on efforts by public and private organizations to provide impaired-driving, drug and alcohol information to their employees. IL
- The Alaska Highway Safety Planning Agency should determine the extent of work place substance abuse and impaired-driving prevention programs in the State. AK

- Re-examine NETS program as a tool to expand DUI activities into the private business sector. WV93

9. OSHA REGULATIONS

- MI OSHA should issue regulations requiring alcohol and safety belt policies for business. MI

- Traffic Safety Bureau should incorporate OSHA regulations on workplace traffic safety into the State Highway and Transportation Department to establish it as a leader in the area. NM91

RECOMMENDATIONS FOR GUIDELINE AREA 2D
ALCOHOL AVAILABILITY AND SERVICE
(Priority Recommendations)**

1. DRAM SHOP LAWS/LIABILITY

- ** Encourage the passage of Dram Shop legislation. OK
- ** Enact comprehensive Dram Shop liability legislation. MO
- ** Enact Dram Shop laws with responsible business defense components. CA
- ** Enact Dram Shop liability laws to enable victims of drinking drivers to collect damages from irresponsible alcohol servers. CA
- ** Current limits on Dram Shop liability should be increased or eliminated to create the maximum deterrent to irresponsible serving practices. CT93
- ** Enact Dram Shop statute. DE
- ** Create a Dram Shop law for licensed sellers. VA
- Enact Dram Shop legislation to clarify licensee, server, social host, legal, civil, and financial liability for injury and/or damage resulting from illegal or irresponsible alcohol service. WV
- Inform victims of impaired drivers about their legal rights under Dram Shop statutes. MT
- Connecticut should update its Dram Shop liability law to significantly increase the current inadequate limits of \$20,000 per person and \$50,000 per event. Such a change would reinforce the need for alcohol sellers and servers to obey the laws, increase deterrence, and reduce irresponsible selling and service practices. CT00
- West Virginia should enact Dram Shop legislation to clarify licensee, server and social host, legal, civil, and financial liability for injury and/or damage resulting from illegal or irresponsible alcohol service. WV93
- MADD and other activist groups should encourage and assist victims of impaired drivers to pursue Dram Shop liability actions against licensed outlets that serve intoxicated drivers. AZ
- Wisconsin should adopt Dram Shop liability statute. WI93
- The Dram Shop liability statute should be amended so that it is not applied in an extremely narrow fashion. Liability should apply to all providers of any alcoholic beverage who serve to underage or obviously intoxicated people, and liability should not be contingent upon a conviction or Suspended Imposition of Sentence for illegal sale. MO

2. SOCIAL HOST LIABILITY LAWS

- Enact social host liability statute. DE
- Wisconsin should adopt social host liability statute. WI93
- Seek provisions to allow appropriate liability to be assessed in cases of irresponsible alcohol service. WI93

- Enact legislation to strengthen social host liability law. RI
- Legislation should be passed to expand social host liability to include individuals under 21. MN95

3. RESTRICT ALCOHOL SALES PROMOTION AND/OR HOURS OF SALE

- ** Restrict or eliminate alcohol marketing or promotion activities that promote heavy consumption (e.g., Happy Hours, Two-for-One). CA
- ** Happy Hours and other sales promotions should be prohibited. ND
- ** Enact legislation to prohibit or restrict promotions such as Happy Hours and free drinks. MT
- Prohibit alcohol promotions such as Happy Hours, Ladies Nights, or Two-for-One. MO
- Wisconsin should adopt provisions restricting irresponsible promotions (e.g., Happy Hours). WI93
- Enact legislation to restrict alcohol promotions such as Happy Hours or All-You-Can-Drink. WI
- State ABC laws should specifically prohibit special drink promotions. WV
- Prohibit alcoholic beverage distribution promotions, including free distribution of alcohol. MT
- Enact legislation providing for a closing time of 2 .a.m. for businesses primarily engaged in the sale of alcoholic beverages to be consistent with neighboring states. WV

4. REQUIRE BEER KEG REGISTRATION

- ** Legislation should be passed to require the registration of all beer kegs and recording the ID of all keg purchasers. MN95
- ** Require registration of kegs sold at outlets. OK
- ** Implement a beer keg registration program. MO
- Enact keg registration statute. DE
- Enact a keg registration law. MT
- The State should require keg registration. TN
- Keg registration should be extended to all bulk containers including beer balls. ND
- Revise the beer keg registration statute to include all sales of kegs or large containers. OH
- Label beer kegs sold for off premise consumption. OK
- Enact State keg registration law. AK

- Require and enforce beer keg registration. WI
- Require keg registration. WI93
- All beer kegs sold for off-premise consumption should be labeled with a registration identification number and all purchases should be recorded including purchaser's name. NC95

5. PROHIBITION OF SALES TO VISIBLY INTOXICATED PATRONS

- Develop and submit to the legislature a law that allows commercial vendors to be held civilly liable for serving alcohol to impaired people. CA
- Review statutes, regulations and related alcohol enforcement practices to determine their adequacy, particularly in relation to penalties for service or sale of alcohol to visibly intoxicated individuals. NC

6. PRIVATE CLUBS

- The Private Club license category should be eliminated and replaced by categories of "on-premise beer," "on-premise liquor," and "on-premise wine." The statutes can be clarified to provide licensees selling alcohol in privately owned bars or restaurants normal protection from undue search by police. WV93
- The private club license category should be eliminated and replaced by categories of on-premise beer, on-premise liquor, and on-premise wine. WV

7. PLACEMENT OF ALCOHOL OUTLETS

- ** Concerned citizens and highway safety groups should become more involved in the process of approving and locating licensed alcohol outlets through direct comment or through municipal or county governments -- outlets should not be in areas that will attract young people or inhibit monitoring of service. AZ
- Texas should establish a formula for permitting a reasonable number of outlets for alcohol in any given community. Such a formula should consider population density as well as transportation concerns. TX
- University administrators should take an aggressive role in ensuring monitoring and enforcement of all liquor control regulations at outlets located adjacent to campuses. AZ
- Residents of Indian reservations and adjacent communities should be encouraged to take an aggressive role to ensure the monitoring and enforcement of all liquor control regulations at outlets in their communities. AZ
- Encourage local governments to solicit participation of traffic safety and alcohol abuse agencies in consideration of Conditional Use Permits to assure consideration of public health and safety concerns in the placement and operation of licensed alcohol outlets. CA

8. ALCOHOL TAX REVENUE ALLOCATION

- ** Restructure the alcohol beverage tax based on alcohol content with a rate equal to the current rate of \$5.00/gallon of ethanol for distilled

spirits. A portion of the resulting increased tax revenue would be dedicated to alcohol-abuse and impaired-driving programs. MO

- ** Increase the privilege tax on beer by \$.05/gal and allocate the resulting revenues to alcohol and substance abuse and impaired-driving prevention programs. OR

- ** Restructure the State alcohol beverage tax to equalize the tax based on alcohol content and index the tax rate to the Consumer Price Index. CA

- ** Eliminate the inclusion of purchase of alcohol as a tax-deductible business expense. CA

- ** The State alcohol beverage tax should be restructured to equalize the tax based on alcohol content and index the tax rate to the CPI. This would assure that alcoholic beverages remain at fair market price while tax collections are maximized. AZ

- ** Increase the State excise tax on beer to a level equivalent to the national average and dedicate revenue to science-based impaired-driving and alcohol abuse prevention program. WI

- ** The State alcohol beverage tax should be restructured to equalize the tax based on alcohol content. TX

- ** The State alcohol tax should be based on ethanol (alcohol) content with rate set to the equivalent rate for ethanol in distilled spirits. ND

- ** The State should impose a 5 percent surcharge on beer (as it already does on liquor and wine) and portion of the surcharge should be used for DUI prevention, enforcement, and treatment. WV

- ** Disperse to the counties 100 percent of the driver license reinstatement fee to fund local drinking-and-driving-prevention programs. MT

- Some portion of gained revenue should be dedicated to impaired-driving prevention and substance abuse prevention and treatment. ND

- The ABCC should review license charges for the sale of all alcoholic beverages to determine if the license fees should be revised. WV

- Enact legislation to dedicate surcharges collected on the sale of beer to DUI education, enforcement, and prosecution efforts. WV

- Maryland should equalize tax rates on all alcoholic beverages based on ethanol content, provide for indexing tax rates, and work with surrounding States and the District of Columbia to reach comparability in tax rates. MD91

- Revenue collected through the alcohol sales tax process should be designated solely for treatment of people with alcohol abuse problems. MI

- The State excise tax on alcoholic beverages should be equalized with the current rate for the ethanol in distilled spirits. These revenues should be used to underwrite health care costs related to alcohol and substance abuse and traffic injuries. CT93

- Alcohol beverage excise tax structure should be revised to provide equitable tax rates on all beverages and to raise the tax on beer and wine to a rate equivalent to the tax on distilled spirits. NC95

- New revenues resulting from equalization should be dedicated to alcohol abuse and impaired-driving countermeasures. NC95

9. PROGRAMS/LEGISLATION TO CONTROL ALCOHOL SALE/SERVICE TO THOSE UNDER 21

- ** Continue and potentially increase funding to Indiana Coalition to Reduce Underage Drinking and other relevant statewide and local coalitions to support both State level and local initiatives to plan and implement Alcohol Compliance Checks and similar effective strategies that enforce current laws and reduce alcohol availability to youth. IN01

- ** Expand public discussion related to alcohol availability at sites that primarily serve youth and families. Discussions should occur as to how to reduce alcohol promotion at many such venues that include children and from which many people must drive home. IN01

- ** Change the code to allow for revocation of the license of servers who serve to underage drinkers. AK

- ** Repeal the section of law that allows people under 21 to drink alcohol in licensed establishments when accompanied by a parent, guardian, or spouse over 21. WI

- ** Laws related to underage drinking should be made consistent in their prohibition of drinking. These laws include: purchase and consumption while with parents, the Not a Drop law which excludes 19-20-year-olds, protection from liability in cases of deaths resulting from illegal service to 18-20-year-olds. WI93

- ** Alcohol sales to underage youth would likely be reduced if Connecticut were to implement recommended legislation requiring mandatory annual compliance checks and mandatory training for all alcohol sellers and servers. CT00

- ** The ILCC should vigorously enforce regulations against alcohol sellers who violate sales to minor laws even when no criminal charges are filed. IL

- ** The State should encourage underage compliance checks. TN

- ** Require that the sale of 3.2 beer be regulated by ABLE. OK

- Increase penalties for minors who are arrested for buying liquor. HI

- The Traffic Safety Bureau or the Alcohol and Gaming Division should evaluate the incidence of drive-up windows serving alcohol to underage and/or intoxicated individuals; if this is the case, results should be widely publicized. TSB should either promote the targeting of these establishments by ABC enforcement agents or cooperate with other agencies to recommend legislation outlawing drive-through-window sales. NM91

- Enforcement of laws prohibiting underage purchase of alcohol should target youth who attempt to purchase alcohol as well as those who sell alcohol to them. Enforcement should be sufficiently consistent and visible (by means of PI&E) as to have a measurable deterrent effect. GA

- Expand the number of compliance checks conducted across the State in order to reduce alcohol sales and/or service to underaged customers. Implement joint training and/or memoranda of understanding among ALE and local LE

agencies in order to expand collaboration related to conducting compliance checks and preventing underage sales to youth and/or to intoxicated people. NC

- Enact legislation to prohibit entry of underage people into any establishment whose primary purpose is the sale of alcoholic beverages. WV

- The "Abuse and Lose" law should be amended to include licensing sanctions for any and all possession of alcohol or other drugs by minors. MO

- The Minor-in-Possession law should be amended to include possession by consumption. MO

- Eliminate the service of alcohol to people under 21 on licensed premises under any circumstances. WI93

- Continue and potentially expand cooperative efforts with Indiana Excise Police and other relevant enforcement agencies to reduce alcohol sales and availability to youth. IN01

- Individuals under 21 should not be permitted in establishments serving alcohol unless accompanied by a parent or legal guardian. Consideration can be given to young people buying meals in restaurants and to providing segregated non-alcohol sections in some establishments. WV93

- Programs such as Cops in Shops should be expanded to locations throughout the state. NC95

- Continue the use of Cops in Shops Program. OK

- Continue the use of stings. OK

- Increase enforcement of underage drinking violations and the purchase of alcohol by adults for minors. AK

10. MANDATORY TRAINING FOR SELLERS/SERVERS (INCLUDING RECERTIFICATION)

- ** Connecticut should implement legislation and/or regulations that require mandatory annual compliance checks and mandatory training for all alcohol sellers and servers. Such a change would be likely to significantly reduce alcohol sales to underage customers. CT00

- ** Texas should require the owners/managers of establishments serving alcohol to receive server training and require a trained supervisor to be present in the establishment when alcohol is being served. TX

- ** Require all owners of retail alcohol businesses who serve or sell to complete a minimum amount of training before they can serve and/or sell alcohol; in addition, implement similar requirements of at least one hour of training for all staff who serve or sell alcohol. NC

- Establish mandatory server training of all employees of establishments licensed to serve alcohol. MO

- Enact legislation that would require mandatory server training. MT

- The State should require server training for employees of establishments with beer permits. TN

- Require all employees of permit holders to complete server training. OH
- All servers should have a minimum level of training in alcohol awareness and be certified as a level two server within 30 days of employment. They should be recertified every three years. MD
- Mandate responsible server training for all servers on- and off-premise to be paid for by the server or the employer. RI
- All trained servers should attend training for recertification at least once every three years. MD91
- Server training should be made mandatory for all licensees and a part of the enforcement function of the MI Liquor Control Commission. MI
- Require server training in all licensed establishments and make it a requirement for renewal of license. MT94
- Participation in the TEAM program should be mandatory for all servers and sellers in West Virginia. WV
- The terms and conditions of the license should include trained servers and close management controls for any special use permits. CA
- Promote server training programs. OK
- Regulate mandatory TIPS training for a minimum of one supervisor and/or manager of an establishment that serves alcoholic beverages for on-premises consumption. VA

11. AGE OF ALCOHOL SERVERS

- ** Raise the age of alcohol servers to 21. MI
- Enact a law and/or regulation that would require all alcohol sellers and servers to be at least 21 years of age. VT

12. INCENTIVES FOR TRAINING

- ** Incentives should be established for permit holders who voluntarily provide server training to employees. Incentives could include insurance discounts, reduced permit fees, or limited liability under Dram Shop. CT93
- ** GOHS should work with appropriate State agencies to create incentives for all alcohol servers to receive training (e.g., liability insurance discounts or favorable licensing status). AZ
- ** Strong incentives should be developed to encourage both management and servers to voluntarily seek training on other alcohol and drug issues. CA
- ** Incentives such as insurance discounts, reduced fees, or limits on liability should be used to encourage alcohol beverage retailers to participate in server training. GA
- State insurance law should allow insurance incentives for establishments with training for at least 50 percent of its employees. MD91
- Incentives such as insurance premium reduction should be offered to licensees who have all employees trained. TX

- Incentives should be established for permit holders who voluntarily provide server training to employees. Incentives could include insurance discounts, reduced permit fees, or limited liability under Dram Shop laws. CO

- Incentives should be established for permit holders who voluntarily provide server training to employees. Incentives could include insurance discounts, reduced permit fees, or limited liability under Dram Shop laws. WV93

13. REQUIRE AT LEAST ONE CERTIFIED TRAINED SERVER ON SITE AT ALL TIMES

- ** Require all licensed package stores to have at least one certified, trained server on-site at all times alcohol is being sold. OR

- Law requiring server training should be expanded to ensure that at least one trained server is on duty at all times. MD91

- At least one certified person employed in a supervisory capacity (as designated by the licensee) should be present during the hours alcohol may be sold. Supervisory servers/sellers should be recertified every three years. MD

- All retail sales establishments should be required by law to have at least one trained server on duty at all times. NC95

14. CONTENT OF ALCOHOL SERVER/SELLER TRAINING

- ** Convene a work group of server training providers, enforcement personnel, traffic safety professionals, and licensees to identify core elements of server training in order to make recommendations as to course content and duration. MN03

- Expand focus beyond the server level to the management level to emphasize the benefits (positive public relations) that can accrue to businesses that endorse and exercise responsible serving. CA

15. TRAINING IN IDENTIFICATION OF MINORS

- ** Training on minor identification issues should be mandatory for all management and servers. CA

- Develop server training, addressing sales to minors, false ID and other issues, for employees of licensed package stores. OR

16. TRAINING STANDARDS/UNIFORMITY FOR SELLERS/SERVERS

- Develop statewide training standards for management and servers. CA

- Standards and criteria should be developed by the Governor's DUI Task Force to define who should be trained and how much in each site. MT94

- Develop strategies to foster that training, practice, and enforcement is uniform from county to county. MD

- Evaluate current alcohol training practices for alcohol sellers and servers to ensure that the effectiveness of the training is adequate, particularly training provided by business owners or managers to their own employees. VT

- Establish a process to review server training programs. MI

17. LICENSEE SANCTIONS

- ** Licensees who have documented failures to comply with existing laws should be specifically targeted to receive training. CA
- ** The Alcohol and Gaming Division should promote legislation or enact policies to provide server certificate suspension or revocation for violations of alcohol control laws or prescribed server practices. NM95
- Licensees should not be immune to sanctions based on having trained servers. TX
- Until the two-tiered system is in place, regulators should give some consideration on their first violation (i.e., reduced fines) to those establishments that train their staffs. After the two-tiered system is in place, establishments that exceed the server training requirements should still get some consideration. MD
- The ABCC should clearly define regulations establishing criteria for revoking the licenses of businesses that appear to blatantly disregard State ABC laws. WV
- The Resource Center on Impaired Driving should provide information to community organizations and individuals regarding statutes and rules that can be used to influence licensing and bring sanctions against establishments involved in irresponsible alcohol service. WI93

18. ALCOHOL ADVERTISING

- The blood alcohol calculation poster, currently required in all licensed outlets, should be removed immediately. These should be replaced with posters stating that alcohol is a drug which causes impaired motor ability and judgment needed for safe operation of a motor vehicle; can cause serious birth defects when consumed by pregnant women; and can lead to dependence, addiction, and other serious health problems when consumed to excess. WV93
- West Virginia ABC Law statutes related to restrictions on deceptive advertising should be enforced. Citizen activist groups should be encouraged to file complaints against licensees displaying deceptive advertising. WV93
- West Virginia ABC Law should be revised to eliminate the term "Non-intoxicating Beer" and replacing it with "Beer." WV93

19. ENHANCE ABC ENFORCEMENT (STAFFING)

- ** Increase the size of the investigative staff of ABC. AK
- ** Substantially increase the size of the ALE staff and resources to perform its functions. NC
- Connecticut should review and expand the personnel resources available to the Liquor Control Division especially for those positions responsible for the monitoring and enforcement of the existing laws. CT00

20. ENHANCE ABC ENFORCEMENT (ORGANIZATION)

- Maryland should establish a State-level alcohol beverage control agency. MD91

- Establish adequate alcohol control inspection, investigation, and oversight capability at the State level. RI

- Establish an ongoing dialogue with the Hawaii DOH, DOE, MADD, and DOT organizations for an exchange of information so that resources can be used more globally and effectively. HI

21. ENHANCE ABC ENFORCEMENT (ADEQUATE RESOURCES)

- ** Assure that there are adequate ABC resources to perform training and enforcement functions. CA

- Provide adequate funding for sufficient enforcement of ABC laws and regulations. VA

- Colorado should provide resources for additional liquor law enforcement. CO

- Provide adequate resources for monitoring and enforcement of licensed beverage sales regulations. CA

- The powers of Liquor Control enforcement agents should be expanded to include police arrest powers. CT00

22. ABC ENFORCEMENT (TRAINING)

- ** Provide training to all local law enforcement agencies on enforcement of liquor laws and proper reporting of liquor license violations to the Liquor Control Commission. OH

- ** Provide increased training to local and other law enforcement personnel and encourage them to collaborate with ALE personnel in the enforcement of alcohol control laws and regulations. NC

- The ABCC should review the education and enforcement activity of its 44 inspectors with a view to increasing compliance with ABC regulations by both licenses and patrons. WV

- Provide adequate resources to provide training to all licensed alcohol servers. CA

- Wisconsin Alcohol and Tobacco Enforcement Section should expand its training program for local police to encourage greater local enforcement of ABC laws. WI 93

23. ABC ENFORCEMENT (APPROACH)

- Enforcement of State and local ABC laws should be active rather than passive; e.g., Georgia could set its own requirements for licensure, rather than issuing licenses solely on the basis of satisfying local requirements, and cancellation of licenses should not depend solely upon citizen complaints. GA

24. REVIEW/EXAMINATION OF ABC LAWS/ENFORCEMENT

- ** Convene a multi-agency ABC Law Review Commission to review West Virginia's laws, policies, and other factors related to alcohol availability. The Commission should review and evaluate all elements of the ABC law and

recommend revisions based on considerations of public health and safety as well as fair business practice. The Commission should strive for compliance with recommendations of a 1989 U.S. Surgeon General's Workshop on Drunk Driving.

WV93

- ** The Governor's DUI Task Force should examine the problems of liquor law enforcement and propose solutions. MT94

- ** Establish a task force with representatives from business, public health, alcohol and substance abuse treatment and prevention, law enforcement, and traffic safety to conduct a thorough review of all laws and regulations related to the sale of alcohol and make recommendations for changes to create a balance between business interests and public health and safety. WI

- ** TX should conduct (by a multi-agency commission) a comprehensive review of the overall ABC law from the perspective of public health as well as creating a fair business practice atmosphere. TX

- ** Wisconsin's ABC laws and enforcement procedures should be reviewed and revised to allow a greater balance between business operations and public safety and health. WI93

- ** Legislature should review West Virginia's laws regarding alcohol sales and penalties associated with violations of such laws. WV

- The Traffic Safety Bureau, DOH, and the Alcohol and Gaming Division should provide support for a comprehensive evaluation of the effects of recent policy changes allowing wholesale sale of alcohol to tribes. NM95

- The recommended Governor's Commission on Alcohol and Traffic Safety should review Connecticut's Liquor Control Laws and other factors related to alcohol availability and consider the recommendations of the 1989 Surgeon General's Workshop on Drunk Driving. CT93

25. STATE/LOCAL/COMMUNITY ABC POLICY/ENFORCEMENT COOPERATION, COORDINATION, CONSISTENCY

- ** Investigate whether State government should partner more aggressively with local authorities in compliance checks and setting assessments of fines. MN03

- ** Georgia needs an alcohol control policy that sets minimum standards for the regulation of alcohol sales in its 159 counties. This policy should include provisions for licensure, regulations, and enforcement. GA

- ** Develop strategies to make State laws, practices, and training uniform from county to county. HI

- ** Increase collaboration between local Alcohol Control Boards and CTSPs. MD

- The ADAA, Governor's Substance Abuse Commission and other State and local impaired driver agencies should support legislation to restructure alcohol control laws to attain greater consistency among counties. MD91

- Consider State support of communication among local responsible beverage service coalitions, and encourage common standards through the development of a coalition network. CA

- The traffic safety community in New Mexico should continue to pursue legislation to eliminate alcohol sales through drive-up windows. NM95

**RECOMMENDATIONS FOR GUIDELINE AREA 2E
TRANSPORTATION ALTERNATIVES
(** Priority Recommendations)**

1. PROMOTE/CONTINUE/EXPAND DESIGNATED DRIVER/SAFE RIDE ALTERNATIVE PROGRAMS.

- ** Continue with existing activities and programs, including Keoki Kool (designated drivers). HI
- Continue to promote and publicize transportation alternatives. IL
- Include designated driver and safe ride programs in comprehensive DUI and alcohol abuse prevention programs. MT
- HDOT should support buses, vanpools, taxis, tourist trams and other alternative transportation resources on all islands to reduce both DUI and traffic congestion. HI
- Promote implementation of the Designated Driver program in restaurants and bars. OK
- Continue the Office of Traffic Safety support of partners in promoting messages that suggest ways to keep the drinking driver from behind the steering wheel. MN03
- Continue to promote alternative transportation programs for impaired drivers in a manner that assures responsible service and promotes moderation in alcohol consumption by drivers as well as non-driving patrons. OR
- Office of Transportation Safety should encourage efforts to expand alternative transportation programs in additional areas of the State. CO
- The ride program with cab companies should be expanded. AK
- Alternatives such as the Designated Driver program should become a part of the comprehensive prevention plan. AK
- Designated Driver and Safe Ride programs should continue to be provided. VA
- Continue to provide Designated Driver and Safe Ride programs. CT00
- Designated Driver and Safe Ride programs should continue to be provided. WV93
- Due to lack of public transportation, it is essential that transportation safety officials pay particular attention to establishing a good system of alternative transportation. The State and community groups should expand public information and knowledge about the value and availability of Safe Ride programs and the importance of the Designated Driver concept. NM91
- The County DUI Task Forces should look for innovative ways to address the lack of alternative transportation in rural areas and determine if increased emphasis on other aspects and strategies for county DUI intervention would be effective. MT94

- Arizona must monitor and enforce liquor control regulations regarding service to intoxicated individuals because alternative transportation is not available in most of the State. AZ

- Encourage the owners of bars and restaurants that serve alcohol, as well as individuals who serve alcohol in their homes, to ensure that anyone who leaves their business or home after drinking is provided with safe transportation. IN01

2. DESIGNATED DRIVER PROGRAMS SHOULD DISCOURAGE UNDERAGE DRINKING:

- ** Include clear messages discouraging underage drinking in all Designated Driver programs. DE

- ** Designated Driver and Safe Ride programs should continue to be provided with efforts to assure that they do not promote drinking by those under 21. WI93

- ** Assure that all Designated Driver and Safe Ride programs are designed to prohibit participation by those who are underage. MT

- Designated Driver programs should not be promoted for underage drinkers. ND

- Include clear messages in all Designated Driver programs discouraging underage drinking. OH

- Designated Driver programs should not be directed at individuals under 21. TN

- Designated Driver and Safe Ride programs should continue to be provided with efforts to assure that they do not promote drinking by those under 21. VA

- Designated Ddriver and Safe Ride programs should continue to be provided with efforts to assure that they do not promote drinking by those under 21. CT00

- Designated Driver and Safe Ride programs should continue to be provided with efforts to assure that they do not promote drinking by those under 21. WV93

- Expand Designated Driver and Safe Ride programs to assure that they do not promote drinking by people under 21. MI

- All Designated Driver programs should include clear messages discouraging underage drinking. MO

- Where safe drinking programs are established for high schools, care should be taken to deliver the message that underage drinking is illegal and is not endorsed. CA

- The Office of Traffic Safety should ensure that Designated Driver and Safe Ride programs are designed so they do not promote drinking by those under 21. MN95

- Assure that all Designated Driver and Safe Ride programs are designed to prohibit participation by underage drinkers. RI

- Designated driver and Safe Ride programs should continue to be provided with efforts to assure that they do not promote drinking by those under 21. CT93

3. DISCOURAGE ALCOHOL CONSUMPTION BY DESIGNATED DRIVERS AND OVER-CONSUMPTION BY PASSENGERS:

- ** Prevention programs with Designated Driver components should be coordinated to assure that they include information and procedures to inhibit excessive drinking and alcohol abuse. NC95

- ** Designated Driver and Safe Ride programs should continue to be provided with efforts to assure that they do not promote excessive consumption. WI93

- ** Include messages discouraging any consumption by the designated driver and discouraging over-consumption by passengers. DE

- ** Assure that all Designated Driver and Safe Ride programs are designed to discourage over-consumption. MT

- ** Work with Federal, State, county and municipal parks and recreation departments to reduce or eliminate consumption of alcohol at public facilities. AZ

- Sports events and other events where alcohol is served should comply with policies that reduce the chance of impaired-driving; policies could include a limit on the number of drinks sold to an individual; cessation of alcohol sales at least one hour prior to the end of the event; restriction on bringing alcohol into the event and procedures for dealing with impaired individuals to assure they do not drive. AZ

- Designated driver and Safe Ride programs should continue to be provided with efforts to assure that they do not promote excess consumption by non-drivers. TX

- In designing and implementing Designated Driver projects, caution should be used to avoid inadvertent (or deliberate) subtle "OK to get drunk" messages. MD91

- Eliminate the components of Safe Ride programs that provide rides to or between bars or taverns. WI

- Expand Designated Driver and Safe Ride programs to assure that they do not promote drinking by designated drivers or excess consumption by non-drivers of any age. MI

- Designated Driver and Safe Ride programs should continue to be provided with efforts to assure that they do not promote excess consumption by non-drivers of any age. CT93

- Designated Driver and Safe Ride programs should be monitored to assure that they do not enable excessive consumption of alcohol. NM95

- In designing and implementing Designated Driver programs, caution should be used to avoid inadvertent "it's OK to get drunk" messages. NM91

- Designated Driver and Safe Ride programs should continue to be provided with efforts to assure that they do not promote drinking or excess consumption by non-drivers of any age. CT00

- Designated driver and Safe Ride programs should continue to be provided with efforts to assure that they do not promote drinking or excess consumption by non-drivers of any age. WV93
- All Designated Driver programs should include clear messages discouraging over-consumption at any age. MO
- The Office of Traffic Safety should ensure that Designated Driver and Safe Ride programs are designed so they do not promote over-consumption by non-drivers of any age. MN95
- Assure that all Designated Driver and Safe Ride programs are designed to discourage over-consumption. RI
- All Designated Driver and Safe Ride programs should be designed and implemented to assure the drivers do not drink and that passengers not be enabled to drink excessively. TN
- In designing and implementing Designated Driver projects, caution should be used to avoid inadvertent (or deliberate) subtle "OK to get drunk" messages. CA
- Include clear messages in all Designated Driver programs discouraging over-consumption at any age. OH
- Designated driver and Safe Ride programs should continue to be provided with efforts to assure that they do not promote excess consumption by non-drivers of any age. VA

4. INCLUDE INFORMATION REGARDING THE HEALTH CONSEQUENCES OF ALCOHOL CONSUMPTION:

- ** Assure that all Designated Driver and Safe Ride programs are designed to include health risk information. MT
- All Designated Driver programs should be designed to include information about the health consequences of acute intoxication and heavy consumption of alcohol. ND
- Alternative transportation programs should provide all clients with materials related to impaired driving and the health risks associated with irresponsible drinking. NM95
- Alternative transportation programs should provide all clients with materials related to impaired driving and the health risks associated with irresponsible drinking. WI93
- Assure that all Designated Driver and Safe Ride programs are designed to include health risk information. RI

5. ENHANCE EDUCATION REGARDING SAFE TRANSPORTATION ALTERNATIVES:

- Information material should be provided to Safe Ride program drivers for distribution to customers and to establishments they serve. NC95
- Safe Ride program drivers should be provided training on alcohol abuse issues to assure sensitivity to the needs of customers. NC95

- Enhance education of the owners of retail establishments that serve alcohol, as well as individuals who serve alcohol in their homes, to ensure safe transportation for anyone who leaves their business or home in order to prevent any criminal or civil lawsuits related to the death or injury of impaired or underage drinkers. VT

- Enhance education for the owners of retail establishments that serve alcohol, as well as for individuals who serve alcohol in their homes. This helps to ensure safe transportation for anyone who leaves their business or home and avoid the possibility of criminal or civil lawsuits that might result from their provision of alcohol to visibly intoxicated individuals or to people under 21. NC

6. COMMUNITY ACTIVITY/PARTICIPATION RE TRANSPORTATION ALTERNATIVES:

- ** Convene a forum where leaders of community DWI groups, media representatives, and other prevention coalitions discuss the current status, future implementation, and replication of viable transportation alternatives. NM

- Convene a task force or meeting of interested organizations holding a variety of perspectives (e.g., alcohol beverage retailers; MADD) to discuss development of viable Designated Driver, Safe Ride and/or other alternative transportation programs that enable impaired individuals to safely reach their destinations without driving after drinking. NC

- The GHSP should foster its Safe Communities programs to work with school-parent groups and local businesses to develop programs that target the needs and resources of their communities. WV

- TEAM Georgia and other organizations offering transportation alternatives should be encouraged to work with school safety clubs to discourage underage drinking. GA

- TEAM Georgia and other organizations offering transportation alternatives should be encouraged to work with alcohol beverage retailers to discourage underage drinking. GA

- Request that Safe Communities programs and CTSP coordinators work with businesses in their catchment areas to develop programs that target the unique needs and resources of their communities. MD

- Representatives from each island who have a direct investment in insuring that impaired drivers are given opportunities for safe transportation should coalesce to insure uniformity and/or similar opportunity for said drivers, no matter what island they are on. HI

7. EVALUATE SAFE RIDE ALTERNATIVES:

- ** Evaluate Safe Ride programs to determine their effects on impaired driving as well as secondary effects such as alcohol-related injuries or illnesses resulting from acute intoxication and/or chronic alcohol use. WI

8. WEB SITE DEVELOPMENT:

- A highway safety Web site should be developed and could contain information for citizens interested in developing alternative or Designated Driver programs. MD

- The GHSP should support the development of a highway safety Internet Web site that should contain important how-to information for citizens interested in developing alternative transportation programs. WV

9. REQUIREMENT TO PROVIDE SAFE ALTERNATIVE TRANSPORTATION

** As a condition of obtaining a license to serve alcohol, including "one-day" or special permits, organizations should be required to develop a specific plan, submit it to Alcohol and Gaming Division, and provide transportation for individuals who are impaired. NM91

**RECOMMENDATIONS FOR GUIDELINE AREA 3A
LAWS TO DETER IMPAIRED DRIVING
(** Priority Recommendations)**

1. ENACT/AMEND/CONTINUE 0.08 BAC LAWS

- ** Enact legislation to set *per se* DUI offense BAC level at 0.08 for both substantive DUI offenses and ALR revocation purposes. DE
- ** Enact a *per se* law of 0.08 BAC. OH
- ** Review existing separate DUI and DWI laws with regards to integrating them into a single omnibus statute and using the 0.08% threshold as the basis for proof of guilt by establishing either that the accused drove or had physical control with an unlawful blood alcohol level of 0.08% or more or that the accused was impaired irrespective of proof of a particular blood alcohol level. TN
- ** Enact legislation to lower the *per se* BAC level to 0.08. GA
- ** Enact legislation establishing an alcohol concentration of .08 or higher as under the influence "*per se.*" IL
- ** Enact a 0.08 alcohol concentration as the presumptive standard for being under the influence of alcohol. MT
- ** Implement a 0.08 *per se* violation. Retain the .07 *prima facie* violation to retain conviction and sentencing options. This implementation will also result in some additional Federal funding being available for Maryland programs. MD
- ** Enact 0.08 BAC legislation. MT
- ** Enact 0.08 legislation to provide additional tools for law enforcement officers to use in their efforts to remove impaired drivers from North Dakota roadways. ND
- ** A BAC level of 0.08% should be statutorily adopted for all adult DWI offenses. NM91
- ** Enact legislation to set the *per se* BAC level at 0.08 for criminal and administrative sanction. CT93
- ** Amend the 0.08 BAC law making DUI a Class A misdemeanor and repeal the "endangerment element." IN01
- ** Enact legislation to set *per se* alcohol concentration level .08. MN95
- ** Enact legislation to set the *per se* alcohol concentration level for people 21 or over at .08. MN03
- ** Enact legislation which establishes the 0.08% BAC as the presumptive legal limit for operating a vehicle with an excessive BAC. MO
- ** Enact 0.08 BAC as the presumptive standard of being under the influence of alcohol in criminal DUI cases. RI

- ** Michigan should lower the blood alcohol level necessary to convict for Unlawful Bodily Alcohol Content (UBAC) to 0.08. MI
- ** Reduce the illegal "per se" BAC level to 0.08% because the overwhelming body of research has established that driving performance is impaired and crash risk is substantially increased at that level. AZ
- ** Enact 0.08 Per Se BAC level and give the arresting officer the choice of blood or breath test, or both. AK
- ** Enact legislation to reduce the current .10 statutory BAC to 0.08. WI
- ** Seek legislation to lower the per se BAC limit to 0.08. TX
- ** Apply the 0.08 BAC standard across the board. WI93
- Continue efforts to lower the blood alcohol level needed to convict under the DUI laws from .10 to 0.08 and to lower the Administrative Per Se law to 0.08 as well. CO
- Establish an alcohol concentration of 0.08 as the illegal per se level. OK
- Enact legislation to set the per se BAC level at 0.08 for criminal and administrative sanctions. CT00
- Recommend enactment of 0.08 per se BAC level. MT94
- Remove the below .05 BAC inference reference impairment. MT94
- Lower the per se BAC level to 0.08. VA
- TN's DUI/DWI laws should be amended to create a true 0.08% per se law in order to comply with the TEA-21 and the TEA-21 Restoration Act. TN
- Establish 0.08 or higher BAC as rebuttable presumption of intoxication. HI
- Enact legislation establishing a 0.08% per se intoxication. WV
- Support the passage of the 0.08 per se law. IL
- Enact 0.08 legislation. DE

2. ENACT/CONTINUE/AMEND OPEN CONTAINER LAWS

- ** Enact an Open Container statute that complies with the requirements of Section 154 under TEA-21. VT
- ** Enact legislation to expand the Open Container law to include all people in the passenger compartment of a vehicle. GA
- ** Implement a statewide uniform Open Container law prohibiting open containers of alcohol in the passenger compartment of the vehicle. MD
- ** The North Carolina General Assembly should retain in full force and effect the existing Open Container law. NC
- ** Enact an Open Container law covering both vehicle operators and passengers. WV

- ** Enact Open Container legislation. MT
- ** North Carolina should take the next step and prohibit all open containers of alcohol in vehicles. NC95
- ** Amend the Open Container law to allow for convictions if there is an open container of alcohol anywhere in the vehicle while it is in operation. IN01
- ** Enact a statewide Open Container statute. WV93
- ** Enact prohibition of open alcoholic containers in motor vehicles on public ways. MT94
- ** The Open Container violation should be identified as an alcohol-related traffic offense. Further, the definition of the offense should be expanded to include possession of an open container within the passenger compartment of the vehicle. MO
- ** Ban open containers of alcohol from motor vehicles. CO
- Prohibit open alcohol containers and consumption of alcoholic beverages by any people in a motor vehicle. AZ
- An Open Container law is needed that is enforceable and applies to the entire driver and passenger compartment of the vehicle. TX
- Prohibit open containers and the consumption of alcohol in motor vehicles within the uniform traffic code. OK
- Modify the Open Container law to prohibit any open container of alcoholic beverage within the passenger compartment of all vehicles. CT93
- Enact an Open Container law that prohibits any open container of alcoholic beverage within the passenger compartment of all vehicles. CT00
- Support passage of a statewide Open Container law. WV
- Enact Open Container legislation. DE
- Support passage of a statewide Open Container law that pertains to drivers and passengers in both parked and moving vehicles. MD
- Expand Open Container law to include all people in the passenger compartment of the vehicle (no open alcoholic container in the vehicle). VA
- State's Open Container act should be made applicable to passengers as well as drivers in order to comply with TEA-21/TEA-21 Restoration Act. TN
- Enact an Open Container law. MT
- Support renewal of the State's existing effective Open Container law. NC

3. AMEND/STRENGTHEN IMPLIED CONSENT PROVISIONS

- ** The implied consent law is being largely ignored resulting in refusal of 59 percent of second offenders to take the approved chemical test. The implied consent law should be amended to provide for a suspension penalty that is greater than the revocation penalty that is imposed upon conviction

for the substantive offense of DUI/DWI. This would remove the incentive to refuse, as the defendant would find himself in a less advantageous position if he refuses, as opposed to a more advantageous position. TN

- ** The implied consent law should be revised to give law enforcement officers authority to require a second test and to allow the use of PBT devices to determine probable cause. TN

- ** The arresting officer should be allowed to choose a second test (blood or urine) when the breath test shows that the impaired subject is not under the influence of alcohol. Refusal would initiate implied consent sanctions. CT93

- ** Revise the DUI statutes to allow taking of blood and urine samples under the implied consent law. OR

- Seek legislation to allow probable cause arrests for impaired-driving offenses. MI

- Change the implied consent statutes to allow for more than one test if requested by the arresting officer and to allow for specific tests related to the detection of other drugs. WV93

- Apply the Implied Consent provisions to drug only cases and allow the use of PBT test devices. MT94

- Change the implied consent statutes to allow the officer the choice of test. Expand the choices to include urine, along with blood and breath. The BAC should be determined at the time of the test in order to eliminate the relation-back extrapolation problems that currently exist. The statutes should specifically authorize the use of the infrared breath-testing devices. Refusal to test should be admissible in DUI proceedings. VA

- The implied consent law should be administered through the DOS as an administrative process. TN

- Seek legislation that would give law enforcement officers the choice of alcohol/drug testing method (blood/breath/urine) in all instances. HI

- The implied consent requirements need to be amended to allow for the PBT to be used as probable cause without jeopardizing the use of the Intoxilyzer 5000 as the evidentiary BAC instrument. HI

4. ENACT/REVISE ILLEGAL PER SE LAW FOR DRIVERS UNDER AGE OF 21

- ** Adopt a zero tolerance for drivers under 21. WV93

- ** Enact "zero tolerance" BAC provisions for minors. MT94

- ** Recommendations in Montana Minors in Possession Task Force Report is endorsed by this Technical Assessment Team with special emphasis on the provisions for assessment and treatment for the repeat minor in possession offender. MT94

- ** Enact legislation to set the *per se* alcohol concentration level of 0.04 for people under 21 and make it an enhancing event. MN03

- ** Make it illegal for a person under 21 to drive with any measurable amount of alcohol. OK

- ** Renumber the Not a Drop law and include it in the State's traffic laws. (Not a Drop is an illegal per se for those under 21 to consume any alcohol). MN95
 - ** Enact a criminal zero per se law for all drivers under 21 and make it subject to the implied consent statute. OR
 - ** Apply the absolute sobriety concept to all under 21 years. WI93
 - ** Eliminate the per se standard for no impairment. WI93
 - Enact legislation that will prohibit people under 21 from driving a motor vehicle with any measurable amount of alcohol in their blood. CO
 - Seek legislation to establish any measurable amount of alcohol as the illegal per se BAC level for people under 21 and to have that level apply as an administrative license revocation. CA
 - There should be a criminal or infraction offense of zero tolerance for underage drinkers (this in addition to the existing administrative drivers license suspension for zero tolerance for underage drinkers). MO
 - Sanctions for under-age alcohol violations should reflect a zero tolerance/.02 and result in the loss of driving privilege. CT93
 - Expand the "Use and Lose" provisions that now apply to juveniles to include all underage drinkers until 21. The provisions should include the administrative process for suspension of the driver's license. VA
- 5. ENACT/REVISE LAW FOR DUI OF OTHER DRUGS OR IMPAIRING SUBSTANCES**
- ** Redefine the standard of impairment as "intoxication" and define "intoxication" as under the influence of alcohol, drugs (whether legal or illegal), or any combination of the two. HI
 - ** Enact legislation to clarify elements of the crime of DUI of Drugs (DUID) laws. VT
 - ** Enact legislation to include in the definition of unlawful impairment all chemical compounds that are not presently defined as a "controlled substances" or "hazardous substances." MN95
 - ** Enact legislation to include all drugs in the definition of impairment, not just those defined as "controlled" or "hazardous" substances. MN03
 - ** Revise the DUI statutes to combine under the influence of alcohol, controlled substances, or both into one offense. OR
 - ** Research the appropriate criteria for an illegal per se law for drugs. Included in this research would be the development of standards for DRE testimony and laboratory testing. CA
 - Amend the implied consent suspension law to allow for suspension of a driver license based upon blood or urine test results showing the per se alcohol levels or the presence of any illegal controlled substance. OR
 - Add Ecstasy, GHB and other similar substances to the controlled substances list. NM

- Set a per se standard for intoxication by reason of drugs. NM
- Enact a statute to define driving with a measurable amount of an illegal drug or controlled substance in the body as a per se violation of the impaired-driving statute. OH
- Consider amending the administrative license suspension to include other drugs, as well as alcohol in combination with other drugs. VT
- Clarify the DUI statute as it applies to being under the influence of drugs. MT

6. ENACT/REVISE LAW FOR ADMINISTRATIVE LICENSE REVOCATION/SUSPENSION

- ** Enact an Administrative License Revocation (ALR) law. MT
- ** Provide for the immediate statutory administrative revocation of driver licenses for individuals charged with DWI offenses. NC
- ** Enact legislation prohibiting the right to an administrative hearing of a license revocation if a defendant has entered a plea of *nolo contendere* in the criminal case. WV
- ** Consider amending statutes to provide that administrative license sanctions will include all driving while impaired, including drugs other than alcohol. ND
- ** Revision of the ALR process is needed. Legislation that would remove the determination of "probable cause" would go far in the direction of making the hearing truly "administrative" instead of "judicial." The location of the ADLR process should be moved from Judicial to another statewide agency in the Executive branch of government. Ideally, this agency would be involved in the driver's license process. Prosecutors should assist officers with training that would prepare them for their appearance in the ADLR hearings. HI
- ** Enact ALR laws as measures to reduce DUI. MT
- ** Enact a per se ALR law. MT94
- ** Adopt per se administrative sanctions allowing for driver license suspension on a combination of alcohol and/or drug impairment. CT00
- ** Enact an Administrative License Revocation Law. RI
- ** ALR is a major need in Texas' arsenal of DWI weapons. Care should be taken in crafting this law so as to not create a new "mini" trial. TX
- Relieve trial court caseload by placing all driver license decisions within DMV. WI93
- Require the reporting of all convictions to DMV for misdemeanors, infractions or juvenile determinations that involve the underage purchase, possession, or use of alcoholic beverages and require driver license sanctions upon receipt of such report. OR
- Sanctions imposed under the ALR process for drivers should be increased to a one-year revocation on first offense. NM91

- DUI or DWI statutes should be amended to provide for mandatory license suspension or revocation and the requirement of attending an alcohol education/DUI school. TN

- An effective pre-trial ALR law should be a priority in the next General Assembly session. Uniform Vehicle Code (UVC) Section 6-207 should be used as a model. VA

Adopt rules that define how an ALR review hearing shall be conducted. Empower the hearing officer with the ability to enforce these rules. HI

- Determine whether arrestees waive their statutory protection against having ALR hearing evidence used against them if the defendants testify at their criminal trials. HI

- Develop methods for protecting potential state's witnesses who are subject to cross-examination by the defense attorney at ALR review hearings. HI

- Enact legislation allowing ALR suspensions for DUI drugs. ND

7. ENACT/MODIFY LAWS REGARDING USE OF PRELIMINARY BREATH TESTS

- ** The PBT should be available for all law officers who enforce alcohol-related laws of Missouri. The current law that counts the PBT as one of the two tests offered to a DWI suspect should be repealed. MO

- Texas law should authorize the use of PBTs without affecting the implied consent statute. TX

- Modify laws to allow the use of the PBT to establish probable cause, while not considered one of the "required" chemical tests. CT00

- Implied Consent provisions need to be altered to allow the use of the PBT to establish probable cause. CT93

- Enact legislation that would provide for the use of PBTs in determining probable cause to arrest. Motorists stopped for a traffic violation or at a checkpoint who exhibit conduct providing reasonable suspicion of impairment would be required to submit to such a test. Result would not be admissible in evidence in a case-in-chief to establish guilt, but only to establish probable cause. Failure to take the PBT test would be admissible as evidence in the DUI/DWI trial. Acquiescence to the PBT test would not count toward compliance with the implied consent law. After compliance with the PBT an officer could still request the driver to comply with the implied consent law by providing a blood, breath or urine samples. TN

- The PBT should be approved as a field breath test instrument solely for determining probable cause. It should be specifically excluded as a breath test that fulfills as the arrestee's submission under implied consent. HI

- Create legislation that allows the HDOH to file with the local clerks of courts certification of the breath tests instruments, breath test operators, approved method of operating the instrument, and maintenance and inspection records of the instruments. This will expedite the proof of these elements at ALR review hearings and criminal trials and relieve the need for unnecessary witness testimony. HI

- Legislation is needed to give the Hawaii DOH authority to select and authorize the pre-breath-testing instruments for use by police officers.

8. ENACT/REVISE LAWS REQUIRING MANDATORY BAC TESTING

- ** Permit an officer to require the taking of a blood specimen (and except such a taking from the ability to refuse) in situations where: the officer arrests the driver for DWI; the driver was the operator of a motor vehicle or watercraft involved in an accident that the officer reasonably believes occurred as a result of the DWI; the officer, at the time of the arrest, reasonably believes that a person has died or will die as a direct result of the accident; and, the driver refuses the officer's request to submit to the taking of a specimen voluntarily. NM

- ** Consider legislation that will allow for appropriate personnel (e.g., paramedics) to withdraw a blood sample from a suspected and injured DWI offender at the scene of a crash versus obtaining lower (BAC) evidence after a long delay due to transportation and medical facility concerns. NC

- ** Investigate the potential for emergency medical personnel to have the ability to withdraw a blood sample for evidentiary purposes at the scene of a crash. Gain support of physicians and judiciary by establishing strict standardized protocols. MD

- ** Enact mandatory blood draw or blood sample surrender law for DUI death and DUI serious bodily injury incidents. RI

- Mandate blood testing of all drivers involved in fatal or serious injury crashes. MI

- Amend the DUI law to clarify that the arresting officer will determine which test is to be taken by the offender. CO

- Require mandatory blood draws in situations where intoxication has resulted in the death of an individual or where, in the opinion of the officer, a death is likely to occur. MN03

- A requirement should be added to the existing legislation that would allow the toxicological testing of all operators involved in fatal crashes for alcohol and drug involvement. CA

- Require all drivers of vehicles involved in fatal collisions to submit to BAC testing. CT00

- Seek legislation that requires a blood test in cases of death or serious bodily injury. NC95

- All drivers of vehicles involved in fatal collisions should be required to submit to BAC testing. CT93

- Enact legislation to permit LE officers to obtain hospital alcohol test results without the need for a subpoena. WV

- Repeal the right of an offender to seek an independent blood draw for alcohol concentration testing with assistance from the arresting officer. MT

- Allow hospital blood test results to be admitted into evidence. VA

- Amend the statute to allow the DRE officer the option to request a blood or urine test depending on what would provide the best evidence in a particular investigation. MD
- Repeal the statute (286-159) that prohibits an arrestee's refusal to submit to a blood alcohol test from being used against the arrestee at any other civil or criminal hearing. HI
- Consider legislation allowing a blood draw pursuant to a search warrant following a refusal to consent to a breath test, thus eliminating the reward of loss of evidence for the State by refusing the test. MD
- Amend the medical personnel (286-163) mandatory reporting law to include urine testing. HI
- Investigate the potential for emergency medical personnel to have the ability to withdraw a blood sample for evidentiary purposes at the scene of a crash. Seek to gain support of physicians and judiciary by establishing strict standardized protocols. ND
- Investigate the potential for paramedics to have the ability to withdraw a blood sample for evidentiary purposes at the scene of a crash.
- Controlled test sites should be initiated for program evaluation procedures. WV
- Enact legislation requiring ER personnel to inform law enforcement of suspected alcohol or drug use by a driver involved in a crash, similar to notification of gunshot wounds. ND

9. PENALTIES FOR TEST REFUSAL

- ** Implement stiffer sanctions for refusal to take the breath test so that a refusal carries a stronger suspension sanction than an administrative per se suspension sanction. It is recommended that a refusal result in a minimum of a one-year suspension. MD
- ** Amend sanctions for chemical test refusal that are more severe than for a DUI or per se conviction. RI
- Make chemical test refusal a choice, not a right. RI
- Make the penalties for driving under a refusal suspension the same as penalties for DUI. OH
- Consider enacting statutory criminal penalties for willful refusals to comply with North Carolina implied consent law. NC
- Enact statute that criminalizes refusal to submit to chemical test. OH
- Repeal the statute (286-159) that prohibits an arrestee's refusal to submit to a blood alcohol test from being used against the arrestee at any other civil or criminal hearing. HI
- Support passage of high BAC statute combined with strong refusal penalties. MD
- Penalties for refusal to blow either time should be assessed. HI

10. ENACT/AMEND LAWS PROVIDING FOR INCREASINGLY SEVERE PENALTIES FOR REPEAT OR HABITUAL OFFENDERS

- ** Enact or enhance repeat offender legislation. ND
- ** Increase licensing revocation periods for second, third, fourth, and subsequent offenses of DUI. DE
- ** Allow only two misdemeanor DWI convictions, making the third offense a felony. NM
- ** Implement mandatory minimum jail sentences on impaired-driving offenses. MD
- ** Consider amending statutes to provide for more penalties or strategies to decrease driving by repeat offenders who have no license. ND
- ** Enact legislation that will categorize a "first offender" DUI offense that results in court supervision, conditional discharge, probation or imprisonment, as a "conviction." IL
- ** Prohibit convicted DUI/per se offender to receive a restricted probationary license in lieu of suspension or revocation. MT
- ** Establish felony DUI provisions for third convictions and those found DUI while their driving privilege is suspended. MT94
- ** Amend legislation to provide that first offense DUI pre-trial alcohol diversion be treated as a prior conviction upon subsequent offense. CT00
- ** A habitual offender provision should be added to the previous statute to impose the penalty of prosecution as a fourth degree felony. NM91
- ** Enact legislation to increase the mandatory consecutive period of incarceration for individuals with two or more prior convictions. MN95
- ** Enact legislation to permit conditions of bail to be imposed even if the maximum bail is posted. MN03
- ** Provide that licenses revoked for DUI offenders include a mandatory minimum period of actual revocation. OK
- ** Enact law that makes third and subsequent DWI offenses felonies. AK
- Enact a habitual DUUI offender law to provide that after multiple convictions or diversions, an offender is guilty of a felony. OR
- Seek legislation to create a new felony offense for any combination of three alcohol-related driving convictions. MI
- Mandate attendance at an alcohol driver education course by all first offenders. MI
- A felony charge should be available for multiple repeat OWI offenses and for driving a vehicle while intoxicated with a suspended or revoked driver's license. WI93

- Enact a law prohibiting driving after drinking any amount of alcohol for any person who receives a hardship permit and make the violation an implied consent offense which results in immediate revocation of the hardship permit. OR
- OR
- Enact a law to punish impaired drivers who have children in the vehicle. OR
- Enact legislation to permit a higher bail in felony cases. MN03
- State and local law enforcement agencies should be provided lists of habitual violators in their jurisdictional areas. MT94
- Adopt Federal repeat offender standards requiring the use of ignition interlock devices or vehicle immobilization. CT00
- Amend the law so that convictions for juvenile DUI carry the same sanctions as adult DUI with jurisdiction in the adult court. IN01
- Third and subsequent DUI violations should be made felonies with appropriate sanctions. CT93
- Include vehicular manslaughter and motor vehicle assault convictions as "priors" for purposes of DUI prosecution. CT93
- Prior DUI convictions for the past seven years should count for enhancing penalties. CT93
- Increase penalty for DWI and assess felony punishment to third offenses. NC95
- Increase per se administrative sanctions for second offense DUI to comply with Federal requirements for Section 410 funding. CT00
- The existing vehicle seizure law for 3rd offense DUI violations should be adjusted to ease and mandate its application. Additionally, provisions for the seizure of the vehicle registration in lieu of vehicle forfeiture and the placement of a distinctive registration tab on the registration plates of suspended drivers should be enacted. MT94
- Require notation of successful completion of any DUI diversion program as a conviction on the State of Delaware driving record. DE
- Provide a punishment range of 2 years to 5 years for felony DWI. NM
- Increase the deterrent effect of the impaired-driving statute with a felony penalty provision prior to the fourth offense. OH
- A statute authorizing the forfeiture of the vehicle registration and/or the vehicle of the repeat DUI offender should be sought. VA
- Provide for greater potential of jail time for first-time DUI offenders. WV
- Increase per se administrative sanctions for second offense DUI to comply with Federal guidelines to obtain Section 410 funding. DE
- Increase penalties for second and third offense DUI offenders. Review whether a second or third offense should become a felony. Also increase

penalties for people who drive on a license that was suspended or revoked due to either an ALR determination or a conviction for DUI. HI

- Implement a "Super Drunk" statute with stiffer penalties for those driving with a 0.16 or greater BAC. MD
- A statutory provision should be enacted providing that the DOS review the record of any convicted defendant to determine the existence of prior convictions and shall appropriately revoke a defendant's privileges, after notice, upon proof of previous convictions for DUI or DWI notwithstanding any order from an adjudicating court that a defendant be treated as a first time offender. TN
- The child endangerment statute should be amended to provide for increased penalties for the commission of DUI/DWI offenses. TN
- Enact legislation that excludes DUI offenses from eligibility for court supervision. IL
- Repeal Section 6-206.1 allowing judicial driving permits. IL
- Allow misdemeanor DUI/alcohol offenders to be placed on probation and allow the courts to supervise the probation. Allow the courts to collect probation user's fees to fund the probation supervision of the offenders. HI
- Re-evaluate the process for driver licensing suspension and restricted probationary license granting upon DUI/per se conviction. MT

11. LAWS PROVIDING FOR MORE STRINGENT PENALTIES FOR MORE SERIOUS OFFENSES

- ** Enact legislation to increase the range of minimum incarceration penalties for defendants convicted of felony death by motor vehicle and involuntary manslaughter. NC
- ** Increase the penalty resulting from the death of a person caused by a DUI driver to reflect the seriousness of the offense. IN01
- ** Enact vehicular homicide and DWI assault laws. AK
- Provide a punishment range of 2-20 years for the offense of vehicular homicide, regardless of prior DWI contact or conviction. NM
- Provide a punishment range of 2-10 years for the offense of intoxication assault (serious bodily injury), regardless of prior DWI contact or conviction. NM
- Make second or subsequent DUI/per se conviction a felony offense. MT

12. LAWS PROVIDING FOR SPECIAL PENALTY PROVISIONS FOR YOUTH UNDER AGE 21

- ** Make all licensed drivers (including juveniles) subject to all provisions of DWI laws (including felony jurisdiction). If the legislature is reluctant to subject juveniles to "jail time" through juvenile confinement facilities, then significant community service or boot camp requirements should be assessed as an alternative. NM
- ** Adopt the "use and lose" driver's license provision for juvenile (underage) drinkers. WV93

- ** Prohibit minors from selling and/or serving alcoholic beverages. MT94
- ** Prohibit minors from operating gaming devices in liquor establishments. MT94
- ** Mandate that suspension of a minor's driver's license for any violation of laws regarding the use or possession of alcohol as well as illegal drugs. AZ
- Unify juvenile driver license suspension laws and establish uniform penalties. MI
- Zero tolerance laws are needed with respect to minors in possession and minors consuming alcohol. The "use and lose" concept should be incorporated. TX
- The statutory exemption of SR-22 compliance for first offense underage zero tolerance should be repealed. MO
- The statutory expunging from driver's record for first offense underage zero tolerance should be repealed. MO
- Implement a violation for possession of alcohol under 21 that results in a mandatory loss of license. MD
- Enact legislation to require juveniles to complete treatment beyond the primary 18-hour requirement when recommended. WV
- Permit court access to juvenile conviction records. NM
- Tennessee's underage DWI statute is largely ignored. Campaigns need to be undertaken to convince law enforcement of the desirability of using the underage (zero tolerance) law as opposed to releasing youthful offenders or charging them with the offense of "minor in possession." TN
- Amend the statute (287-20) that excludes a Zero Tolerance for Minors offender from securing proof of financial responsibility before he can have driving privileges reinstated. HI
- Enact legislation to establish any measurable amount of alcohol as the illegal *per se* blood alcohol level for people under 21 and have that level apply to an administrative license suspension. GA
- Encourage enforcement of the zero tolerance law. WV

13. VICTIM ASSISTANCE OR RESTITUTION PROGRAMS

- ** Develop PI&E materials to enhance victim's awareness of restitution availability. GA
- Ensure that victims of DUI crashes are advised by law enforcement authorities or by court officials on how to make application for restitution funds. GA
- Perform an annual audit of the victim restitution fund and make it part of the annual report of the Governor's Office of Highway Safety. GA

14. STATUTORY RECOMMENDATIONS (creating body of law, revising language, closing loopholes, etc.)

- ** Enact a statute that provides a legislative foundation for the admission of SFST. OH
- ** Consider amending statutes to provide for more supervision of the execution of the impaired-driving judgments and treatment completion. ND
- ** The DUI Law Revision Committee should continue to review the ambiguous statutes and integrate the various DUI statutes under a single umbrella of impaired operation. HI
- ** Consider holding statewide community-based North Dakota Traffic Safety Summit or Alcohol Forum to allow the State to build a broader advocacy base and create a common understanding of the North Dakota impaired driver laws and their effectiveness in promoting traffic safety. ND
- ** The Governor's DUI Task Force should review and recommend changes to the Missouri statutes that will positively affect the success of the DUI program in the State. MT94 [check to see which state this is, MT or MO. Says both, one's wrong]
- ** Recodify M.S.A. 169.121 (strong statute for deterring/prosecuting impaired drivers but COMPLEX). MN95
- ** The laws governing DWI should be re-codified so that the statutes are under the same chapter. MO
- ** Revise the DUI statutes to modify the definition of driving to exclude the requirement that the vehicle be moving. OR
- ** Amend the juvenile denial law to include drivers up to 21. OR
- ** Remove ambiguity throughout DUI and other alcohol-related statutes as they apply to blood draw search warrants, sobriety checkpoints, DUI drugs, DUI death, observation DUI cases, and social host liability for alcohol service to minors. RI
- ** Revise the DUI statutes to not require the Intoxilyzer result to reflect a BAC but merely require grams of alcohol in the breath. OR
- ** Seek legislation to clarify the broad array of OWI/alcohol abuse statutes currently in existence and to remedy the many patches that have been applied over the years. WI93
- ** Design and carry out research with NHTSA assistance to determine the effectiveness of the civil OWI statute and any other questionable statutory provisions, such as the permitted minor service of alcohol. WI
- Make OWI illegal anywhere in the state. WI93
- Create a high-level State task force to review existing OWI statutes and draft a model OWI Wisconsin statute. In addition, the advice of national experts in the research and evaluation of impaired-driving statutes should be used. WI
- Enact any OWI statutory changes that are found likely to be more effective from the existing set of statutes. WI

- The 408/401 criteria should be followed in future legislative changes to Maryland's alcohol-related statutes. MD91
- Section 257.625 should be redrafted and re-enacted to accomplish the following: Streamline and simplify the description of the offense; Either eliminate Operating While Impaired (OWI) or raise its penalty level to that of the Operating Under the Influence of Liquor (OUIL) or UBAC; Treat all 625 convictions the same for enhancement purposes; Either re-title the section to reflect the OUIL designation or rename the offense DWI and use the OUIL/UBAC definitions to describe the manner and means of committing DWI. MI
- The 20-minute right to call an attorney provision in the implied consent statute should be eliminated. MO
- Continue the effort to recodify the impaired-driving laws to simplify the enforcement and management of the processes that are mandated by law. CA
- Amend DUI repeat offender statute to comply with US DOT standards. RI
- Enact legislation to close the "loophole" for non-transferred titles or titles held by third parties with close relationships to the defendant. MN03
- Enact legislation to clarify that "Not a Drop" conviction does not count as an enhancing event purpose of future DWI prosecution. MN03
- Repeal the statutory language that exempts from consideration as a prior alcohol-related traffic offense any conviction before a non-lawyer judge. MO
- Establish a safety commission involving all concerned parties to review applicable statutes and regulations regarding the DUI problem and the safety factors involved in the enforcement of alcohol beverage laws. WV93
- Examination of existing statutes and consideration of redrafting or recodification of the impaired-driving statutes to improve the understanding and application of the impaired-driving laws or, in the alternative, writing a guide in lay language on the legal aspects of impaired driving. ND
- Create a work group of concerned parties and completely revise and/or rewrite the DUI statutes. The rewrite should update the language and use model legislation as a pattern. Care should be exercised in the drafting of this legislation to minimize the need for interpretation of its provisions and avoid the loopholes that currently exist. VA
- Amend DUI statutes to provide that successful completion of any DUI diversion program shall constitute a conviction for DUI. DE
- Amend the DUI statute (291-4b2) such that the term "prior conviction" is replaced with "prior offense." HI
- Repeal Section 11-500 that defines the term "first offender." IL
- Convene a study committee to review Act 117 and other supporting and related statutes with the aim of considering where improvements can be attained. The study committee should include a broad array of community perspectives. VT
- Convene an Alcohol Forum to address legislative issues as well as youth issues, alcohol and other drugs (e.g., heroin) that impact highway safety,

leveraging of resources, and building a community-wide cross-systems approach to reduce impaired driving. VT

- Repeal the non-rebuttable inference that a person with an alcohol concentration of 0.04 or less is not under the influence of alcohol. MT

- Repeal the presumptions allowed by IL law (Section 11-501.2b) which provides that alcohol concentration results under 0.05 presume that person was NOT under the influence, results between 0.05 and 0.10 give rise to NO presumption and results of 0.10 or higher gives rise to only a presumption that person was under the influence (i.e., no "per se" advantage even at 0.10 or higher). IL

- Review the advisement of rights form for the purpose of revising it to contain only absolutely necessary legal language and not an entire recitation of all procedures. MVA should also develop legally acceptable versions of the form in commonly needed foreign language versions. MD

15. LAWS PERMITTING THE USE OF ALTERNATIVE SANCTIONS IN SENTENCING

- ** Change the present law to permit the use of probation or suspended sentences in DUI cases in order to encourage behavior modification. Recommended change would include the ability of a judge to set requirements for use of driver's license and the use of interlock devices as a condition of any probation. The period of interlock use at the discretion of judge.

- ** Enact vehicle immobilization legislation. ND

- ** Provide for vehicle seizure, impoundment and forfeiture for repeat DUII offenders and those who drive after suspension. OR

- Seek legislation authorizing forfeiture of the offender's vehicle upon third conviction. MI

- Expand State forfeiture law to include impoundment and enforce it. AK

- Adopt Federal repeat offender standards requiring the use of ignition interlock devices and/or vehicle immobilization. DE

- Mandate that courts that adjudicate DUI offenders place them on probation with conditions that may include a specified period of community service, abstinence from consumption, prohibitions on frequenting alcohol dispensing establishments, attendance at victim impact panels, vehicle impoundment, attendance at AA meetings, and restitution to those personally injured or damaged as a result of a DUI offense. DE

- Laws should be enacted requiring mandatory use of ignition interlock systems by all convicted DUI/DWI offenders. TN

- Resolve the issues relative to the ignition interlock device. GA

- Encourage more widespread use of the recognized, effective ignition interlock devices pursuant to State law. NC

- Provide for home detention with electronic monitoring in lieu of jail time for a first-time DUI, with the provision for work release. WV

- Enact vehicle immobilization legislation to provide additional tools for law enforcement officers to use in their efforts to remove impaired drivers from roadways. DE

16. LIMITING PROSECUTORIAL DISCRETION/PLEA BARGAINING/CHARGE REDUCTIONS

- ** Limit or abolish the prosecutor discretion to reduce a charge of DUI to one of Reckless Driving where the offender's BAC was 0.20 or higher, where the offender carried a child in the vehicle, where the offense resulted in an accident with injury to another and where the offender had a previous DUI conviction. DE

- ** Enact legislation prohibiting plea-bargaining in DWI cases and reduction of minimum periods of license revocation. MN95

- ** Repeal the DWI law (761) that is a lesser-included offense to the DUI law (902). OK

- Enact legislation prohibiting plea-bargaining in DWI cases and reduction of minimum periods of license revocation. MN95

- Limit or abolish prosecutor discretion to waive factors, which would preclude DUI offenders from qualifying for DUI diversion programs. Factors not subject to waiver should include where the offender's BAC was 0.20 or higher, where the offender carried a child in the vehicle, where the offense resulted in an accident with injury to another and where the offender had a previous DUI conviction. DE

- Eliminate the reduction of DUI charges through plea bargains. MT94

- Charge reduction & plea-bargaining should be limited or not allowed. VA

- Consider legislation that would provide for special supervision services for multiple offenders and that would enable second offenders or third offenders to obtain reinstatement of driving privileges after one year for second offenders and after five years for third offenders. Special supervision would require person-to-person monthly monitoring, abstaining from any drug or alcohol consumption, screening to monitor consumption, severe restriction of driving privileges, regular monitoring of driver license and criminal records, completion of a level II (advanced) DUI school, and treatment where indicated. TN

- Consider legislation to provide that, in cases with blood alcohol levels of a 0.08% or greater, there shall be no reduction of the charge to that of reckless driving unless the prosecution submits to DOS an affidavit setting forth the reasons justifying reduction of the charge. If cases originally charged as DUI or DWI are reduced to reckless driving, a notation should accompany the driving record sent to the DOS disclosing that the offense involved alcohol. Judges should also be given the discretion to order an alcohol assessment, DUI school, and treatment, if indicated by the assessment, upon conviction for reckless driving. TN

17. LAWS REQUIRING OFFENDER ASSESSMENT

- ** Referral of first time DUI offenders to VASAP should be mandatory. Intervention is needed for potential problems at an early stage. VA

- ** Implement mandatory assessment and treatment on impaired-driving offenses. MD

- ** Enact a law to require a plea of guilty or an agreement to a trial on stipulated facts as a condition of entry into the diversion program. OR
- Tennessee DUI/DWI laws should also be amended to provide for the assessment of repeat offenders to determine the appropriateness and type of treatment. TN
- Legislation should be considered requiring that defendants convicted of DUI/DWI whether as first or subsequent offenders, be required to undergo an assessment to determine whether drug/alcohol counseling or treatment should be required. If such treatment is indicated, completion should become a condition of probation and of relicensing. TN
- Enact legislation to require mandatory alcohol assessment and referral for first offense DUI offenders. GA

18. REVISIONS TO THE COURT SYSTEM AND/OR ADJUDICATION PROCESS

- ** The process of the habitual offender program should be made administrative and removed from the courts. The criminal penalties for violation of the provisions should be retained. VA
- ** Seek to amend legislation that places the Administrative Driver's License Revocation Office (ADLRO) in the judicial branch of government. The ADLRO should be an administrative agency under the executive branch of government and should be affiliated with driver's licensing administration. There should be a uniform State agency that administers driver's licensing, all administrative review procedures and sanctions associated with driver licensing along with vehicle licensing and registration. HI
- ** Seek legislation to establish the Metropolitan Court and subsequently all magistrate courts, as courts of record for criminal cases to eliminate trial de novo on appeal. NM91
- Allow all DUI related offenses arising out of the same incident to be prosecuted and adjudicated in the same court. RI
- Criminal negligence should be removed as an element of proof for the crimes of involuntary manslaughter and second-degree assault with a vehicle. MO
- Allow courts to physically confiscate a driver's license at court proceedings. RI
- Amend the DUI law to mandate completion of the ACT program prior to reinstatement of the driver's license upon the 1st conviction and remove this from the courts making it an administrative process. MT94
- Amend the statute to provide that all initial hearings on licensure suspension be conducted by BMV. OH
- Seek legislation that removes from ADLRO the judicial function of determining probable cause. HI

19. ENACT LAWS REQUIRING ALCOHOL SERVICE/SERVER TRAINING

- Require server training for on-premises licensed establishments--lessor training for retail off-premises sales clerks. MT94

- Require police agencies to report ALL activities concerning licensed liquor establishments to the Department of Revenue. MT94

20. SOBRIETY CHECKPOINT LAWS

- Remove impediments to the constitutionality of sobriety checkpoints. RI
- Encourage the use of sobriety checkpoints. OK
- Review the Oregon Supreme Court decision and craft legislation to all impaired-driving checkpoints. OR

21. EVIDENCE ADMISSION

- ** Repeal 756 (1,2,3,5), Admission of Evidence Shown by Test. OK
- Allow admissibility of chemical test refusal as evidence of tacit admission. RI
- Enact a law to allow hospital records of blood tests used for treatment of the offender to be admitted into evidence to show BAC or the presence of controlled substances. OR
- Enact a law to allow testimony of DRE's certified by the State Police or Board of Public Safety Standards and Training to be admitted into evidence. OR

22. BOATING WHILE INTOXICATED

- Boating While Intoxicated laws should be expanded to be the equivalent of the DWI motor vehicle laws. MO

23. RESEARCH/EVALUATION RECOMMENDATIONS

- ** Conduct a system performance study, including an analysis of the imposition of statutorily prescribed sanctions for DUI violation. WV93
- Conduct a study of literary research concerning the potential benefit of a lower BAC level. WV93

**RECOMMENDATIONS FOR GUIDELINE AREA 3B
PUBLIC INFORMATION AND EDUCATION FOR DETERRENCE
(** Priority Recommendations)**

1. DEVELOPMENT/COORDINATION OF STATEWIDE PI&E PLANS

- ** State and local agencies concerned with DUI problems should develop a statewide PI&E program that would impact occurrence of impaired driving, have a portion that is aimed at the youthful driver, and have a method of evaluation that indicates the success or failure of the program. WV93
- ** Develop and implement an on-going statewide strategic PI&E plan that emphasizes the perils of impaired driving and includes: specific strategies and goals, expected outcomes and performance measures; dates for performance review and evaluation; and, revision of the plan as necessary. IN01
- ** Develop and implement an annual PI&E plan that includes: specific strategies and goals, expected outcomes, and performance measures; dates for performance review and evaluation; and revision of the plan as necessary. DE
- ** The GHSO should develop a comprehensive PI&E plan that would target the 27 high-crash counties, as well as the entire state. OH
- ** The State needs to develop a statewide PI&E plan that will allow input from local agencies in the planning process. Incorporated in this plan should be a statewide coordinator that will work with all entities to implement the plan. TN
- ** Hawaii needs a statewide PI&E plan to coordinate the many facets of PI&E that are taking place in the highway safety area. All the players should be brought together to lay out the entire year's activities in conjunction with holiday and special enforcement priorities. These plans should be concurrent with the requirements contained in all enforcement grants. HI
- ** Develop a comprehensive and innovative statewide annual PI&E plan. MT
- ** Develop a strategic plan that specifies the goals and objectives of an impaired-driving enforcement PI&E program, funding sources, expected outcomes, and performance measures. RI
- ** Develop a statewide comprehensive PI&E campaign to reduce OWI injuries and fatalities. WI
- ** OTS should expedite the implementation of the new statewide PI&E plan. This plan should create a statewide emphasis and involve the local PI&E participants in its creation. In addition to the special details and holiday events, there needs to be a long-range target for the entire state. WI93
- PI&E activities should reflect and support an overall, Statewide impaired-driving plan. WI93
- Establish and share statewide enforcement PI&E efforts. AK
- The Highway Safety Law Enforcement Committee, with media assistance, should develop an annual State DUI enforcement PI&E plan. CT00

- Develop and implement an annual PI&E plan that includes: specific strategies and goals, expected outcomes, and performance measures; dates for performance review and evaluation; and revision of the plan as necessary. ND
- Develop a comprehensive plan at the State level for coordinating the public information and education efforts to deter impaired drivers. GA
- Compile public information and education goals and objectives through a mission statement. Agencies that consciously address and distribute their PI&E plans both internally and externally will experience successful PI&E endeavors. NC
- PI&E activities should be coordinated throughout the year. With so many groups involved, a common objective should be identified. TX
- Create a committee to coordinate statewide PI&E efforts. MI

2. PI&E CAMPAIGN (development, establishment, expansion, planning, etc.)

- ** Develop regional/statewide campaigns that raise the public's awareness and create a perception of risk for the potential of being involved in an alcohol/drug related-crash as well as the possibility of apprehension for impaired driving. MD
- ** Develop and implement campaigns with a unique program identity which focus year round on impaired driving. Consider using NHTSA's "You Drink & Drive. You Lose." campaign materials for this effort. MD
- ** Develop an on-going comprehensive public information program regarding 0.08 legislation and enforcement. IN01
- ** Establish a year round publicity campaign which includes all law enforcement agencies throughout the State regarding their impaired-driving enforcement and education efforts; especially those agencies receiving grant funds. DE
- ** Develop PI&E campaigns that raise public awareness and create a perception of risk for the potential of being involved in an alcohol/drug related crash as well as the possibility of apprehension and prosecution for DUI offenses. WV
- ** Plan all special enforcement events to take advantage of both pre-event and post-event publicity to change the mindset of the potential impaired driver. VT
- Develop additional PI&E programs that contain a more potential deterrence message and update older programs with information, such as the cost of a DUI. VT
- Continue effort to provide comprehensive PI&E programs that incorporate all aspects of safe driving issues. MO
- Develop a PI&E program that would change the public perception as it relates to the dangers of operating a vehicle after the consumption of any alcoholic beverage. WV93
- Develop and implement PI&E regional/statewide campaigns that have unique program identities (e.g., New York's Project Zero, North Carolina's Booze It & Lose It). WV

- Develop a speaker's bureau for DWI issues which will leverage access to industry forums, associations, service groups, and community based organizations. NM
- Plan and develop new deterrent PI&E strategies to coincide with the introduction of new technology and special enforcement events, including the State's plan to have new DRE officers trained this year. OR
- Plan changes in programs and laws in advance of the implementation date so that the appropriate target audiences will be given the information by a multi-step approach using all the resources available to public safety agencies. All elements of the media should be involved in the process at the community level. CA
- Continue the very successful CARE program. Efforts need to be made to assist locals with their special event publicity and to involve the State Patrol in task force efforts. WI93

3. CAMPAIGN/LAW ENFORCEMENT PUBLICITY EFFORTS

- ** Establish an ongoing publicity campaign that includes all law enforcement agencies regarding their impaired-driving enforcement and education efforts. MT
- Expand the "Do Buckle, Don't Booze" campaign into a year-round publicity campaign which includes all law enforcement agencies throughout the State regarding their impaired-driving enforcement and education efforts, especially those agencies receiving grant funds, or use NHTSA's "You Drink & You Drive. You Lose." materials to help train and provide new angles for law enforcement to involve the media and improve PI&E on a seasonal basis. ND
- Develop a newsletter that is provided and distributed in a timely manner to strengthen the PI&E effort. MT
- Publicize the innovative approaches of law enforcement to detect and apprehend impaired drivers. GA
- Provide pre-campaign information and post-campaign results. WV
- Expand the publicity associated with saturation patrols to include a strong message about the dangers of impaired driving and the results of enforcement efforts. IN01
- Distribute and use national campaign materials and encourage local participation in programs (e.g., Campaign Safe & Sober). Materials are available through the GHSP or NHTSA's regional offices. WV
- Establish a clearinghouse for statewide PI&E materials that are accessible by all partners and highway safety advocates. MO
- Prepare and distribute public information packages that address specific seasonal events and the drinking, drug use, and driving that accompany them. RI
- Participate in national impaired driving events/mobilizations and develop public information programs to publicize Rhode Island's law enforcement activities. RI

- Promote DUI/DWI PI&E programs. OK
- All special enforcement events should take advantage of pre-event publicity to impact the mindset of the potential impaired driver. CO
- Continue to publish a newsletter to strengthen PI&E efforts. WI

4. EDUCATE THE PUBLIC ON IMPAIRED DRIVING

- ** Continue to educate the general public on all aspects of impaired driving by developing a series of town hall meetings that will feature traffic safety as a quality-of-life issue. NM
- ** Educate the general public on all aspects of impaired driving through a series of Town Hall meetings that will feature traffic safety as a quality of life issue. These meetings can serve as a conduit for the public to provide input on statewide DUI efforts. MT
- ** Use sobriety checkpoints as a PI&E activity. OK
- ** Establish a comprehensive and sustained PI&E program that informs the public regarding the risks of being caught and punished for impaired driving. RI
- The Traffic Safety Bureau should undertake awareness program to increase the proportion of drivers who are aware that driver's licenses will be taken upon conviction for DWI. NM 91
- Traffic Safety Bureau should undertake an awareness program and ALR procedures and penalties should also be addressed in the media campaign. NM91
- Enhance public awareness of Operation DWI. NM95
- Incorporate the consequences of being apprehended for DUI in public information materials. GA
- Publicize Sobriety Checkpoint enforcement efforts to maximize the deterrent effects of the operation. AK
- Advertise the penalties and consequences of a DWI arrest and conviction. AK
- Develop regional town hall meetings and conduct public opinion surveys to increase OWI educational efforts. WI

5. PARTICIPATE IN NATIONAL CAMPAIGNS

- Participate in the national *You Drink & Drive. You Lose.* campaign. MT

6. CAMPAIGN MESSAGES/THEMES

- ** Provide a statewide theme for the state's DUI deterrence effort for local and municipal agencies to use and expand. GA
- Develop statewide messages concerning the overall problem of DWI. NM95
- PI&E messages should be developed to inform drivers of the specific consequences of a DWI arrest and conviction. NC95

- Continued efforts in PI&E areas are needed that will establish a uniform theme across the State. CT93
- Standardize the Minnesota State Patrol Safety Education curriculum to ensure consistency in the message being delivered. MN03
- Colorado should develop additional PI&E programs that contain a more pointed deterrence message. CO
- PI&E materials need more emphasis in the direction of enforcement. TX

7. STATEWIDE PI&E COORDINATOR/STAFFING

- ** Create a position for a statewide PI&E coordinator. MD
- ** Evaluate the staffing levels of the GHSP public information office to ensure that the needs of statewide and local PI&E efforts are not at risk. A great deal of success in reducing motor vehicle crash injuries and fatalities, as well as increased deterrence initiatives, can be attributed to the endeavors of this office. NC
- Some of the new Federal alcohol incentive grant funding should be used to hire a PI&E consultant to create and coordinate the statewide PI&E plan. University interns could be used to supplement the consultants' activities and help with cost savings. HI

8. INTERGOVERNMENTAL/INTER-AGENCY COORDINATION AND COOPERATION

- PI&E efforts need to be centrally coordinated throughout the year and not just for the special campaigns. A "working" group should be established to represent all the many entities involved and a "networking" system established. VA
- Maximize PI&E potentials with the DUI InterState Partnership. WV
- HDOT should coordinate between The Department of Health Injury Prevention and Control Division and MADD to ensure that their resource libraries are available to the other countries. HI
- Coordinate DUI enforcement campaigns with national efforts (e.g., 3-D Month). WV
- Future contracts with outside agencies that call for the development of PI&E campaigns should require all contractors to include input from all levels of enforcement in the planning of such campaigns. TN
- Establish a working group among County DUI Task Forces for planning and implementing statewide PI&E activities including: establishing statewide enforcement PI&E events; coordinating a "clearinghouse" for PI&E materials and equipment; establish responsibility for the printing of brochures and eliminate potential duplication of effort. MT94
- The Division of Highway Safety should assign the statewide coordination of its enforcement-focused PI&E activities to the Highway Safety Law Enforcement Committee. In addition to the PI&E activities in the specific comprehensive regional patrol areas, there should be a statewide focus during the holiday events and throughout the year. CT00

- Establish two-way communication channels with the Public Information Offices. MI

9. PUBLIC/PRIVATE ORGANIZATION PARTNERSHIP INVOLVEMENT

- Develop new private sector partnerships to reduce DWI drivers in all segments of society. This recommendation requires the involvement, ingenuity, commitment, and resources of a multitude of individuals and organizations. The "hidden" economic impact on businesses and taxpayers should be emphasized. NM

- Expand the network of employer participation in the network of employees for traffic safety. NM

- Expand public private partnerships to have a focused and significant impact on impaired driving. This recommendation requires the involvement, ingenuity, commitment, and resources of a multitude of individuals and organizations. MT

- Expand the viewing audience by partnering with additional professional sports teams. MN03

- Include a member of the Missouri Trucking Association on the Governor's Commission on DWI and Impaired Driving. MO

- Develop a partnership with private-sector companies to increase OWI public awareness. WI

10. DUI REPORTING SYSTEMS FOR CITIZENS

- ** Develop a statewide Report Impaired Drivers program for citizen involvement. GA

- Encourage the public to report suspected impaired drivers. DE

- Encourage the public to report suspected impaired drivers. ND

- Develop, implement, and publicize a specific public DUI reporting program that does not rely on 9-1-1 as the primary access to law enforcement communications. DE

- Develop, implement, and publicize a specific public DUI reporting program considering the national emphasis on 9-1-1 as the primary access to law enforcement communications. ND

- Connecticut should adopt and publicize a cell-phone-related DUI reporting scheme. This should include visible road signs. CT00

- Develop, implement, and publicize a specific public DUI reporting program that does not rely solely on 9-1-1 as the primary access to law enforcement communications. IN01

- Establish a citizen DUI reporting system. CT93

11. BUILD/IMPROVE LAW ENFORCEMENT/MEDIA RELATIONSHIPS

- ** Sponsor the NHTSA law enforcement public information officer workshop, designed to assist law enforcement in building positive relations with local media. This course provides detailed training in support of effective PI&E efforts. NC

- Efforts should be made to conduct media/police seminars that would introduce both factions to the requirements and interests of the other. All types of media should be involved, i.e., radio, TV, and print. Every police officer should be empowered to release information to the media in compliance with established guidelines. The NHTSA Public Information Workshop for police officers would be beneficial training for all police traffic supervisors. HI

- Select a member(s) of each enforcement agency to serve as a public information officer. Regardless of the size of an agency, every law enforcement organization must identify and adequately train an individual(s) who is responsible for the preparation and delivery of public information and media relations. NC

- Training for officers to assist them in responding to the media is needed. CT93

- Encourage media ride-alongs during DWI patrols or other impaired-driving enforcement activities. In addition to increased media coverage, the ride-alongs will build and strengthen media relations. NC

- Encourage media ride-along, especially during campaign waves. MD

- Encourage media ride-alongs, especially during campaign waves. ND

- Encourage greater media involvement in the coverage of DWI efforts. Media ride-alongs will ensure greater and more thorough attention. WV

- Establish annual workshops for media and law enforcement to enhance DWI education efforts. MT

- Conduct media/enforcement seminars that will provide a forum for discussion of issues of mutual concern. Identify and train law enforcement officers in NHTSA's PI&E Instructor Training course. ND

- Conduct media/enforcement seminars that provide a forum for discussion of issues of mutual concern. MD

- Provide specific points of contact for media inquiries and follow-ups. WV

- Establish working relationships with local and regional media. WV

- The media workshops for law enforcement officers should include panel discussions with representatives from TV, radio, and the print media. WI93

12. ENCOURAGE MEDIA INVOLVEMENT IN DWI ISSUES/EFFORTS

- The proposed Governor's Task Force on Impaired Driving should include representative(s) from the media. OH

- Prepare soft DWI news stories that will supplement hard news requests (e.g., information on police DWI training/equipment). WV

- Encourage the media to publicize events and results of grantee DWI enforcement efforts. NM

- Encourage all officers to report to the media alcohol involvement and no-belt-use in crashes. ND

- Have enforcement agencies develop media messages in conjunction with stories that the media will typically report, such as alcohol involvement in certain crashes. CA
- Law enforcement agencies should actively pursue PSAs with news media, radio and TV stations. AK
- Encourage the media to publicize pertinent events and OWI efforts. WI

13. PI&E EFFORTS TARGETING HIGH RISK GROUPS

- ** The Department of Education should mandate that a certain period of time be allotted each semester for a presentation concerning the danger of alcohol- and drug-impaired driving. IL
- Develop an outreach program designated to reduce DWI among youthful offenders. NM
- Continue to develop and implement college environmental educational prevention and media strategies targeting high-risk students. NM
- Change the current DARE curriculum to include alcohol as a drug. The new K-through12 curriculum should be considered. HI
- Continue and expand countermeasures that target underage drinking. Program planning and implementation measures must be addressed as this high-risk population continues to grow. NC
- A concentrated effort should be made to change the public perception of risk as it relates to DUI arrest. Continued efforts with the youth groups are necessary, as they appear to be the least threatened by enforcement/information campaigns. VA
- DTS should strive to have a uniform approach throughout the educational system. IL
- Increase PI&E messages targeting youth and parents of youth regarding binge drinking, over-consumption, drinking and driving and the increased dangers associated with consumption of alcohol that occurs during seasonal events. IN01
- Develop an educational program for youthful offenders. NM95
- Continue to provide funding support for programs that target underage drinking and driving and drug abuse by young adults. MO
- The Office of Traffic Safety should develop an extensive PI&E Program on "Not a Drop" targeted towards drivers under 21 and their parents. MN95
- Develop highway safety PI&E programs that target older driver and pedestrian alcohol and drug abuse crash problems. MO
- Wisconsin should continue concentration of information for the young people; efforts to assist and enhance project DARE would be in the right direction. WI93
- Consider developing a youth-oriented program similar to "Every 15 Minutes." WI

14. PI&E EFFORTS TARGETING SPECIFIC GROUPS (ETHNIC, CULTURAL, REGIONAL)

- ** GOHS should work with traffic safety coalitions, public health agencies and citizen advocacy groups, both on and off tribal lands, to transfer information from English to the various Native American languages. AZ
- Develop and introduce a Spanish-language outreach effort about the consequences of impaired driving to educate the growing number of Spanish-speaking people. DE
- Expand the PI&E effort targeting Spanish speakers to include impaired-driving messages. IN01
- PI&E materials need to be developed that are bilingual, which will reach the Spanish and Asian elements in the population. VA
- Appoint a liaison from the T&SB to work with Native American tribes. MT
- PI&E campaigns, material, and efforts need to be tailored to the specific region and groups targeted. Statewide campaigns are great but different means of conveying the message need to be employed when it is being delivered in northern Virginia versus southwestern Virginia (different culture). VA
- Continue the development of appropriate PI&E deterrence material and programs for the growing minority populations. NC
- Develop PI&E Programs that focus specifically or incorporate commercial motor vehicles into the highway safety program. MO
- All PI&E programs should consider a more comprehensive approach addressing statewide target audience differences such as region, ethnicity, age, sex, and the workplace. CO
- GOHS should work with traffic safety coalitions, public health agencies, and citizen advocacy groups to oppose inappropriate targeting of youth, Hispanics and other minorities, and lower income groups in advertising alcoholic beverages. AZ

15. PI&E EVALUATION EFFORTS

- The Traffic Safety Bureau should develop customer satisfaction surveys to determine the impact of any communication plan. NM
- Monitor and evaluate all PI&E programs for effectiveness. NC
- Conduct monthly performance reviews of the plan to ensure that goals are being achieved. RI
- The Missouri DHS should require and ensure that all PI&E programs contain an evaluation component to assess the impact of each program initiative. MO
- Monitor attitudes, behavior, and knowledge of the motoring public to ensure that the proper messages are being given and understood by the target audience or at-risk group. CA
- Use impact evaluation data to ensure that the "best" material is being used and the most important target groups are being reached and affected. MD91

16. PI&E FUNDING REQUIREMENTS

- ** Require public information and education plans as a component of task force grant requests. IN01
- ** Mandate a PI&E component of all CDDP grantee agencies. WV
- Mandate a PI&E component for all State funded projects. MD
- Organize groups to support county DUI task force continued funding. MT
- Continue to fund and conduct the Statewide Traffic Safety Conference. GA
- Continue to fund local PI&E programs through Section 402 grants. GA
- Ensure that each highway safety grant contains a PI&E component. NC
- All enforcement grants issued by HDOT should contain requirements for PI&E activities. These should be in compliance with any existing statewide plan. HI
- The GHSO should include specific requirements for pre- and post-DUI enforcement PI&E efforts for all DUI or Sobriety Checkpoint Overtime Enforcement Programs. This information should be included in the grant application manual and project reporting forms. OH
- Funding for PI&E efforts by State and local enforcement agencies should continue. MO
- Dedicate a portion of the operating budget for the printing and release of PI&E material and share this material with agencies that have contact with violators such as corrections, treatment centers, hospitals, etc. AK

**RECOMMENDATIONS FOR GUIDELINE AREA 3C
ENFORCEMENT
(** Priority Recommendations)**

1. ENFORCEMENT EFFORTS

a. Prioritization of DUI Enforcement Activity

- ** Strict enforcement of DUI laws should be top priority on patrol. WV93
- ** Efforts to raise DUI priority in all law enforcement agencies should be pursued. MT94
- ** Establish a philosophy at the executive levels of law enforcement that places a high priority on apprehension of impaired drivers and ensure that chiefs and sheriffs articulate that philosophy to their officers. IN01
- ** Encourage law enforcement agencies to make OWI a priority. WI
- ** Efforts should be made to raise the traffic enforcement priorities in the law enforcement community. Incorporation of traffic enforcement into the current top priority areas of youth gangs and violent crimes might be considered. WI93
- ** Articulate a consistent message with the executive level of Minnesota police and sheriff departments that enforcement of DWI laws is imperative to saving lives and preventing injuries on the streets and highways of Minnesota. MN03
- ** Articulate continually, from the executive levels of all police departments, the message that DUI enforcement is extremely important. RI
- ** Increase the number of DUI arrests. RI
- ** Establish a high priority on DUI apprehensions within all police agencies, and have chiefs and their executive staffs articulate that message to their officers. DE
- ** Rigorous DUI enforcement should be made a top priority in ALL jurisdictions. VA
- ** All law enforcement agencies in the State should be trained and encouraged to aggressively enforce the DWAI statute the State has enacted to reduce alcohol- and drug-related fatalities and injuries. CO
- Law enforcement executives must encourage pro-active DUI arrest policies and discourage the practice of releasing suspected DUI offenders due to officer frustrations with the judicial and administrative process. WV
- Implement those necessary selective enforcement units that ensure the detection and apprehension of impaired drivers and make DWI apprehension a priority of preventive patrol. AK
- Develop and implement a DUI crash investigation team either on the State or local level. GA

- Establish standards of acceptable performance within police departments regarding DUI enforcement and review performance frequently to ensure goals are being achieved. RI
- Implement programs that combine traffic enforcement and aggressive criminal enforcement such as the National Sheriff's Assoc. rural initiative. OK
- A concentrated effort should be initiated to lower the BAC average (.16) in the State. TX

b. Sobriety Checkpoints/High Visibility/Selective Enforcement Efforts

- ** Montana should develop procedures for the implementation of sobriety checkpoints. MT94
- ** Develop a program of Sobriety Check Points, realizing that public knowledge of the checkpoints is as much a deterrent as the apprehensions that may occur. AK
- ** Use sobriety checkpoints regularly by law enforcement agencies to deter and apprehend impaired drivers. OK
- ** Continue and expand sobriety checkpoints. Ensure that local agencies have advance notice and are invited to participate. WV
- ** Develop and implement written policies for conducting sobriety checkpoints. GA
- ** Reinforce efforts statewide to apprehend impaired drivers by increasing the number of preventive patrol hours while using selective enforcement techniques. IL
- Continue frequent, highly visible and publicized sobriety checkpoints and selective enforcement. NM
- Encourage and organize optional enforcement strategies (e.g., dedicated saturation patrols). WV
- Encourage the Montana Highway Patrol to participate in or organize safety spot checks that are in compliance with State laws. MT
- When conducting checkpoints for DUI use the theme "Sobriety Checkpoint" rather than "Safety Checkpoint" to maximize the deterrent value in raising the perception of risk of detection and apprehension for impaired drivers. GA
- Seek multidisciplinary support for the acceptance of sobriety checkpoints. MT
- The Honolulu and Hawaii Police Departments should consider changing their police vehicle fleet policy so that more marked and highly visible vehicles are deployed (recommend at least a 50/50 split between marked and unmarked vehicles instead of their current 70/30 split). HI
- Implement aggressive, well-publicized traffic enforcement efforts. MI
- Continue to complement enforcement activity with educational efforts. Development of a Maryland "Crime/Crash Clock" depicting the relationship between crime and crash data will be an extremely beneficial public awareness tool. MD

- Montana Highway Patrol should continue its Safety Spot Check program with added emphasis to the time of day that would enhance its ability in checking the lighting equipment of vehicles. MT94
- Encourage the frequent use of sobriety checkpoints and other selective enforcement techniques to detect DUIs. WV93
- Continue to enhance presence of sobriety checkpoints. NM95
- Continue to emphasize sobriety checkpoints. CA
- Integrate aggressive traffic enforcement during routine patrol assignments. WV
- Continue to identify high-alcohol-related crash locations and deploy resources effectively. GA
- Pre-enforcement and post-activity results should be widely distributed to all forms of media. MD
- Announce pre-enforcement activity and post-activity results for regional/statewide enforcement efforts. WV

d. Enforcement Efforts Targeting Underage Drivers

- ** Develop a statewide enforcement policy to ensure appropriate prosecution of youthful offenders who operate a motor vehicle after consumption. MN95
- ** Increase enforcement of underage drinking laws to include the purchaser as well as the retail establishment (i.e., Cops in Shops). GA
- Expand underage enforcement operations. WV
- Encourage enforcement of zero tolerance law for those under 21. WV
- Maintain the strong enforcement program aimed at the driver below 21. IL
- Continue and expand the "Sales to Minors" enforcement programs. NM
- Increase enforcement of the zero tolerance laws for minors. NM
- Emphasis on underage drinking should be a significant complement to all enforcement operations and given attention and enforcement by means such as aggressive party patrols, sting operations, etc. MD
- Encourage local law enforcement to conduct sting operations to reduce underage drinking. MT
- College campus enforcement agencies must remain pro-active in their approach to both impaired driving and underage drinking. A zero tolerance approach will avoid sending mixed messages to the student population. MD
- The GHSO should fund projects with local law enforcement agencies for increased enforcement of the .02 BAC law for drivers under 21. OH
- Office of Traffic Safety should develop an extensive PI&E program on "Not a Drop" targeted for drivers under 21 and their parents. MN95

- Develop youthful offender enforcement programs. WI
- Governor's Executive Committee on Drunk and Drugged Drivers should establish the enforcement of alcohol violations by Maryland's young people as a priority. MD91
- Local police chiefs/sheriffs should direct the aggressive enforcement of juvenile-related DWI and other alcohol violations. NM91
- Participate in PI&E programs for the prevention of underage drinking. WV93
- Concentrate DWI enforcement in areas known to have a high incidence of underage drinkers. WV93

e. Enforcement Efforts Targeting Repeat and/or Habitual Offenders

- ** Develop and implement an enforcement program targeting drivers previously suspended for DWI who continue to operate a motor vehicle. GA
- Develop a selective enforcement program with emphasis on the repeat offender. NM95
- Develop countermeasures programs targeting repeat-DWI, suspended, and revoked drivers. MO
- Develop a stakeout program for habitual offenders who continue to drive with a suspended or revoked license. NM
- Establish DWI warrant service programs targeting habitual DWI offenders. NM
- Expand police officer authority to allow access to clubs for appropriate enforcement actions. WV

f. Multi-Agency/Jurisdiction DWI Law Enforcement Efforts

- ** Connecticut State Police should become involved with local municipal agencies in the implementation of joint task force enforcement efforts in conjunction with the use of checkpoints. CT93
- ** Increase the number of agencies participating in DWI: Taskforce Indiana. IN01
- ** Enforce underage-drinking laws cooperatively and consistently throughout neighboring jurisdictions to prevent youth from merely crossing over the line to avoid local enforcement practices. MN03
- ** Encourage the participation of law enforcement agencies in multiple jurisdiction impaired-driving task forces and enforcement efforts. DE
- ** Encourage joint enforcement projects using all agencies in a given area. MT94
- ** Organize regional/statewide enforcement strategies. MD
- ** Continue the task force concepts and invite new agencies to participate. VA

- To attain ultimate public perception of risk, sobriety checkpoints and blanket or saturation patrols should be deployed, when possible, by multiple agencies on specific nights, weekends, etc. MD
- The law enforcement community should increase the use of multi-jurisdictional saturation DWI patrols and the staffing of checkpoints. MD91
- Develop methods and strategies to increase interagency enforcement and training activities, including sobriety checkpoints, saturation patrols and licensed establishment compliance checks. NC
- Select specific time periods, evenings, weekends, or weeks for regional and/or statewide enforcement. WV
- Organize regional/statewide DUI enforcement partnerships. WV
- Coordinate additional DUI enforcement programs with bordering intrastate communities as well as interstate borders that will maximize program deterrence and effectiveness. WV
- Encourage the participation of law enforcement agencies in multiple jurisdiction enforcement efforts. MT
- Consider enforcement projects with bordering states to further maximize deterrence and increase PI&E effectiveness. MD
- Coordination of traffic enforcement activities between the various jurisdictions would enhance the effect of such efforts. HI
- Expand the use of multi-agency DWI task forces during high-risk holiday periods. NM
- Seek legislation to allow deputies to cross county lines in the course of follow-up investigation or enabling them to render assistance to other agencies. ND
- New Mexico State Police and Tribal Police should conduct joint enforcement along major corridors that experience high serious injury or fatal crashes. NM95
- Efforts should be made to establish more traditional types of task force operations in the State. TX

g. Intergovernmental/Interagency Coordination, Cooperation Efforts

- ** Law enforcement should occupy a prominent position on the Governor's Commission on Alcohol and Traffic Safety. CT93
- ** Support development of an OWI task force comprised of police chiefs and law enforcement administrators. WI
- ** Immediately convene regional task forces of law enforcement agencies and DMV to address mutual concerns, specifically, the administration and operation of administrative hearings. WV
- ** Immediately convene countywide/statewide task forces comprised of law enforcement, both command and field personnel, State's attorneys, and members of the judiciary to discuss mutual concerns and strengthen the trust and confidence between all partners of the criminal justice system. MD

- ** Promote a cooperative working environment by sponsoring and conducting regional highway safety conferences that will bring together law enforcement, prosecutors, judiciary, medical professionals, and others who may be appropriate to address concerns and discuss issues of importance to the participants. NC
- ** Develop a State-level traffic law enforcement capability composed of full-authority commissioned officers who are expert in all aspects of training and traffic law enforcement techniques. HI
- Establish an Attorney General's quarterly regional meeting to be hosted by the Montana Highway Patrol to discuss DUI enforcement and legislative proposals. MT
- The GHSO should develop common DUI strategies with the Ohio Association of Chiefs of Police and Buckeye State Sheriff's Association. OH
- The GHSO should continue to support the expansion of DUI Task Forces throughout the State. OH
- The ILCC should ensure that enforcement is uniform and that each local liquor commission coordinates compliance efforts. IL
- The GHSO should work with and support the OHD in evaluating and upgrading alcohol breath-testing instruments in the rural parts of the State. OH
- Gain program/project support of legislators through the educational efforts of State Chiefs and Sheriffs' organizations. WV
- Work with safe communities coalitions to resolve jurisdictional issues on tribal lands. ND
- Continue and expand the cooperative enforcement initiatives among State, county, and municipal agencies that have proven successful in detecting impaired drivers. GA
- Appoint a Governor's Traffic Law Enforcement Coordinating Committee (TLECC). OK
- Market the DWI message to local law enforcement executives through the law enforcement liaisons. MN03
- Because of border problems, Texas should actively seek involvement in a Mexican liaison program similar to the ones in California and Arizona. TX
- The highway safety community needs to demonstrate to the law enforcement community that the cost of traffic incidents exceeds the cost of general crime and that visible traffic enforcement deters other crimes. MD91
- Create a climate of acceptance for advanced impaired-driver detection techniques (HGN-DRE) among the top law enforcement administrators, the judiciary, prosecutors, and laboratory personnel. WI93
- Office of Transportation Safety should continue to stress the value and importance of interagency cooperation for DUI enforcement special events and adjacent community-based DUI prevention programs. CO

- Local police chiefs/sheriffs should encourage cooperation with State liquor special investigation agents. NM91

- Participate with DMV in establishing a defined hearing schedule. WV93

h. Community-based Partnerships, Coalitions

- ** Aggressively continue to pursue the establishment of community-based traffic safety programs emphasizing DUII enforcement and adjudication. OR

- Form new, and expand existing, law enforcement and community partnerships. WV

- Continue or initiate active participation in various support groups and coalition partnerships. NC

- Continue to be active in and provide support to community-based partnerships/coalitions. MD

- Encourage the participation of law enforcement agencies in safe communities teams. ND

- Provide a priority objective for local law enforcement through the Community/WORKS planning program to strictly enforce the DUI laws. CA

- Encourage and participate in statewide PI&E programs that can be demonstrated to result in behavioral change. WV93

i. DUI Reporting Systems for Citizens

- Initiate a statewide reporting system for cellular phone users who observe impaired-driving behavior. CA

- DOT should erect signs publicizing the citizen cellular telephone reporting system for reporting DWI. MN95

- Develop local "hotlines" to report DWI offenders. NM

2. TECHNOLOGY/EQUIPMENT (purchase, funding, training, policies, etc.)

- ** Funds should be made available to all agencies to purchase state-of-the-art equipment, e.g., breath-testing equipment, video camcorders, etc. NM91

- ** TSB should develop equipment grants for law enforcement agencies to purchase DWI trailers, alcohol/drug testing equipment, in-car cameras, and other DWI equipment. NM

- Evaluate, purchase, and provide technology devices that will enhance the abilities of officers in the field, e.g., handheld barcode scanners that will provide real-time data on driver licenses and vehicle registration. NC

- Explore and continue the use of technology for youth alcohol reduction and the detection, apprehension, and prosecution of impaired drivers. ND

a. PBTs/Intoxilyzers

- ** Assure that the annual certification of all Intoxilyzer 5000 operators is accomplished. MT94

- ** Purchase PBT and provide training in the use of PBT devices. NM95
- ** Purchase and strategically place state-of-the-art breath-testing devices. NM95
- ** Provide PBT devices to all law enforcement officers assigned to patrol duties. MI
- ** Obtain an adequate number of evidentiary breath test instruments to provide temporary replacements when an assigned instrument is removed for repairs. RI
 - ** Establish guidelines and training procedures for PBT devices and furnish them to each officer on preventive patrol. IL
- ** All law enforcement officers should be trained in the operation of the breath-testing equipment. VA
- Policy should be developed governing the use of PBT equipment. This policy should be in conjunction with other SFST policy in that the PBT is the same sort of test. CT00
- Ensure that all law enforcement agencies have Intoxilyzer 5000s and PBTs at their disposal. WV
- Install and maintain Intoxilyzers in all counties. MT
- Provide PBTs for all officers engaged in patrol duties throughout the State and for all DABCTE agents. DE
- Replace aging evidentiary breath-testing equipment with state-of-the-art equipment. IL
- Expand statewide distribution of new intoximeters and provide additional PBT devices to municipal agencies and sheriffs' departments. MD
- Pursue the deployment of "BATmobiles" for enforcement purposes. IL
- Continue the process of upgrading the breath-testing equipment in Virginia. VA
- Develop and implement policies which encourage (if not require) the use of PBTs by patrol officers. DE
- Conduct a pilot program using passive alcohol sensors during sobriety checkpoint operations. GA
- Obtain PBT's for all officers assigned to patrol duties. RI
- Identify a standard PBT for use throughout the State and place the responsibility for oversight within the Department of Health, Breath Alcohol Program. MO
- Eliminate the exclusion for local police use of the PBT as a first test. MO
- Identify a standard breath evidentiary instrument for use throughout the state. MO

- Continue funding for enforcement technologies, e.g., PBTs or evidentiary instrumentation. MO
- Locate Breathalyzers/Intoxilyzers strategically and conveniently throughout the State. OK
- Pilot-test the use of roadside evidentiary alcohol concentration testing devices in rural areas where Intoxilyzer instruments are not readily available. MN03
- Consideration should be given to the certification of all officers in the operation of the Intoxilyzer. WI93
- Provide PBT for all patrol and traffic enforcement officers. IN01
- Develop and implement policies that require the use of PBT instruments by patrol officers when they suspect driver intoxication. IN01
- Furnish PBTs to all officers having a need to administer PBTs. WV93
- The Intoxilyzer 5000 represents current technology that enhances the ability to combat the DUI. Continued efforts to expand this program to all areas of the State should be high on the priority list. MT94
- Complete the upgrade of all Intoxilyzer 5000s. WV93
- In the absence of a requirement for recertification of Intoxilyzer operators, adopt an agency policy for periodic recertification. WV93
- PBTs should be made available to all jurisdictions that want to use them. VA

b. Video/Audio Equipment

- ** Require the use of the in-car video cameras to enhance prosecution of impaired drivers. DE
- ** Provide patrol officers with in-car video cameras and develop standardized written policies for all agencies regarding their use. DE
- The video camera represents current technology that enhances the ability to combat the DUI. Continued efforts to expand this program to all areas of the State should be high on the priority list. MT94
- Study need for providing video- and audio-taping capabilities. IL
- Expand the use of in-vehicle video cameras and operations. WV
- Video cameras should be made available to all jurisdictions that want to use them. VA
- Consider expanded funding and use of in-car videotaping of suspected impaired drivers from initial violation sighting through sobriety testing and arrest procedures. MD
- Provide additional in-car video cameras to enhance DUI prosecution. IN01
- Continue to fund and provide video/audio capabilities. NM95

- Provide funds for on-board video camcorders in every patrol unit used to make DUI arrests. AZ

- Continue to fund the in-car video systems and the total station technology initiatives. MO

c. Mobile DUI Testing/Processing Vehicles

- Improve the efficiency and magnify the profile of DUII enforcement in large metropolitan areas by the development of a mobile DUII processing vehicle. OR

- Provide for those outlying areas, a mobile van equipped with breath-testing devices to be used during selective enforcement activities. AK

- Provide funding for the expansion of the mobile breath-testing vans to reduce processing time. CA

- Continue to fund the BAT van program. MO

- Pursue the acquisition of additional mobile Breath Alcohol Testing Units to facilitate impaired driver arrest processing where needed. GA

3. LAW ENFORCEMENT PERSONNEL (deployment, qualifications, hiring, retaining issues, etc.)

- ** Hire additional troopers to fill the Minnesota State Patrol vacancies. MN03

- ** Hawaii needs to establish statewide standards for selection, certification, training, and retention of all police officers. HI

- Employ or train additional breath-test device technicians or chemists in order to provide the required testimony in DUI trials. DE

- Seek and develop innovative ideas for hiring and retaining qualified police officers. VT

- An effort needs to be made to obtain full police certification and authority for Liquor Control Division agents. Further, the Liquor Control Division should be enabled to take "dual" administrative actions against a licensee that parallels criminal actions. CT00

- Methods should be explored that might offset the loss of resources, i.e., expansion of the auxiliary trooper concept with increased authority and responsibility. CT93

- Increase law enforcement manpower in order to provide proactive DWI enforcement. AK

- Evaluate the normal non-emergency calls for service. Many may be handled by methods other than response by officer, i.e., computer services, telephonic, etc. AK

- Expanded use of crash and activity records should be made in the assignment of manpower. WI93

- Enforcement resource needs should be assessed in the light of the modern "looking beyond the ticket" as a deterrent to criminal activity. Federally funded traffic enforcement dollars are short and criminal activities such as

gangs and guns are new priorities. Proper use of traffic enforcement assignments will accomplish the desired reduction of collision frequency and be a deterrent to criminal activities without the need for additional resources. HI

4. FUNDING FOR ENFORCEMENT EFFORTS

- ** A violator surcharge of \$2.00 should be levied on all traffic citations written in the State and be used for law enforcement and judicial training. CO
- ** Initiate an executive-level task force to develop funding to provide personnel and resources to sustain a high-priority DUII enforcement and education program statewide. OR
- ** Re-establish funding for county DUI task forces. MT
- ** The CDDP should review its grant funding process. Special attention should be given to rural and smaller agencies in an attempt to encourage their participation, such as providing application and logistical assistance. WV
- ** Dedicate a percentage of the overtime funding for use only in joint projects. MT94
- Continue to fund saturation patrol programs. WI
- Obtain additional funding for local and State driving-under-the-influence saturation patrols. RI
- Develop a pilot enforcement project using overtime. GA
- Seek out additional grant opportunities in order to put more traffic officers on the streets and highways of Delaware. DE
- All efforts need to be made to find the resources necessary for Virginia's law enforcement agencies' successful traffic safety programs. VA
- Grant funding should be used to adequately implement additional saturation patrols, sobriety checkpoints, etc. MD
- Explore new funding sources to maintain or increase enhanced enforcement of alcohol/drug enforcement, i.e., surcharges on driver license reinstatement fees earmarked for enhanced enforcement, through overtime, hiring more officers, or a DUI squad. ND
- Checkpoints and task force enforcement efforts are used but concepts are not universal - some agencies report their inability to cooperate. The GHSO is working with the THP to prioritize high-frequency DUI/DWI locations in the allocation of overtime grant funding. To enhance the cooperative efforts, additional money could be included to pay the overtime of local officers used to supplement the THP manpower for these activities. TN
- Place a higher priority on grant applications that include multiple - jurisdiction impaired-driving task forces and enforcement efforts. DE
- Support passage of a surcharge on beer sales. WV

- Continue funding for DWI overtime for sobriety checkpoints, saturation patrols, and corridor enforcement. MO
- Establish performance goals for funded enforcement efforts. RI
- Explore additional means of funding saturation patrols. MI
- OTS should consider granting the State Patrol overtime money to be used during special events (e.g., task forces). WI93
- Support legislation to fund OWI task force from fines. WI
- User-fee concepts should be explored to provide funds for adequate personnel and equipment for the detection of impaired drivers. MD91
- Reallocate the second \$50 of the reinstatement fee to the support of the County DUI Task Forces. MT94
- Develop strategic plans that require cooperative law enforcement efforts in order to obtain funding from Office of Highway Safety. RI

5. DRUG EVALUATION/CLASSIFICATION PROGRAMS (establishment of, maintain)

- ** Establish a Drug Evaluation and Classification program. DE
- ** Tennessee should seek entry into the Drug Evaluation and Classification (DEC) program. TN
- Continue developing DRE programs. NM95
- Connecticut should begin preparation for the Drug Recognition Expert program. CT93
- Continue to fund DRE training. WI
- Establish a Drug Evaluation and Classification (DEC) program. ND
- The OSHP should develop a DRE program. OH
- Develop a Drug Recognition Expert (DRE) program. VT
- Continue the Drug Recognition Expert program. NM
- Maintain DRE program. MD
- Support and encourage expansion of the DRE program. NC

6. LAW ENFORCEMENT TRAINING

a. DUI Detection Training

- ** Implement a training program to enhance an officer's ability to detect and apprehend DWI suspects at lower levels of BAC and controlled substances. AK
- ** In-service training needs should be assessed with OWI detection techniques being high on the list. WI93

- ** Train patrol officers in the detection and apprehension of the DUI driver with attention given to recognizing lower BAC clues. HI
- ** Alcohol training should be standardized and mandated in both recruit and in-service schools. VA
- ** Hazards of the low-BAC driver and detection techniques should be taught. VA
- ** The GHSO should promote the expansion of in-service Apprehension, Detection, Prosecution (ADP) training or NHTSA-approved SFST training throughout the State. OH
- ** The ODPS should develop a central database of certified Apprehension, Detection, Prosecution (ADP) instructors and list all law enforcement officers trained in ADP. OH
- ** The ODPS should ensure an annual four-hour refresher training program is provided for all certified Apprehension, Detection, Prosecution (ADP) instructors. OH
- Continue and expand DUI detection training to ensure inclusion of smaller agencies and university police agencies. Initiate refresher training. WV
- Efforts should be made to provide advanced DUI/DWI training for all officers in an attempt to further lower the average BAC of suspected DUI/DWI drivers. It has been shown that advanced training enables police officers to detect and apprehend lower-BAC drivers. TN
- Ensure all law enforcement patrol officers receive training in DUI detection and apprehension techniques, i.e., detection cues for impaired drivers. GA
- Provide intensive in-service training in detection and apprehension of impaired drivers. MI
- Provide in-service training for the detection and apprehension of the intoxicated driver at lower levels of BAC. NM95
- Police agencies should enhance the expertise of their street officers to detect and apprehend the DUI driver with a BAC testing in the 0.07 to 0.15 range. CT93
- DUI detection and apprehension techniques should be taught in an effort to lower the average BAC or arrested suspects. MT94
- Require additional training for the detection of impaired drivers who present a danger to the motoring public before reaching high levels of BAC. WV93
- Provide intensive in-service training regarding the identification of impaired drivers. MN95

b. Standardized Field Sobriety Test

- ** SFSTs should be adopted by POST (Police Officer Standards and Training) and all officers trained in this concept. MT94

- ** Mandate that NHTSA-certified SFST be a part of law enforcement basic training. MI
- ** Provide NHTSA-approved SFST training to all licensed officers assigned to patrol duties. MN03
- ** Develop a comprehensive plan and assure adequate resources for SFST training, instructor training, and refresher courses. RI
- ** Mandate a uniform SFST procedure and make the procedure part of a uniform AIR report. IL
- ** Continue the State's commitment to train law enforcement officers in SFST certification. GA
- ** SFST training using the NHTSA model should be required. VA
- Expand SFST training for law enforcement officers (both basic training and in-service training). NC
- Provide mandatory refresher training in SFST for all law enforcement personnel who are enforcing DUI laws. MT
- Train all patrol officers in Standardized Field Sobriety Tests including training on how best to introduce this evidence in a trial so that it is admissible. DE
- Continue to train both recruits and in-service personnel in Standardized Field Sobriety Tests to include training on how best to introduce this evidence in a trial so that it is admissible. ND
- Standardized Field Sobriety Test (SFST) training is needed in an in-service format for senior officers who have not yet received it. HI
- Continue to train both recruits and in-service personnel in the latest methods of impaired-driving detection, e.g., NHTSA's Standardized Field Sobriety Test (SFST). MD
- Police Officers Standards and Training should mandate SFST training for all law enforcement basic training. MN95
- Mandate that SFST training be permanently institutionalized by CLEET. OK
- Mandate that SFST be a part of law enforcement basic training. OK
- Continue to train officers in SFST. MO
- Ensure that SFST training is provided to current law enforcement officers on a regular basis. MI
- Basic and in-service training should teach SFST to meet certified levels. AK
- Train all patrol officers not previously trained in NHTSA SFST curriculum. IN01
- Ensure all officers receive SFST training at the basic academy. IN01

c. DUI Arrest/Traffic Law/Court Procedures Training

- ** Provide additional training for officers in DUI arrest and court procedures to ensure quality prosecutions and reduce the number of plea bargains due to improper case preparation. IN01
- ** Provide additional training for officers in DUI arrest and court procedures to ensure quality prosecutions, reduce the number of plea bargains, and raise the percentage of convictions. DE
- ** Train patrol officers in the areas of necessary paper work, court testifying, and training on how to deal with administrative hearings. HI
- ** ABC laws and regulations should be taught. VA
- ** Special training in the gathering of DUI evidence should be required. VA
- Provide updated training of traffic and criminal law to law enforcement officers. ND
- Standardize DUI forms and training of law enforcement officers in their use to ensure consistent evidence throughout the Commonwealth. VA
- In-service training should be mandated in areas of high-liability potential such as pursuit driving, firearms, escalation of force, and areas dealing with wrongful arrest. MT94
- Court procedures and techniques of testifying should be applied to cover new areas of technology required of the law enforcement officer. MT94

d. Drug Evaluation/Recognition Training

- ** Increase the number of Drug Recognition Experts (DREs). IN01
- ** Continue the State's commitment to train law enforcement officers in DRE certification. GA
- ** Train officers in NHTSA's course, "Drugs That Impair." ND
- Train and deploy Drug Recognition Experts to enhance efforts to apprehend and successfully prosecute drivers who are impaired by drugs or a combination of drugs and alcohol. DE
- Train and strategically deploy DREs to enhance efforts to apprehend and successfully prosecute drivers who are impaired by drugs or a combination of drugs and alcohol. ND
- Seek entry into the Drug Evaluation and Classification (DEC) Program to allow the State to properly train and supervise the Drug Recognition Experts needed to address the drugged-driving problem in the State. TN
- Provide Drug Recognition Expert training to officers. VT
- Continue and expand the Drug Recognition Expert training programs for law enforcement. NM
- Establish standard guidelines and training procedures for Drug Evaluation and Classification. IL

- Develop and implement a comprehensive statewide DRE training program. OR
- Train additional drug recognition experts. RI
- Continue developing the Drug Abuse Recognition Program and implement it statewide as a standard for patrol officers. CA
- Mandate that DEC training be permanently institutionalized by CLEET. OK
- Mandate that DEC be a part of law enforcement basic training. OK
- Train additional Drug Recognition Experts in rural areas. MN03
- Continue to train officers in DRC training. MO
- Encourage ISP to re-instate the Drug Evaluation and Classification/DRE program for their troopers. IN01
- NCHP should reconsider the DEC program since some of its original concerns have now been addressed and the sophistication of the quantifying instruments has been improved. NC95
- Introduce and support DRE training. MI
- Basic and in-service training should teach DEC to meet certified levels. AK
- During implementation of the DRE block of training, a process of certification should be established for the practitioner. WI93

e. Video Evidence

- ** Train officers on the use of the cameras, the policies, and introduction of video evidence in court. DE

f. Horizontal Gaze Nystagmus

- Continue to train both recruits and in-service personnel in horizontal gaze nystagmus (HGN) including training on how best to introduce this evidence in a trial so it is admissible. ND
- Train all patrol officers in horizontal gaze nystagmus and include training on how best to introduce this evidence in a trial so it is admissible. DE
- Ensure all officers receive HGN training at the basic academy. IN01
- Basic and in-service training should teach HGN to meet certified levels. AK
- During implementation of the SFST/HGN block of training, a process of certification should be established for the HGN practitioner. This process could be expanded into the DRE program with ease. WI93

g. Law Enforcement Leadership/Management Training

- The GHSO should support the provision of a leadership-training program for police managers in DUI enforcement. OH
- Develop a training program for police managers in DUI enforcement management. VT

- Office of Transportation Safety should take the lead in developing and implementing a traffic program management course for law enforcement management. CO

- Develop the capacity to train supervisors and managers in the special skills needed for Traffic Program Management. OR

h. Training in Underage Drinking Issues

- ** In-service training needs should be assessed with the effects of alcohol on juveniles being high on the list. WI93

- ** Train law enforcement in underage drinking issues, including binge drinking and large party dispersal techniques. ND

- ** Training should be provided on the importance of juvenile enforcement. VA

- Implement and provide training programs to local agencies for the Cops in Shops programs. MI

- Additional training and/or policy need to be developed in the administration of the Zero Tolerance DUI violations. CT00

- Training should be provided on the importance of juvenile DUI enforcement. MT94

i. Impaired Commercial Motor Vehicle Operator Enforcement Training

- Provide training to law enforcement officers in commercial motor vehicle operator impaired-driver enforcement. GA

- Consider developing counterterrorism training that includes modules of commercial vehicle enforcement and awareness of fraudulent identification. NC

m. In-Service Training Requirements

- Require that the Montana POST agency enforce the training requirements for new officers (training within one year). MT94

- Establish requirements for continuing annual in-service training for all law enforcement personnel. MT94

- In-service training requirements should be prescribed that ensure that training is uniformly available to all officers. The development of in-state instruction capabilities that will replace the Section 402 funded out-of-state instructions now used will prepare for the inevitable loss of the temporary "seed" money provided by the Federal government. CT93

n. Other Training Recommendations

- ** A user group or committee should be established to examine the whole training issue and make recommendations for improvement. Establishment of a central training records repository is necessary. WI93

- Provide Ignition Interlock awareness training for all law enforcement personnel. MO

7. JUDICIAL/PROSECUTOR TRAINING

- ** Train prosecutors on how to introduce DRE evidence. IN01
- ** Establish an annual statewide law enforcement and prosecutors DUI conference to ensure quality DUI arrests and prosecution. MT
- ** Train prosecutors on the introduction of video evidence. DE
- ** Joint prosecutorial/law enforcement training sessions on courtroom presentation and procedures should be required. VA
- ** Training on the benefits of the VASAP program should be provided. VA
- Establish annual DUI conferences for judges. MT
- Organize and conduct prosecution and judicial training in an effort to gain support for sobriety test and DRE testimony. MD
- Provide training in DRE practices and procedures for prosecutors and judges. RI

8. ALCOHOL SERVERS/SELLER TRAINING

- Increase alcohol-server training and include presentations by representatives of law enforcement, insurance industry, prosecution and others deemed appropriate. NC
- Continue and expand ABCC TEAM training statewide. WV
- Mandate TEAM training for all new servers/sellers of alcoholic beverages. WV
- Implement training by the ABLE Commission to other agencies for Cops in Shops programs. OK
- Implement training by the ABLE Commission in the area of identification and recognition of false and fraudulent identification documents. OK

9. ABC ENFORCEMENT

- Establish law enforcement authority for agents within the Liquor Control Division. MN95
- Provide adequate resources for the Liquor Control Section to perform its mandated duties. RI
- Ensure the continuation of the ABC and its enforcement efforts to maintain this vital program. CA
- Provide training in the application and enforcement of routine liquor laws for local police agencies. MT94

10. LEGISLATIVE SUPPORT FOR ENFORCEMENT EFFORTS

- ** Support and work for a statute lowering BAC for operators under 21. A BAC of 0.02 or less is recommended. AK

- ** Enact legislation to impound motor vehicles at the time of DUI arrest. IN01
- ** Amend the State law to allow law enforcement officers to maintain certification of evidentiary breath-test instruments in order to provide the necessary resources to adequately provide required services. RI
- ** Thorough research of the sobriety checkpoint situation is needed. If Texas needs legislation to initiate checkpoints, then this should be at the top of the priority list. TX
- Statutory restrictions should be overcome to allow the advancement of the skills and quality of police effectiveness (e.g., SFST, DRE program). NM91
- Support 0.08 per se legislation. WI
- Establish an alcohol concentration of 0.08 as the illegal per se limit. MI
- Law enforcement should support the passage of a statutory requirement of a 0.08 BAC. AK
- Enact legislation to set the per se alcohol concentration level to 0.08. MN95
- Amend Open Container laws to prohibit any possession of an open container by any occupant of a motor vehicle so intoxicants are not legally easily accessible for a driver. IN01
- Expand the provisions of 82.1000 to allow for all jurisdictions to develop and implement DWI related vehicle forfeiture programs. MO
- Support and work for a change in the statute to allow more than one chemical test in the arresting officer's discretion, with blood and urine being included. AK
- Pass legislation to provide law enforcement the authority to pursue the taking of blood and urine samples from suspected offenders who show signs of being under the influence of controlled substances. OR
- Efforts should be made to restore the viable law enforcement option of sobriety checkpoints in compliance with U.S. Supreme Court guidelines. WI93
- Wisconsin should repeal the statutory restrictions regarding the use of sobriety checkpoints. Law enforcement should develop a controlled and accepted checkpoint procedure. WI93
- Support legislation to permit sobriety checkpoints. WI
- Amend existing laws to allow sobriety checkpoints. RI
- Enact legislation that provides for consistent enforcement of underage sales and "adults providing." MN03

11. STATEWIDE DATA/EVALUATION

- ** There is an urgent need for statewide data. Tennessee should seek input from local agencies for the development of a uniform traffic citation. If possible, these forms should be developed, printed, serialized, and issued to all entities that issue such documents pursuant to their official duties. It

is impossible to accurately assess the size of the Tennessee DUI/DWI problem without this step being taken. TN

- Streamline and centralize all data files to assist the ability of officers in the field to complete their investigations. Driver licenses, registration of vehicles, criminal history, and citation records should be housed in one statewide agency. HI
- A central repository of all BAC testing records is needed to allow accurate substance abuse assessments of BAC levels in arrests and evaluation of the needs for training. Current agency estimates are from 0.147 to 0.164. This indicates a need for training in the detection and apprehension of the lower-BAC driver. HI
- A method of capturing and making available timely collision statistics needs attention. Local police are maintaining their own data systems in addition to the system at HDOT. Uploading of the information from the local agency to HDOT would eliminate one entry process. HI
- Develop a standardized short-form collision report form for capturing information in the less serious collisions. HI
- Assign statutory responsibility to the Department of Health to collect BAC results from all tests in the State and make the data available. VT
- Evaluate the effectiveness of both the DARE program and the in-car video programs. VT
- Conduct a cost-benefit analysis of a blood-testing site to be established at the MSP lab versus sending samples out-of-state for processing. MD
- Increase DWI conviction rates by surveying counties with disproportionately low DWI conviction rates to determine corrective action needed to improve conviction rates. NM
- Implement a DUI tracking system to enable accurate determination of the impaired-driving problem. ND
- Determine through the use of empirical data the reasons for inconsistent enforcement of DWI laws in different geographic locations within Minnesota. MN03
- Research the times and days of the week in the metropolitan areas where breath-testing instruments are backlogged. MN03
- Develop a statewide, computerized system for arrest, crash, judicial disposition, and administrative revocation data. WV93
- Establish a centralized agency to deal directly with DWI dispositions to enhance enforcement of multiple DWI offenders. NM91
- Begin an evaluation program for video camera operations. WV93
- Develop statewide data systems that will provide comprehensive traffic violator contact and arrest information so that appropriate data are available to assist with analysis of traffic enforcement activities and their effect on traffic collisions. IN01

- A decentralized system of data entry needs to be established that will allow local entry and centralized, automated off-loading into the DOT collision file. CT93

- The Driver License Section should place a higher priority upon the available CDL data to insure it is available to the judicial and law enforcement community. NC95

12. ADJUDICATION PROCESS

- ** Administrative hearing rules need to be adjusted to prevent the existing criminal discovery circus. CT93

- ** File all alcohol offenses in a court of record. OK

- ** Immediately convene a task force to examine the issues involving the inability to have horizontal gaze nystagmus evidence admitted in judicial proceedings. NC

- ** Conduct a study of Juvenile Court procedures to determine deficiencies and to seek remedies in an effort to encourage law enforcement to enforce underage consumption and impaired-driving statutes. TN

- Assign experienced prosecutors to DUI trials and ensure they remain in those assignments in order to develop expertise in DUI prosecutions. DE

- End all "automatic continuances" to ensure a decrease in the high rate of dismissals. WV

- Initiate a streamlined administrative process for implied-consent hearings. TN

- Efforts should be made to overcome the adverse court ruling referencing HGN with the availability of expert testimony in those cases. TN

- Encourage the judiciary and county prosecutors to develop better scheduling methods to reduce the multiple appearances in court for patrol officers. CA

13. ENHANCEMENT OF THE ARREST PROCESS

- ** Simplification of the DUI arrest process is imperative. Many elements have been added piecemeal, creating a cumulative effect on arresting officers that is stifling. Many elements are repetitive and should be combined or eliminated. DMV, prosecutors, detention facilities, and the courts should review and simplify their requirements. CT00

- ** The Police Crash Report and Driving While Impaired forms should be standardized and certified. NC95

- ** Develop and use a uniform impaired-driving apprehension investigation report form to ensure standardized case preparation throughout the state. IN01

- ** Establish a committee of experts in the fields of law enforcement, prosecution, adjudication, and records for the purpose of reducing the amount of paper that must be generated with each DUI arrest. AZ

- ** Streamlining the paperwork flow necessary to the DUI arrest should be undertaken. HI

- ** Develop strategies to reduce the time required to process minors for the consumption of alcoholic beverages, including the establishment of community "holdover" programs. VT
- Reduce the transport and arrest process time through an assessment of the allocation and geographic distribution of breath-testing equipment. In addition, provide breath test devices to as many rural enforcement agencies as possible. NC
- Mandate the use of a Uniform Traffic Ticket. IL
- Investigate methods of reducing the arrest processing time. Consider automation where possible and the elimination or combination of required forms and reports. MD
- A standardized short-form collision report could help in capturing information on the less serious collisions. HI
- Seek consolidation of paperwork forms and processes to enhance the arrest process and lessen the burden placed on law enforcement in DUI/DWI situations. TN
- Ensure control of citations by creating a completed loop from issuance to the agency to the return of the record to the same source agency. HI
- Ensure timely reporting of impaired-driving arrests following blood sample withdrawal. NC
- Require that a uniform traffic citation be used by all law enforcement agencies in the State. OK
- Require consistency and uniformity in paperwork by all agencies for the processing of all DUI offenders. OK
- Complete the Justice Link system and equip the remaining police departments with mobile data terminals in order to save patrol officers valuable time and put them back on the street. RI
- Look at methods to make the report-writing processes more efficient for the patrol officer. The linkage of the various databases is critical to this system. CA
- Eliminate the requirement to have the Alcohol Influence Report Form 2389 notarized. MO
- Texas should establish a uniform traffic and criminal complaint form (citation) that is serialized and standardized. Responsibility should be established for the issuance of these forms and a tracking capability built in. TX
- The DWI form should include space to record the PBT and horizontal gaze nystagmus test. NC95
- Examine, evaluate, and streamline the formal reports needed to be completed by law enforcement. Add a requirement that law enforcement indicate the time of operation in all crash reports. CT00

- Officers should be assured of support when they indicate that a driver involved in a crash has been drinking but no arrest was made. This information needs to be included on the crash report and the report form needs revision to accommodate this input. CT00
- Participate with judicial and administrative officials in "streamlining" the DUI arrest and disposition procedures. WV93
- Implement automation processes where possible (e.g., booking procedures, citations, mobile data computers). WV

14. DWI TRACKING/DATA SYSTEMS

- ** Develop a process whereby a conviction of DWI is linked to the offender's driving record. MO
- ** The Office of Traffic Safety should establish a DWI tracking system advisory committee representative of all users including State and local law enforcement. MN95
- Create a central repository for all citations issued by the MO enforcement community. MO
- Review the records maintained by the Division of Motor Carriers and Railroad Safety pertaining to compliance reviews/audits and determine the feasibility of linking alcohol and drug violations to other systems. MO

15. UNCATEGORIZED RECOMMENDATIONS

- ** The Albuquerque DWI Vehicle Forfeiture and Immobilization Program should be expanded to other communities, although modified to fit the needs of the various communities. NM
- Law enforcement needs to make additional efforts to preserve forensic evidence at crash scenes. Prosecutors should be contacted and their input sought as to the scope of the problem. CT00

**RECOMMENDATIONS FOR GUIDELINE AREA 3D
PROSECUTION
(** Priority Recommendations)**

1. PROGRAM/COMMITMENT TO VIGOROUSLY PROSECUTE DWI

- ** The full impact of the adversary system and the promise of State district attorneys of vigorous DWI prosecution can be realized only through uncompromising commitment to subsequent offender prosecution despite trial time demands or judicial attitudes. In its absence, present or future penalty enhancements for subsequent offenders are meaningless. NM91
- ** Develop and implement a statewide program to target, prosecute, and punish the repeat offender. NM95
- ** Encourage each district attorney to develop and implement a strong, articulated policy on DUI prosecutions that precludes plea-bargaining and includes a willingness to prosecute all DUI offenses regardless of the presence of a low allowable BAC level. CA
- ** Encourage prosecutors to develop and implement a strong, articulate policy on DWI prosecutions that seeks expeditious resolution of cases, consistent and fair application of the laws, and decreased reliance on plea-bargaining and guilty pleas to lesser offenses. TX
- Vigorously prosecute all subsequent offenders and seek a full range of enhanced penalties, such as vehicle impoundment. NM91
- All appeals must be vigorously prosecuted and all penalties imposed pursued through the appeals process in district courts. NM91

2. ENSURE STATE REPRESENTATION IN COURT BY PROSECUTOR'S OFFICE

- ** Provide for the State to be represented by counsel at revocation hearings. NM
- ** Amend the Virginia Code to require a prosecutor to appear and represent the Commonwealth in all traffic, DUI, and juvenile proceedings. VA
- Make prosecutors available on arraignment days or at pretrial conference hearings for purposes of discussing case dispositions in JP Courts until DUI cases are removed from these courts. DE
- Require a State's legal representative at DMV revocation hearings. WV93

3. USE EXPERIENCED PROSECUTORS/REDUCE STIGMA OF HANDLING DUI CASES

- ** Rotate senior prosecutors through DUI prosecution so that it doesn't carry the stigma of being "unimportant" and "low priority." HI
- DUI cases should be given a higher priority and prosecuted by experienced, trained prosecutors. GA
- Rotate senior prosecutors through divisions in which DUI/DWI cases are prosecuted so these divisions do not develop the stigma of being of minimal importance or of being simply basic training grounds from which one should strive to advance. TN

- Rotate senior prosecutors through DWI prosecution so that it does not carry the stigma of being "unimportant" and "low priority." MO
- Encourage the use of experienced assistant attorneys general and solicitors in DUI prosecutions. RI

4. RECOGNIZE DUI AS SPECIALIZED PROSECUTION AREA/TRAIN

- ** Recognize DUI as a specialized area of prosecution that requires specific training and understanding of the dynamics and characteristics of alcohol and drug abusers. Dedicate at least one prosecutor as the DUI prosecutor and pay them as specialty division chief. HI
- Recognize DUI/DWI as a specialized area of prosecution that requires special training. Districts should designate at least one prosecutor as the lead DUI/DWI prosecutor or division chief, with enhanced compensation for that responsibility. TN
- Recognize DWI as a specialized area of prosecution and dedicate at least one prosecutor as a DWI prosecutor and pay them accordingly. MO
- Develop a core of specially trained assistant prosecutors assigned to the prosecution of DWI cases. NC

5. PROSECUTOR/HEARING OFFICER STAFFING RESOURCES

- ** Provide funding for additional prosecutors and judges to eliminate the current DUI case backlog. CT00
- ** Increase and strengthen resources available to the prosecutors for trial court work in impaired-driving cases as follows: provide additional prosecutors in the counties and obtain training in cooperation with the National District Attorneys Association and NHTSA. VT
- Consider funding full-time deputy State's attorneys to share the workload of contiguous counties. ND
- Explore legislative changes and consider adequate funding to allow an elected State's attorney an option to go full-time or serve in more than one county to obviate the pressure to maintain a private practice. ND
- Provide sufficient resources to county and city attorneys to allow them to prosecute DUI cases. MT
- Place all OWI caseload responsibilities with the district attorneys and give them adequate resources to manage that caseload. WI
- Seek funding for Assistant District Attorneys who could be assigned to local DWI task forces. NC95
- State finance authorities should provide adequate attorney resources and support staff to all prosecutor offices. NM91
- Explore the possibility of designating specific individuals with prosecutorial responsibility in DUI cases and pooling resources for multi-county projects. WV93
- Provide funding to hire additional hearing officers for revocation cases. NM

6. FUNDING FOR DUI PROSECUTION COORDINATOR/SPECIALIST

- ** Re-establish and obtain permanent funding for a DUI prosecution coordinator or specialist. CT00
- ** Plan for permanent funding of a DUI prosecution coordinator. CT93
- Obtain permanent funding for an impaired-driving prosecution coordinator or specialist. ND

7. RESOURCES TO INFORM PUBLIC ABOUT PROSECUTION EFFORTS/ROLE

- Provide prosecutors with materials that will assist them in informing the public about the prosecutorial role and the safety reasons for impaired-driving prosecutions. ND

8. FUNDING FOR TECHNOLOGY TO ENHANCE PROSECUTION EFFORTS

- Assist the State's attorneys in obtaining technology improvements for case management within their offices and to better communicate and coordinate with law enforcement and the courts. ND
- Additional funding should be provided to upgrade the infrared breath-testing equipment. MD91

9. ENSURE AVAILABILITY OF DRIVER HISTORY TO PROSECUTOR

- Ensure the availability to prosecutors and judges of timely, accurate information on the drivers and criminal history of DWI offenders. TX
- All prosecutors should have current driver histories available prior to the start of any DUI prosecution. GA

10. FUNDING FOR PLANNING EFFORTS

- ** The GHSO should fund the Ohio Prosecuting Attorney's Association to review the prosecution of impaired driving in Ohio and to develop a comprehensive plan to obtain improvements. OH

11. PROGRAMS TO RETAIN QUALIFIED PROSECUTORS

- Investigate methods for attracting and retaining new assistant prosecutors including enhanced salary and fringe benefits, credits toward satisfaction of student loans, and use of employment contracts for specified periods of employment. NC
- Increase the pay of deputy prosecutors in order to reduce the high turnover that occurs in this position. HI

12. PROSECUTION TRAINING/EDUCATION

- ** Require annual DUI training for county and city attorneys. MT
- ** Implement the interactive computer-assisted training statewide and use it for prosecutor training. AZ

- ** Provide more extensive continuing education to prosecutors, especially those who are employed on a part-time basis. MN03
- ** Provide continuing, statewide DUI training for prosecutors so that new prosecutors moving into the DUI specialty have adequate training in this field. The training should include both legal education and technology training so that equipment and data available from other government agencies are properly used in the battle against impaired driving. HI
- ** Implement training on a frequent and routine basis for prosecutors of impaired-driving cases. Because of the turnover among prosecutors, developing and maintaining a trial manual with trial presentation issues and current case law could be very beneficial. MD
- Eliminate "relevant work experience" (in place of college degree) as a qualification for hearing officers and strive to have hearing officers who have more than minimal legal training. WV
- Provide for entry level and in-service training for all prosecutors with an emphasis on DUI, vehicular homicide, DRE procedures, and other alcohol/drug offenses. Develop a DUI prosecution manual. GA
- Organize both the office holding prosecutor and the deputies as a single organization with annual statewide training seminars. Use this collective organization as a lobbying group for DUI legislation. HI
- Establish a network for senior and supervising attorneys to share and disseminate information and tactics in the prosecution of DUI offenders. IL
- Through education and communication, encourage consistency in the prosecution of DWI offenses throughout the State. TX
- The DA's Association should take an active role in the formal training of police officers. CO
- Set specific training standards for the prosecution of DUI cases and fund such training. WV93
- Include City Attorneys in the training provided by the County Prosecutor's Service Bureau and require a DUI component every year. MT94
- Encourage and formalize a ride-along program between prosecutors and law enforcement. CT00
- Implement special prosecutorial training and support for all DUI prosecutors. Several courses now exist, including one offered by NHTSA. WV
- Provide prosecutors with standardized and specialized DWI training, including training in drug impairment. NM
- Develop a formal and continuing impaired-driving education program for prosecutors that will provide continuing legal education (CLE) credits. A critical element of the education program will be a trial skills component for the new prosecutor. The alcohol and other drug science segments should be prepared and presented by those who are experts in the fields. The education opportunities should include support to attend the national programs as well as in-State programs. ND

- Provide for entry-level and in-service training for all prosecutors with an emphasis on DUI, vehicular homicide, VASAP (Virginia Alcohol Safety Action Program) procedures, and alcohol offenses. VA
- Integrate training of all prosecutors with that of law enforcement officers. VA
- Implement cross-discipline DUI training involving county attorneys, city attorneys, and law enforcement officers. MT
- Provide continuing statewide training for prosecutors so prosecutors moving into divisions in which DUI/DWI cases are handled will have adequate training in the prosecution of these cases. TN
- Require regular DUI training for assistant attorneys general and solicitors. RI
- Provide annual specialized DUII training to prosecutors on all elements of the system including law enforcement, DMV, judges, and treatment providers. OR
- The Attorney General's Teleconference Network should be expanded to provide a format of regularly scheduled training, including impaired-driving prosecution. MN95
- Adopt a mentor program in the larger prosecutors' offices. AZ
- The Alaska Highway Safety Planning Agency should assist prosecutors in obtaining training that is DWI-specific. AK
- Design and deliver the necessary educational opportunities to the district attorneys and municipal attorneys to improve the prosecution of OWI cases. WI
- Provide prosecutors with training and skill-building in basic DWI enforcement techniques (including SFST and DRE), State DWI requirements, and evidential and trial advocacy procedures and techniques that will enhance their ability to obtain convictions in DWI cases. Provide annual seminars focused on DWI and initiate a series of regional DWI trial advocacy courses. TX
- Encourage training in HGN/SFST/DEC and the nature of addiction. NC95
- Develop a comprehensive training plan. CT93
- Train/retrain prosecutors regarding the proper administration of SFSTs. IN01
- Develop standardized prosecutor training program through the New Mexico Institute of Public Law. NM95
- Implement cross-discipline DUI training involving prosecutors and law enforcement officers. IN01
- Develop a formal DUI education program for prosecutors that include alcohol and drug issues. CT00
- Examine the possibility of joint educational opportunities with law enforcement on the issues surrounding DUI. CT00

- Integrate training of prosecutors with the law enforcement in DUI matters. WV93

-The Connecticut State Attorney's Office should build upon the training they have developed in-house and make it more comprehensive. Joint training with law enforcement should occur where practicable. CT93

13. PROHIBIT/LIMIT DEFERRAL OF DUI CHARGES

- ** Enact a law banning all deferrals of DUI charges by prosecutors. IN01

- ** Enact a law limiting diversions of DUI charges by judges through legislatively approved standards that balance the interest of the accused against that of the State. IN01

- Prohibit the application of deferred adjudication to DUI cases. MT94

- As a matter of practice, disposition of DWI should not be accomplished through suspended imposition of sentence. MO

14. PROHIBIT/LIMIT REDUCTION OF DUI CHARGES

- ** Change the law to prohibit the reduction of DUI to DWAI in second and subsequent cases. CO

- ** Prohibit the reduction of charges for people charged with DUI. OK

- ** End the practice of "pleading down" charges from subsequent DUI charges to DUI first charges. WV

- Curtail the practice of reducing a charge of DUI to one of reckless driving where the offender's BAC was 0.20 or higher, where the offender carried a child in the vehicle, where the offense resulted in a crash, with injury to another, or where the offender had a previous DUI conviction. DE

- Enact legislation prohibiting reduction of DUI to lesser included offenses or to pleas of guilty to different charges. IL

- Prosecutors should adopt a policy of not charging reckless driving as a companion offense to DUI/DWI. Should such a charge be warranted, a plea to it should not be allowed on the condition that the DUI/DWI charge be dismissed or placed on an inactive docket. Prosecutors should object to efforts to plead to uncharged reckless driving on the grounds that it constitutes a necessarily lesser included offense to charges of DUI/DWI. TN

- Require the prosecutor to explain in writing the actual reason for any plea bargain in a DUI or vehicular homicide case. VA

- Adopt a policy/statute prohibiting plea bargains in most cases. CT93

- Prohibit the reduction of DUI cases to lesser traffic offenses. MT94

- Prohibit plea bargaining on DUI and per se cases. RI

15. EXAMINE/RESOLVE DUI BODY OF LAW ISSUES

- ** Engage the prosecutors in the resolution of the blood/breath-testing issue as soon as possible by providing the resources to facilitate the discussion in a positive and constructive fashion. WI
- ** Office of Traffic Safety should convene necessary justice system representatives to resolve the administrative problems that surround the implementation of the recently passed sanctioning initiatives of vehicle immobilization/forfeiture and the use of ignition control devices. WI93
- ** The present OWI statute should be amended to end the ambiguity regarding violations occurring on "public lands" through the substitution of the broadest possible language eliminating any reference to place, residence, or ownership. WI93
- ** The implied consent statute and its forms and procedures should be amended to negate the ambiguity inherent in its contrasting use of the words "any" and "each" to refer to tests administered to the impaired driver. WI93
- Prosecution efforts cannot be made to depend on judicial or defense attitudes. District attorneys, as the chief law enforcement officers in their jurisdictions, should provide the leadership necessary to shape the law and its instruments in this area. NM91
- Involve prosecutors in determining statewide issues involving DUI matters. WV93
- Include the district attorneys in the task force to research and consider the development of a model Wisconsin OWI code. WI
- Change MI law to make OWI penalties the same as OUIL/UBAC. MI
- Mandate the filing of DUI third cases in the district courts. MT94

16. STREAMLINE/SPEED PROSECUTION OF DUI

- ** The Governor's Highway Safety Program should work with a district attorney's office to develop a targeted prosecution pilot program for repeat offenders that will speed prosecution and assess appropriately severe sanctions. NC95
- ** A system should be developed to target repeat offenders, speed prosecution, and assess appropriate sanctions. CO
- ** Form a task force comprised of prosecution, judicial, defender, law enforcement, and MVD to implement differentiated case management of DUI cases focusing on appropriate disposition at the earliest possible time. AZ
- ** Simplify procedures for identification and prosecution of repeat offenders. VA
- ** Provide that all misdemeanor DWI filings will be made only in District, Metropolitan, and Magistrate Courts. Magistrate Courts would be provided with a DWI Division. Judges in the DWI Division would be licensed attorneys. DWI Division Courts would be courts of record. Trial *de novo* would be abolished, and appellate jurisdiction for each of these courts' decisions would be vested in the Court of Appeals. Adjudication in Magistrate Courts could be accomplished with a "team" of judges would/could sit statewide. Fine revenue

would be allocated as presently done - the location of the violation would determine the entity to receive fine revenue. NM

- ** Make all courts courts of record. NM95

- ** Enact statutes providing for all DUI cases, other than felonies, to be initially prosecuted in Delaware's Common Pleas Courts. Justice of the Peace Courts should not be used for the prosecution of DUI cases. DE

- ** Make driver licensing removal and reinstatement an administrative function within DMV. VA

- ** End automatic continuances in revocation hearings and require "cause."
WV

- Enact legislation to require DUI offenses be tried in State courts of record. GA

- When possible, prosecutors, and where available, defense counsel should attend arraignments and attempt to dispose of as many cases as possible, thereby reducing case inventories with the least investment of system resources. AZ

- Inadequate or inexperienced prosecutorial efforts by city attorneys or police officers should be curtailed through the filing, where possible, of all DWI cases in county-based magistrate courts to ensure the prosecution or its supervision through the district attorney's office. NM91

- Seek new ways to streamline the prosecution of the impaired-driving offenses through statutes and court rules. ND

- Efforts should be made to eliminate the right for a *de novo* trial. MD

- Prohibit stipulations to continue DWI cases unless the presiding judge specifically approves such stipulation. NC

- Legislature should consider the enactment of time standards for the disposition of cases with requirement that courts provide written explanation to the Tennessee Supreme Court or the State Courts administrator as to the reason(s) why cases have lingered beyond prescribed periods. The average age of pending DUI/DWI cases in each district should be published. TN

- The legislature should consider the enactment of a speedy trial rule requiring the disposition of misdemeanor offenses within a period of six months from the date of arrest. While the right to a speedy trial could only be invoked or waived by a defendant, it would provide defendants the opportunity to compel prosecutors and courts to accord them speedy disposition of their cases. Prosecutors and courts with excessive dismissals due to the failure to provide speedy trials would thereby receive the incentive to become more efficient. TN

- Enact legislation to eliminate the requirement for mandatory appearance of the administrative toxicologist. MD91

- Permit telephonic testimony in revocation cases. NM

- If necessary, amend speedy trial law to specifically exclude time spent as a fugitive. AK

- Develop a plan to target those cases that will need to be tried and fast-track them so that they can be reached in six months. CT93
- Require DMV to institute an "on-calendar" case management system. There are no continuances permitted unless requesting party provides alternative hearing dates that have been discussed with the opponent, and no continuance is granted without the resetting of the case on a fixed date. WV93
- Encourage the fast-tracking of multiple offender cases through the court system. CA
- Encourage prosecutors to explore the feasibility of fast-tracking selected DWI cases throughout the court system. TX
- Review the current methods of officer notifications of court appearances. A more timely and effective means of corresponding between all parties should result in fewer absences and ensure mutual respect for personal time considerations. MD
- Change the statute to allow breath and blood test results to be admitted by certified records, eliminating the need for court appearances. In the case of breath testing, if the statute could at least be changed to allow the arresting officer to also be the test operator, the need for two witnesses on every case could be eliminated. MD
- Revise revocation hearing procedures to have hearings concentrate on relevant issues. NM
- Permit direct DUI filings with a Circuit Court at the discretion of the prosecutor. WV
- Permit revocation cases to be heard on a regional (as opposed to county) basis. NM

17. STRENGTHEN PROSECUTION OF DUI

- ** Eliminate the practice of using police as prosecutors. GA
- End the practice of police prosecution of DWI cases. NM
- Enact legislation to allow for the use of PBT results by prosecutors for introduction as evidence for probable cause. MD91
- Ensure that timely, accurate information on the background of the DUI offender is available for the prosecutor and the judge at the time of adjudication. CA
- Encourage prosecutors to screen for prior offenses and to seek a full range of enhanced penalties for multiple offenders. TX
- The current three-tier blood alcohol standard embodied in statute should be simplified toward a uniform standard of 0.08, and absolute sobriety for individuals under 21. WI93
- Permit the State to introduce the probable cause statement at revocation hearings as *prima facie* proof of the violation. NM
- All prosecutors should have current driver histories available prior to the start of any DUI prosecution. GA

- Additional creative sanctions and post adjudication sentencing options, to include pre-trial services, community service, probation, and supervised release conditions should be made available to prosecutors and judges for OAS/OAR and multiple OWI offenders. WI93
- Distribute an updated DWI Trial Manual to all prosecution offices in the State. TX
- Distribute the prosecution manual developed by the City of Phoenix Prosecutor's Office statewide and make it available to all new prosecutors. AZ
- The Attorney General's office should explore existing communication resources to coordinate scheduling of expert witnesses from the Bureau of Criminal Apprehension. MN95

18. RECORDS/TRACKING/REPORTING SYSTEMS

- ** Develop a system to identify and target repeat offenders. MT94
- ** Develop a comprehensive tracking system to provide data on DUI convictions, dismissals, repeat offenders, and punishment. MT94
- ** Require prosecutors to keep and forward records of all deferred/diverted cases to a central State repository accessible to every prosecutor and judge who tries/hears DUI cases. IN01
- Establish standardized record keeping requirements and data elements for all prosecution offices and seek to upgrade and expand data processing capabilities in all offices, as well as to link prosecution systems with other criminal justice system databases. TX
- Include the prosecution needs in the development of the records system. WI
- Prosecutors should design and implement a system to target and track prosecution of repeat offenders. AK
- Design and implement a system that exchanges information among the justice systems and recognizes the actions as valid. MT94
- Involve the prosecuting attorney function in a statewide criminal justice information system. WV93
- Require a report of disposition on all traffic matters through the Uniform Traffic Ticket System. WV93
- Require the State to provide an annual report detailing the disposition of DUI cases including the manner of resolution. WV93

19. EVALUATION/ANALYSIS EFFORTS

- ** Track and determine whether the reduction of DUI to lesser offenses is undermining the work of preventing DUI. VT
- Individual District Attorney offices should be encouraged to review the reasons for DUI/DWAI dismissals with an eye toward reducing dismissals to less than 15% of filings in line with national averages. Office of

Transportation Safety should then examine the causes for dismissals and design programs to prevent their reoccurrence. CO

- Colorado and the District Attorney's Association should evaluate whether plea bargains reducing DUI to DWAI undermine deterrent efforts. CO

- Conduct an examination of case disposition reporting, including random class sampling if necessary, to determine the nature and extent of plea negotiations in DUI cases. AZ

- The Alaska Highway Safety Planning Agency should analyze conviction data statewide for planning and management purposes. AK

- Colorado should evaluate whether deferred sentencing or prosecution should be available in DUI/DWAI cases. CO

- Public perception of the likelihood of punishment for DUI/DWAI should be surveyed to determine if the deterrent message is being received. CO

- The DUI Coordinator should develop standards for analysis and comparison of the handling of DUI cases in the various districts. CT93

-The University of North Carolina Highway Safety Research Center (HRSC) should be requested to evaluate the disparity in conviction rates. NC95

20. PROSECUTION PROGRAMS FOR YOUTHFUL OFFENDERS

- ** Office of Highway Safety Programs, in concert with the Prosecutors Coordinating Council, should develop and implement a program to target youthful offenders. MI

- Prosecutors should develop programs to ensure consistent prosecution and appropriate sentencing for juvenile DWIs. AK

- Prosecutors should use the underage driving while impaired statute to prosecute appropriate cases. They should discourage law enforcement from using other charges such as careless driving or minor in possession. TN

- Include State's attorneys in the planning and implementation of a Youthful Impaired Driving Prosecution and Adjudication seminar. ND

21. DUI ARREST PROCESS

- Explore the possibility of "one write" or automated data systems to reduce the "down time" associated with the arrest in a DUI case. WV93

- Involve prosecutors and all concerned parties in a requirements study of the charging instruments with a view toward the reduction of paperwork by the arresting officer. WV93

- Law enforcement should be encouraged to check for outstanding warrants at the time of arrest for all traffic infractions, and minimally, at all stops for serious traffic offenses. MD91

22. COMMUNICATION/COORDINATION EFFORTS

- ** Encourage communications and cooperation among prosecutors, other criminal justice agencies, and community groups through the formation of DWI Task Forces or by other means. TX

- ** Implement statewide communications channels among county and city attorneys. MT

- Office of Traffic Safety should continue efforts to convene local government entities, potential users, and providers to design strategies to overcome resource constraints and administrative hurdles to create such options or expand their use. WI93

- GHSO should facilitate the coordination efforts of the prosecutors with other parts of the justice system as well as to assist their communications with the proposed Governor's Task Force. OH

**RECOMMENDATIONS FOR GUIDELINE AREA 3E
ADJUDICATION
(** Priority Recommendations)**

1. TRIAL SYSTEM ORGANIZATION/JURISDICTION

- ** Implement a specialized DUI court and/or incorporate the handling of DUI cases with any drug court that might be established. CT00
- ** Adapt and use the drug court concept for use with DUI offenders in Delaware's Courts of Common Pleas. Create a special division of the Courts of Common Pleas to accept DUI offenders as well as drug law violators. DE
- ** Undertake reorganization of the State trial court system to expand the jurisdiction of magistrates, to create a system of traffic court magistrates with jurisdiction to adjudicate all traffic infractions that do not involve death or great bodily harm. NC
- ** Undertake reorganization of the State trial court system to eliminate the right to trials *de novo* and to provide that all appeals from convictions, pretrial motions, or other final dispositions are appealable only on the merits to the appellate division of the Superior Court or the Courts of Appeal upon certification of questions of great public importance. NC
- ** Seek legislation to reclassify first offense DWI misdemeanors in order to remove them from county court at law jurisdiction. TX
- ** File all DUI cases in State courts. OK
- ** Amend the constitution and statutory laws of the State of Delaware to provide for exclusive original jurisdiction of DUI and other misdemeanor cases in the Courts of Common Pleas. Alternatively, abolish the right to a trial *de novo* upon a conviction for DUI in Justice of the Peace Courts. DE
- Revise the jurisdiction of DWI cases. NM
- DWI should be prosecuted as a State offense in the circuit and associate circuit courts. MO
- Assign jurisdiction of juvenile civil infractions cases to the Traffic Tribunal. RI
- Prosecute DWI under the State statutes and avoid prosecution of the offense as a municipal or county ordinance. MO
- Request a change in the law to allow the municipal court to assume jurisdiction for fourth-time DUI offenders, thus enhancing the court's ability to sentence a person for a greater period of time to allow a single court's oversight system for all DUI offenders. CA
- The ADLRO (Administrative Driver's License Revocation Office) should be relocated from the judicial branch of government to the executive branch of government. HI
- Consideration should be given by the legislature to a constitutional initiative abolishing municipal courts and creating a two-tier State trial court system (i.e., district and circuit) with the lower tier having

authority to conduct jury trials in all misdemeanor cases. Creation of such a court system would enable the centralized supervision and education and of all State trial judges as well as providing for improved allocation of judicial resources. Existing non-lawyer judges could be grandfathered into the lower tier trial courts; upon replacement only law-trained individuals would be permitted to hold office. In conjunction with the creation of such a State trial court system, provisions would be made for returning to municipalities a pro-rata share of all fines and costs generated by the adjudication of cases emanating from those jurisdictions. Judges of the respective tiers would receive equal compensation or compensation commensurate with the population of their jurisdictions. TN

- Make courts of limited jurisdiction courts of record or in the alternative, assign DUI cases to district court. MT

- Seek legislation to grant exclusive jurisdiction over all non-felony DWI offenses to magistrate courts. NM91

- Make city and town courts courts of record with appeal to the State superior courts. IN01

- Make all courts courts of record. NM95

- Obtain permanent funding for an impaired-driving section of the drug courts. ND

2. REVIEW OF STATE DUI ADJUDICATION SYSTEM AND EFFORTS BY JUDICIAL REPRESENTATIVES

- ** Engage representatives of the judiciary in a review of the statutes and resources around the goal of improving adjudication of impaired-driving offenses. VT

- ** Create a judiciary task force comprised either through, or independent of, the DUI task force of legislators, judges, local attorneys, and public defenders to study the needs of the courts for both short- and long-term planning. This committee should have as its primary consideration:

- Divesting lower courts of DUI jurisdiction;
- Decriminalizing petty traffic offenses, or at least, eliminating jury trials for petty traffic offenses;
- Eliminating courts of no records;
- Eliminating trial *de novo*;
- Eliminating court costs that are not directly related to courts;
- Implementing court costs directly related to the needs of the court such as computerization of court records;
- Eliminating non-lawyer judges;
- Eliminating the routine acceptance of *nolo contendere* pleas. All DUI offenders should routinely be assessed for substance abuse and referred for treatment if indicated. Referral and treatment should not take the place of court-imposed sanctions;
- Transferring misdemeanor DUI cases to State courts so as to allow superior courts to process felonies. GA

- ** Form a judicial workgroup charged with researching, planning, and achieving needed improvements for the improvement of adjudication of OWI, Staff support should be provided by BOTS. WI

- ** The GHSO should cooperate with the Ohio Supreme Court staff and committees to improve the levels of data and analysis of the data to specifically identify areas of improvement for the adjudication of impaired driving. OH

- The State Administrative Office of the Courts should begin comprehensive assessments of court and judicial needs regarding DWI adjudication. NM91

3. DEVELOP PLANS TO IMPROVE ADJUDICATION OF IMPAIRED DRIVING

- The Ohio Supreme Court should develop an informed and comprehensive plan to improve the adjudication of impaired driving in Ohio. OH

4. COORDINATION OF STANDARDS, POLICIES, ADMINISTRATION

- ** Statewide needs and requirements for coordination in standards, policies and administration demand the active leadership of the administrative office of the courts in all magistrate court affairs. NM91

5. REFINE/REWRITE BODY OF DUI STATUTES

- ** Because of the ambiguous and confusing statutes in the DUI field, the appellate courts should give guidance to the legal practitioners by issuing published opinions that become precedent. HI

- ** Draft and interpret DUI statutes in a manner that allows consistent adjudication among the jurisdictions. MT

- Seek new ways to streamline the adjudication of the impaired-driving offenses through statutes and court rules by efforts such as an impaired-driving study committee. ND

- Draft DUI statutes with clear, bright-line language, to disclose legislative intent. MT

6. JUDICIAL INVOLVEMENT IN PUBLIC AWARENESS EFFORTS

- The Metropolitan Court should redouble its efforts at public education, especially through existing channels to the Albuquerque Public School System. NM91

- The West Virginia Supreme Court should increase its efforts to inform the public of the role and responsibility of the judiciary. WV93

- Provide judges with materials that will assist them to inform the public about the adjudication of impaired-driving offenses and how to serve as a responsible citizen on the jury for criminal offenses. ND

- Encourage judges to participate in safe communities coalitions. ND

- Encourage the Administrative Office of the Courts to conveniently make available to the public statistics concerning the DWI conviction rates for District Courts and individual District Court judges. NC

- Increase the efforts of the judiciary to inform the public of its role and responsibility consistent with the provisions of the Code of Judicial Conduct. WV

- The Ohio Judicial Conference should advise the GHSO on using PI&E campaigns around the role of the courts. Such information should include demonstrative proof that better adjudication is a safety and quality of life issue. OH

7. ADMINISTRATIVE ADJUDICATION

- ** Remove judges from the licensing process altogether and make it administrative; alternatively, require judges to follow the law regarding license suspensions and re-issuance. MT94

- ** Make the habitual offender process an administrative function of DMV while maintaining the court-imposed sanctions for violations. VA

- ** Implied consent hearings should be removed from the courts and adjudicated administratively. Alternatively, implied consent hearings should not be postponed until the adjudication of underlying DUI/DWI offenses. TN

- Provide for all license revocation proceedings in cases of DWI offenders and those charged with chemical test refusals to be handled and adjudicated administratively by the DMV. NC

- Make driver-licensing decisions an administrative function performed by DMV. VA

- Eliminate the jurisdiction of magistrates to adjudicate the initial license revocation of defendants charged with DWI. Provide for initial license confiscation by the law enforcement officer upon arrest of a defendant for DWI. NC

- Rules should be adopted to guide the administrative review hearing process. The hearing officer should be empowered to enforce these rules. HI

- Place the point value for the first offense DWI at 8 points and the second offense at 12 points. This will allow the first-offense DWI offenders to retain their driver licenses. MD91

8. ADJUDICATION PROCEDURAL CHANGES TO ENHANCE PROSECUTION OF IMPAIRED DRIVING PROSECUTION INCLUDING SPEEDY TRIALS

- ** Allow introduction of all relevant impairment evidence, including the offender's refusal to submit to the implied consent test, hospital blood alcohol tests, and drug screens. VA

- ** Time standards should be prescribed by the Tennessee Supreme Court concerning the disposition of both felony and misdemeanor cases. Courts of all jurisdictions should be required to report the average age of all types of pending cases. Where a pending caseload for certain cases exceeds the prescribed standards, judges should be required to explain the reasons therefore and what remedial efforts will be undertaken to correct the situation. TN

- ** The legal determination of probable cause to believe that the arrestee operated a vehicle while under the influence of intoxicating liquor, or while having a 0.08 or greater BAC, or refused to submit to a test for alcohol, should be removed from the administrative process. Determination of probable cause is a judicial function and should be determined by judicial officers. HI

- ** The West Virginia Supreme Court should explore procedural mechanisms designed to reduce the delay resulting from the de novo procedures in the criminal justice system, e.g., immediate transfer to the Circuit Court upon request for jury trial or evidentiary limitations by reason of the available record. WV93
- ** Increase judges ability to monitor repeat offenders both pre- and post-trial and set in place appropriate bonds. MT94
- Promulgate rules of criminal procedure to provide for pretrial reciprocal discovery in all criminal cases heard in District Courts. NC
- Require all motions for continuance to be in writing with attached certificates of good faith stating the grounds therefore and that the motions are not interposed for purposes of delay. NC
- Promulgate rules of criminal procedure, similar to the Federal Rules of Criminal Procedure, that require all dispositive pretrial motions, such as motions to dismiss or to suppress, be filed in writing and stating the grounds therefore, and that such motions be heard prior to trial or be deemed waived unless good cause is shown. NC
- Accord all criminal defendants, by uniform rule of court or by statute, the right to a speedy trial whether misdemeanor or felon. TN
- Consider a constitutional initiative that would provide for trial by jury upon request without the need for an indictment by grand jury. Many states allow prosecutors to charge misdemeanors by direct information and/or to proceed to jury trial upon a uniform traffic citation. Requiring DUI/DWI cases to be presented to a grand jury and to be tried in courts that give priority to felony cases has resulted in delays of up to three years in the disposition of these cases. TN
- Simplify the current multitiered system of impairment standards with the goal of a uniform 0.08 standard for all OWI adjudications. WI93
- Legislation should be enacted to eliminate the current practice of allowing a trial de novo. MD91
- The State's Attorney Office in conjunction with the Administrative Office of the Courts should eliminate the routine application of Probation Before Judgment. MD91
- Eliminate the "stet docket" (essentially postponement) as a disposition for alcohol-related offenses. MD91
- Eliminate jury trials for first and second offense DWI offenders by reducing the maximum jail time to less than 90 days. MD91
- Seek legislation to allow judicial notice of Intoxilyzer results in DWI trials. TX
- No charge should be dismissed or "nolle prossed" without a written declaration by the State's attorney giving just cause and made a part of the court record. MD91
- Adopt the ABA minimum time standards for misdemeanor prosecution as a goal for all phases of the DWI judicial process. MD91

- The Court should adopt uniform continuances policies, including requirements that all continuances be based upon written motion. NM91
- The court should develop a standing comprehensive pre-trial order setting deadlines for discovery, witness and exhibit list exchanges, non-judicial plea negotiations, and pre-trial conferences and motions. This order may be initiated in jury trial cases on a pilot basis and should be developed in consultation with the offices of the district attorney and public defender. NM91
- Require prosecutors to present the court with all cases involving a person charged with DUI that were deferred by him/her on a previous DUI charge. Require prosecutors to give a list to the court of all cases they defer or deferred. IN01
- Allow all DUI-related offenses arising out of the same incident to be prosecuted and adjudicated in the same court. RI
- Limit the scope of implied consent suspension hearings to an informal review of the case on the record. OR
- Omit the jury instructions that allow the jury to determine the accuracy of the Intoxilyzer evidence based upon the presence or absence of observable symptoms of intoxication. OR
- Enact legislation providing that if a defendant opts to be tried without a jury in a Justice of the Peace Court, such trial shall constitute a final adjudication reviewable only by an appeal on the merits. DE
- Urge judges to demand that prosecutors present them with the criminal background records of all people charged with DUI before disposing of the case. IN01
- Update and distribute the judge's DWI Benchbook. TX

9. PROVIDE COURTS WITH SUFFICIENT RESOURCES TO ADJUDICATE/MANAGE CASE LOAD

- ** Courts should explore the feasibility of differentiated case management in the high-volume limited-jurisdiction courts. AZ
- ** Courts should develop effective monitoring systems to determine progress in achieving case processing time standards and compliance with court orders and judgments. The system should provide citation disposition reports to originating police agencies. AZ
- ** Provide support for courts to obtain or upgrade data processing equipment and to purchase and install Texas Manage System. TX
- ** Provide additional funding for use of retired judges in rural areas. MN03
- ** Courts should encourage programs designed to achieve the case processing performance standards goals including the disposition of misdemeanor DUI cases within 90 days. AZ
- Automated police officer scheduling modules should be enhanced to coordinate the multiple concurrent appearance demands upon individual officers for its own cases, district court appeals, and ALR hearings. NM91

- The State Administrative Office of the Courts should continue to provide State level leadership in the creation of comprehensive time standards for case dispositions modeled on those of the American Bar Association including a maximum of 120 days for the disposition of DWI cases. NM91
- Deal with the potential backlog of cases and dismissals due to time limit violations by having the court work with an organization, such as the National Center for State Courts, to develop a calendar management process to help move cases through the system, without the need for a trial setting on every case. By reducing the trial settings, the problems of numerous and unnecessary summons for officers could also be reduced. MD
- Seek enhanced technology through a planning process that will provide for implementation that allows State and local systems to share calendar management and improves communications and access to records. ND
- Consider funding full-time magistrates who are appointed to share the workload of contiguous counties or districts. ND
- Develop programs in cooperation with law enforcement to reduce bench warrants. GA
- Trial courts should explore the feasibility of differential case management of DWI cases, such as fast-tracking of selected cases. TX
- Trial courts should establish recognized goals for timely processing of DWI cases and develop effective monitoring systems for measuring progress in achieving those goals. TX
- Institute a case management system for DUI cases and grant continuances only as permitted by rules designed to curtail the unwarranted continuation of the proceedings without just cause. WV93
- Allocate sufficient court resources to allow for swift adjudication of DUUI cases. OR
- Provide hard-line or computer teleconferencing capability for local judges. MN03
- There should be an increase in the number of hearing officers and appeal attorneys on the Department of Revenue staff. MO
- Courts and other agencies involved in enforcement of sanctions for alcohol-related violations should work to implement the recommendations of the DUI/Case Processing Delay Task Force. AZ

10. LIMIT/PROHIBIT PLEA BARGAINING/CHARGE REDUCTION

- ** Encourage judges not to approve a prosecutor's request for a reduction of a charge of DUI to a lesser offense without good cause and to record the reasons for the reduction of all such charges on the case docket sheet. IN01
- ** Eliminate the current unlawful process of plea bargaining, charge dismissal and courts ordering multiple offenders to be treated as first offenders. TN
- Reduction of OUIL/UBAC to OWI should be prevented by making OWI penalties the same as OUIL/UBAC. MI

- Fines are part of the deterrent aspect of punishment and should be waived only in cases of extreme hardship. Judges should be required to increase useful public service in cases where fines are not imposed. CO

11. REDUCE/ELIMINATE DEFERRAL OF CHARGES

- ** Prohibit deferred sentencing in DUI cases. MT94
- ** Encourage judges to question the deferral of cases by prosecutors. IN01
- Statutorily prohibit suspended imposition of sentence for DWI. NM95
- Encourage judges not to divert DUI cases without good cause and then to document the same by placing the reason for the diversion on the public record. IN01

12. SENTENCING GUIDELINES/ALTERNATIVES

- Develop a new set of model sentencing guidelines consistent with the innovations of the past several years, and have the central administrative offices of the court provide them for use throughout the State. CA
- Standardize punishment of DUI offenders including minimum sanctions for first and repeat offenders. VA
- Consider implementing laws requiring mandatory minimum jail sentences that increase with each subsequent offense. MD
- Increase incarceration penalties available to judges sentencing both first-time and repeat offenders for the crimes of felony death by motor vehicle and involuntary manslaughter involving DWI. NC
- Driving While License Revoked should receive appropriate sentences including jail time. AK
- Develop a more rational system of alternative sentencing with defined criteria for implementation. WV93
- The Court should make further attempts to develop a court-wide sentencing matrix for all DWI offenses covering all commonly used sentencing alternatives. NM91
- Judges should implement and enforce mandatory-sentencing laws as they apply to abuse, license suspensions and ignition interlock. MO
- All courts should be encouraged to use as an appropriate sentencing option the Maryland Comprehensive Drinking Driver Program as agreed in the MOU dated Sept 15, 1989, and signed by DOH, the Department of Public Safety, DOT and the Court of Appeals. MD91.
- The development of standards for all court sentencing alternatives and referral options should become a top priority. This effort should include sentencing options involving treatment, offender remedial services, warrant services, and delivery of various judicial or court support services. NM91

13. SENTENCING CONSISTENCY

- Expand Victim Impact Panels to all counties to assure consistency of punishment. OR

- Conduct a sentencing review to establish consistency. CO
- The Texas Supreme Court should establish a clear policy that enunciates the need for uniformity and consistency of rules, processes, and procedures in adjudication and sentencing throughout the courts statewide. TX

14. EVALUATE DISPARITIES IN CONVICTION RATES

- Investigate and determine the cause for disparity in conviction rates for DWI offenses in the various District Courts and among individual District Court Judges. NC
- Request HSRC to evaluate the disparity in conviction rates. NC95

15. JUDICIAL OVERSIGHT

- Discipline judges who overtly refuse to uphold their oath to obey and follow the law. MT
- Courts should be supervised by an oversight entity to determine that prohibitions against plea bargaining, withholding of adjudication, treatment of recidivists as first offenders, and other improper dispositions of DUI/DWI cases are adhered to. TN
- The Judicial Council should evaluate and report on the judges sentencing follow-through. AK

16. PROVIDE JUDGES WITH THE CAPACITY TO ENSURE OFFENDER SCREENING AND TO HAVE APPROPRIATE TREATMENT CAPABILITIES AND RECORDS AT THEIR DISPOSAL.

- Provide that the statewide screening system be used by all courts in cases of DWI conviction. NM
- Ensure that certified substance abuse counselors provide alcohol assessment data to the court system for structuring individualized sanctions. Provide judges with ready access to current driver histories prior to sentencing. GA

17. PROVIDE JUDGES/THOSE WHO HEAR ALR APPEALS WITH EDUCATIONAL OPPORTUNITIES TO ASSIST THEM TO APPROPRIATELY ADJUDICATE IMPAIRED DRIVING CASES.

- ** Follow through with DUI/substance abuse training for judges as outlined in the Highway Safety Plan. CT93
- ** Mandate DUI judicial education for all judges who hear DUI cases and provide yearly continuing education courses on this and related topics. IN01
- ** Include, in judicial DUI curriculum, the dynamics of alcoholism and alcohol abuse, and the manner in which courts can reinforce the characteristics of enabling, co-dependence, and denial for the alcoholic or alcohol abuser. IN01
- ** Provide education and training to court support staff on the importance of their roles and the significance of their work in enforcing sanctions on impaired drivers. AZ
- ** Develop funding for judicial training, particularly for DUI and alcohol- and drug-related offenses. Colorado should consider a \$2.00 violator

surcharge on traffic offenses that would be dedicated to police and judicial training. CO

- ** Education and training of judges in DWI adjudication, sentencing and treatment alternatives, and in technical evidence procedures such as SFST and DRE should have the highest priority. TX

- ** Provide substantive DUI education regularly to all judges who adjudicate DUI cases and include SFST and HGN curriculum. RI

- ** Provide extensive magistrate education to encourage consistent application of the law and consistent sentencing of DUI offenders throughout the State. The assessment team strongly recommends that some judges from West Virginia should attend the Traffic Course program offered by the National Judicial College. WV

- ** Organize and implement, through the Administrative Office of the Courts, a comprehensive in-State pre-bench new judges education and training program with specific components devoted to the adjudication of DWI offenses. NC

- ** Regular training for ALR hearing officers and per diem judges should occur. The training should cover the administrative adjudication process, DUI laws and legal issues, and the dynamics and characteristics of people who abuse alcohol and drugs. HI

- ** Conduct an annual or at least biennial training conference for judges focused specifically on impaired-driving issues. NHSTA has provided grant money to the ABA's National Conference of Special Court Judges to provide traffic seminars on a regional basis. Maryland's Highway Safety Office might consider inviting them to make their presentation in Maryland in conjunction with their office. MD

- ** Survey the judges to determine their educational needs concerning detection technology and treatment strategies for alcohol and other drugs. VT

- ** Judges should be required to obtain training in the adjudication of DUI/DWI cases before ascending to the bench and at regular intervals thereafter. Such mandatory judicial education should be administered through the Administrative Office of the Courts. TN

- ** Include within DUI judicial education a curriculum that teaches the dynamics and character traits of alcoholism and alcohol abuse, and the ways in which court practices can serve as tools of enabling, co-dependence, and denial for the alcoholic or alcohol abuser. MT

- ** Develop bench books with trial processing guidelines, analysis of potential legal issues and a compendium of current case law for those judicial officers unable to attend the training. Take advantage of material produced by NHTSA, such as "A Guide to Sentencing DUI Offenders" (March 1996) and "Sentencing and Disposition of Youth DUI and Other Alcohol Offenses: A Guide for Judges and Prosecutors " (2000) MD

- Develop a formal and continuing impaired-driving education program for judges. Components should include presiding over trials to the court and jury trials, trial court management strategies, ethical issues in adjudication of impaired-driving cases, personal-use considerations, and science-based information about alcohol and other drugs. The alcohol and other drug science segments should be prepared and presented by those who are experts in their fields. If magistrates or referees handle impaired-driving cases, they should

be included in any impaired-driving education program. The programs should be sequenced and repeated for new judges and referees. Investigation of the use of distance education technology is also recommended. ND

- Provide a comprehensive program of pre-bench and continuing judicial education for all judges, justices of the peace, and administrative hearing officers. Such education should provide instruction on issues of law and evidence routinely encountered in the trial court adjudication of DUI cases and administrative adjudication of driver license issues. DE

- Work with the North Dakota Supreme Court to amend CLE requirements for all judges to include a minimum number of hours of impaired-driving education for each reporting period. ND

- Provide additional judicial training in DWI cases involving drug intoxication. NM

- GHSO should provide assistance to the Ohio Judicial College to develop a strategic plan for the education of judges and court staffs around the improvement of the adjudication of impaired driving. OH

- Provide more frequent DUI education to district court judges. MT

- Continue and expand training of judges to include the role of the judge in traffic safety and the deterrence of alcohol and alcohol abuse. VA

- Continue to provide annual training for judges with emphasis on DUI-related topics. GA

- All judges should have regular training on dealing with the dynamics and characteristics of people who abuse alcohol and drugs. HI

Educate trial judges as to their duty to follow the law as it exists and to comply with the Canons of Judicial Conduct. MT

- Continue to provide annual training for judges with emphasis on DUI-related topics. GA

- Provide administrative hearing officers with annual training on recent developments in the law. GA

- Maintain an on-going component on DUI laws, procedures and sentencing guidelines for judicial continuing education. CA

- Secure funding for judicial continuing education use related to DUI adjudication programs. RI

- Mandate recurring training of judges to include the enforcement, administrative and treatment aspects of the DUII program. OR

- Use standard DUI curriculum developed by NHTSA and the National Judicial College. RI

- All of the Missouri judiciary should receive education and training on the mechanics and operation of breath-testing equipment. MO

- Judges should receive education on the implementation and administration of "Abuse and Lose" sanctions, and the use and effect of ignition interlock devices. MO

- Provide education and training to court staff regarding the importance of processing DWI cases expeditiously and in the use of uniform procedures for processing and reporting DWI data. TX
- Provide guidelines and training to support the constructive and ethically appropriate interactions between judges and advocacy and monitoring groups. WI
- Work with the Office of the State Courts Administration to secure additional judicial education opportunities particularly to help dispel the confusion around the evidentiary issues of the blood alcohol concentration. WI
- Grant funds should be made available for additional judicial training. MD91
- The Alaska Highway Safety Planning Agency should assist the Judicial Administration to secure funding for DWI-specific training for judges. AK
- The State Court Administrative Office should seek funding to enable Michigan judges to seek education on a national level. MI
- Office of Highway Safety Programs should re-establish its partnership with the Michigan Judicial Institute to provide appropriate education for judges. MI
- Education and training of judges and ALR officers on DUI adjudication issues should remain a high priority. AZ
- The Judicial College should explore the potential for modifying the prosecutor's PC-based interactive training program for use by judicial officers. AZ
- Provide training for the judges in SFST/HGN/DEC and in the nature of addiction and the need for appropriate treatment. NC95
- Offer DUI training as part of the Connecticut Judges Institute. CT00
- Develop alternative methods for providing DUI education to judges on a demand basis through CD-ROM or Internet-based education. CT00
- Make training competency-based. MT94
- Require judges to receive in-depth training about DUI, alcohol abuse, and youth. MT94
- Develop and implement a DUI module as part of the pre-bench educational program for new judges now in existence. CT00
- The judicial education program presently under development through the University of New Mexico Law School should include specific course modules covering DWI case management, adjudication, sentencing options, and related issues. NM91

18. ADJUDICATION OF YOUTHFUL OFFENDERS

- ** Clarify and strengthen the adjudication process for juveniles; ensure that youthful offenders are being dealt with in a manner that will impress

upon them the seriousness of their offense and guide them toward responsible behavior. TX

- Return jurisdiction of juvenile DUI offenders to adult court, or train and educate family law judges in DUI law. IN01

- Educate judges on the need to use the juvenile denial law to change the behavior of juveniles. OR

- Include the judges and magistrates in the planning and implementation of a Youthful Impaired Driving Prosecution and Adjudication seminar. ND

- Have the general district courts adjudicate juvenile traffic offenders. VA

- Consider funding juvenile probation programs that encourage early intervention and treatment of youthful DUI offenders. WV93

- The Ohio Judicial Conference should investigate the potential of juvenile holdover programs. OH

- Include within DUI judicial education curriculum that is sensitive to juvenile alcohol issues. MT

- The risk to public safety and juvenile well-being of the current release practices for those still impaired at the time of the release should be studied by a committee of judges, knowledgeable medical practitioners of addiction treatment, and youth development specialists. OH

19. PROVIDE ADEQUATE STAFFING OF PROBATION AND PAROLE PROGRAMS WITH THE NECESSARY RESOURCES TO MONITOR AND GUIDE OFFENDER BEHAVIOR.

- ** Provide for State funded supervised probation of DUUI offenders to monitor compliance with diversion and court ordered sanctions. OR

- ** The Department of Corrections should implement an intensive supervision program for repeat offenders in each of the counties. MN95

- ** Provide adequate general revenue funding for probation services to all courts adjudicating DWI cases. NM

- ** Make probation services available to all courts adjudicating DUI. MT

- ** Re-assign supervision of probation officers to the judicial system and away from the Department of Corrections. Provide resources to courts and allow them to hire probation officers. MT

- Provide additional probation and treatment services to rural areas. MN03

- Improve probation services available to all courts adjudicating DUI/per se. RI

- Probation supervision should be provided to all DWI offenders. MO

- Encourage the defense bar to become active in planning the rehabilitation process of its clients. CA

- The court's probation division should develop DWI offender typologies incorporating concepts of reduced caseloads for specialized offender groups

(including intensive case management strategies and emphasis on more severe, punitive sanctions for multiple offenders). NM91

- Provide probation services to all DWI sentencing courts. NM95
- Use a comprehensive probation supervision programs to require DUI offenders to complete conditions to accomplish deterrence, rehabilitation, and restitution. DE
- Expand statewide jail facilities to include a unit dedicated to repeat DUI offenders in order to provide alcohol rehabilitation services. WV
- Verify that defendants are in compliance with all court orders. GA
- Develop a more formal system to follow up on offender compliance with court sentences. CO
- A misdemeanor probation function should be formally established to track offenders' compliance and assignments made to it as soon as possible. It should be funded by fees paid by defendant. AK

20. AVAILABILITY OF ENHANCED SANCTIONS

- ** Develop effective additional and uniformly available sanctions including:
 - community service as primary sanction and secondary for repeat offenders;
 - develop OWI sanctioning alternatives without mandatory jail sentences that allow the use of probation to encourage creative judicial sentencing and post-conviction offender supervision;
 - use of the "day fine" or income-determined fee or fine as a judicial option in place of current fees and fines as appropriate;
 - consideration of a felony charge for the fourth or subsequent OWI offense as a means to address incorrigible offenders through a full range of penalties and sentencing options. [what state?]
- ** Michigan should plan an alternative sentencing program and fund a penal/treatment facility dedicated to repeat drinking drivers. MI
- Application of enhanced penalties should be more vigorously pursued. Available enhanced sanctions should include, but not be limited to, community work service programs, minimum monetary penalties, alcohol and other drug assessments, driver improvement programs, minimum jail time, in-house arrest, supervised probation, alcohol and other education and treatment. MD91

21. EVALUATION/ANALYSIS

- Evaluate the success of the "Fast Track" program and, if appropriate, see if it can be replicated in other counties. MN03
- Conduct a study on the cost-effectiveness of having 6-person juries versus the current 12-person jury and its impact on the court system and the citizens who are called to sit on those panels. CA
- Evaluate the specialized DWI court presently operating in Mecklenburg County (District Court 26) in terms of reducing recidivism of defendants and for replication in other counties. NC

- Conduct a study to compare the recidivism rate of those given probation before judgment versus those convicted and sentenced on their first offenses to develop an understanding of what actually has an impact on offender behavior. While much concern has been raised about the use of PBJs and many would like to see the option deleted from the books, the process is very ingrained in the criminal justice system. If hard data show that those who get PBJs are very likely to re-offend, this would help develop the support needed to make such a major change. MD

- Based on data, rather than institutional response, a separate statewide task force should be created to study the issue of alcohol and drug involvement to include enforcement, prosecution, adjudication, assessment, and treatment relative to juveniles. MD91

22. COURT INFORMATION AND RECORDS

- ** Promote and support the planning and implementation of interagency connectivity through compatible management information systems that allow data information and offender records to be easily accessed and used to promote the improved adjudication of impaired-driving offenses. VT

- The State Administrative Office of the Courts should actively seek interagency solutions to statewide court information and records needs with various agencies, including the State Motor Vehicle Division. NM91

- Remind judges of the need to keep and forward to the appropriate State repository all court case disposition records, especially those concerning DUI charges. IN01

- Devise procedures to insure that all DWI convictions are promptly and accurately reported. NM

- Support building a connected information management system to streamline the records transfer between the courts, their clerks, and other agencies, such as the DMV. VT

- The Ohio Supreme Court Committee on Technology should be a member of the Ohio Traffic Records Coordinating Committee. OH

- Priority funding should be assigned to completion of the automation of the circuit courts. MD91

- Develop standardized record keeping requirements and definitions for courts that are not automated. TX

- Ensure that clerks comply with data entry and reporting time standards. CO

- Include a representative of the administrative office of the court in any requirements study and eventual computer design for information management systems involving DUI cases. WV93

- To reduce DWI case dismissals, a direct reporting capability from the court to police agency administration should be developed to provide notification of officer failures to appear. NM91

- Tennessee should require the use of uniform traffic citations for the purpose of charging all traffic offenses and courts should be required to account for the disposition of all such cases to the DOS. TN

23. AVOIDANCE OF POTENTIAL ETHIC/CONFLICT OF INTEREST

- Part time municipal judges should be directed to refrain from practicing criminal law either as a prosecutor, city attorney, or defense attorney. MO

**RECOMMENDATIONS FOR GUIDELINE AREA 4A
PREVENTION (DRIVERS LICENSING)
(** Priority Recommendations)**

1. GRADUATED/RESTRICTED/PROVISIONAL DRIVER LICENSING

- ** Extend the junior license concept to age 21. WV93
- ** Create a graduated licensing program that extends to 21. NC95
- ** Enact legislation to restrict the driving hours for novice drivers to reduce their involvement in alcohol/drug crashes (nighttime curfews). GA
- ** Expand the current minor driver's license to include additional graduated licensing elements, especially those related to alcohol-related driving violations by people under 21. ND
- ** Establish a graduated licensing program to extend to 21. IL
- ** Charge a multi-agency stakeholder group to consider the objectives, obstacles, strategies, and benefits of adopting a graduated licensing system for novice drivers as outlined in NHTSA Advisory for Impaired Driving. MT
- ** Extend provisional licensing procedures to 21. OR
- Consider delaying the age at which a young person is permitted to obtain a license. CA
- Consider the use of nighttime driving restrictions for young drivers under 18 as part of the provisional licensing program. CA
- Continue to encourage the passage of a graduated licensing program by the State legislators. MO
- Establish a graduated driver licensing approach for beginning drivers. OK
- Enact legislation to strengthen the GDL law restricting nighttime driving hours to begin earlier than 1 a.m., preferably at 9 p.m. RI
- Extend the time a learner's permit is required to a minimum of six months. VA
- Create a provisional license for drivers under 21. VA
- A provisional first license program for youthful drivers should be developed and implemented. AK
- The GHSO should continue to evaluate the effects of GDL, including the effects of the driver education and practice requirements on obtaining a license, particularly among urban and low-income youth. OH
- The GHSO should consider strengthening the GDL statute to broaden the hours of the nighttime curfew. OH
- Conduct a study of the effects of the GDL law and publish the results. VT
- Introduce a change to the GDL statute to include nighttime restrictions during the learner and intermediate stages. VT

- Consider restricting the number of youthful passengers in vehicles operated by a provisional licensee as part of the GDL law. NC
- Pass the State's proposed graduated licensing law and insure that it meets TEA-21 criteria. WV
- People with restricted driver licenses should have the actual restriction printed on the license. VA
- Traffic Safety Bureau and MVD should explore the feasibility of a full graduated license program and its affect on highway safety. NM95
- Charge a multi-agency stakeholder group to consider objectives, obstacles, strategies, and benefits of adopting a graduated licensing system for novice drivers as outlined in the NHTSA Advisory for Impaired Driving. CT00

2. DEVELOP COMPREHENSIVE HIGHWAY SAFETY INFORMATION SYSTEM

- ** Create a comprehensive highway safety information system that integrates all traffic-related records. OR
- ** Provide an integrated traffic records system that links data involving drivers, vehicles, crashes, violations, and convictions. NC95
- ** Provide an integrated traffic records system that links data involving drivers, vehicles, crashes and violations. IL
- TX should have a comprehensive highway safety information system that includes subsystems for driver records, financial responsibility, vehicle records, crash records, and violation/disposition records. TX
- Create a single comprehensive highway safety records system that includes subsystems for driver records, financial responsibility, vehicle records, crash records, and violation/disposition records. VA
- Create a comprehensive highway safety information system that includes driver history. WV93
- Create a closed comprehensive system capable of tracking convicted impaired drivers, ensuring that the Division is notified of all convictions and subsequent sentences for all cases heard in New Mexico courts regardless of jurisdiction, including Tribal Courts. NM91
- Continue to pursue creation of an integrated traffic records system. OK
- Support should be provided for the implementation of the DUI MIS now being developed by various State agencies. CA

3. INFORMATION SYSTEM WITH TRACKING CAPABILITY

- ** Create a comprehensive highway safety information system capable of tracking arrests and convictions of all traffic citations, including those for impaired driving, to ensure that DPS driver records are complete and integrated with other records. TX

- ** Create a comprehensive highway safety information system capable of tracking arrests and dispositions of all traffic citations, including those for impaired driving. VA

- ** Establish a comprehensive violation tracking system. IL

- ** Tennessee must adopt a method to effectively track citations and their dispositions. The system should be able to track both offenders and citations. Given the current state of technology, feasible, cost efficient solutions can be proposed and developed. TN

- The tracking component must contain a compliance data mechanism to capture and monitor all sanction/compliance activity. This includes screening, assessments, treatment, probation, and community service. TN

- Expand the citation/disposition tracking component to include a compliance data mechanism to capture and monitor all sanction and compliance activity, such as screening, assessments, treatment, probation, and community service. CT00

4. UNIFORM TRAFFIC CITATIONS

- ** Establish a uniform traffic ticket to be used by all law enforcement agencies. IL

- Require all law enforcement agencies to use a uniform traffic citation and complaint form with standard data elements that will allow integration with other traffic records. TX

- Accountability should be established for all traffic citations. OR

5. ENSURE VALIDITY OF DRIVER RECORD DATA

- ** Steps should be taken to provide for improved accuracy and timely reporting by the courts of DUI conviction data to the DMV for entry into the driver record database. CA

- ** MVD driver license file content should be reviewed to ensure that the records contained on the file are current, valid, and consistent with current Montana population figures. Appropriate action should be taken to ensure that the information on the driver file continues to be valid and consistent. MT94

- Study the need and cost for restoring data to the driver record. NC95

6. DATA LINKAGES

- Establish a system at DMV to electronically transfer information to and from all traffic courts. OR

- Continue to develop electronic exchange of information. MI

- Link systems already independently operational within the MVD so that existing vehicle impoundment statutes may be enforced. NM91

- Examine the policy of having different driver history appearing on four different records. IL

7. DATA MAINTENANCE

- Maintain all driver history information for a minimum period of 10 years. IL
- Continue to maintain all information concerning alcohol or drug offenses in the driver record for the lifetime of the driver. IL
- Review all licensing/records activities periodically and fine-tune them to meet current and future needs. MD91

8. CENTRALIZED DATA BASE

- ** Create a centralized violation/disposition database. OR
- Create, maintain and support a central database for all licensed drivers and vehicle registrations. The database should improve data accuracy and provide real-time information on licensing actions to those that issue licenses and registrations. HI
- Continue to develop a centralized electronic data collection system. MI

9. ITEMS TO INCLUDE IN DRIVER HISTORY RECORDS

- ** MVD should include crash information as a part of an individual's driver record. MT94
- Court supervision information should appear on the driver record furnished to insurance companies. IL
- Require all traffic and alcohol juvenile convictions to be part of the driver record and do not allow their removal. VA
- Add conviction of traffic offenses from other jurisdictions to the West Virginia driver history record and use these convictions to enhance penalties. WV93
- Include in the comprehensive highway safety information system data from the interlock program along with that from the new Intoxilyzers. WV93
- Capture arrest information. MI

10. DEVELOP/ENHANCEMENTS TO ADMINISTRATIVE LICENSE REVOCATION SYSTEM

- ** Develop an administrative license suspension system whereby the DPS can take administrative action to withdraw the driving privilege from those arrested for impaired driving regardless of age, without court action. TX
- ** Develop an effective pre-trial administrative license revocation system that allows DMV to take administrative action to withdraw the driving privilege from those arrested for impaired driving, regardless of age, without court action. VA
- Eliminate the certified mailing of orders and notices. WV93
- Change the time period and start date for filing an administrative hearing request. WV93

- Allow hearing officers to inform applicants of the results of the hearing at the conclusion of the hearing. WV93
- Do not allow the appeal process to stay the effective date of a license revocation. WV93
- Change the way suspensions are instituted so that personal service is unnecessary. VA
- Revise juvenile denial law so as to allow DMV to take action upon receipt of a conviction. OR
- Establish a driver license point system indexed by violation that will result in the suspension or revocation of the license of the habitual or errant driver. HI
- Driver history records should be allowed as evidence in traffic cases without further authentication. WV93
- Limit the review of medical records to those involving physical or visual impairment. NC95

11. DMV REORGANIZATION

- ** Streamline and save tax dollars by consolidating driver license and registration functions within one State agency with a formula for revenues divided between counties and the State. HI
- ** Place the functions of the Judiciary Driver Education Division under the statewide licensing agency and mandate the program as part of the license reinstatement based on the substance abuse assessment. HI
- Determine if more manpower is required by DMV. NC95
- Relocate the driver education program to DOT. NC95

12. DMV PI&E INVOLVEMENT

- ** DMV, in cooperation with the Alaska Highway Safety Planning Agency, should develop a planned public information program to be implemented primarily by DMV in the course of licensing drivers and vehicles. AK
- Develop messages directed at the effects of drunk and drugged driving for inclusion on the DMV's Web site. VT
- Involve DPS driver services personnel in PI&E efforts to reduce impaired driving. GA
- Develop educational materials targeted to adults regarding drinking and driving similar to those aimed at the young driver (under 21). MD
- Continue emphasis to promote, educate and inform the motoring public about the effects of alcohol and other drugs, that drinking and driving is an unhealthy choice, and the consequences of drinking and driving. MT
- Continue and broaden the implementation of the "No Way Out" publicity campaign to make drivers fully aware of the new ALR law. CA

- Develop messages regarding impaired driving for placement on DMV's Web site especially emphasizing the risks of underage drinking and driving. RI
- Expand DMV's role and activities in providing an ongoing public information program describing the effects of alcohol, alcohol's effects on driving, and the consequences of being caught driving under the influence. CO
- Develop a statewide PI&E plan. MI
- The MVD should have an ongoing comprehensive public information program that describes the effects of alcohol, its effect on driving and the consequences of drinking and driving. MT94
- Continue emphasis to promote, educate, and inform the motoring public that impaired driving will not be tolerated. CT00
- The MVD's public information program should be coordinated with the programs and campaigns conducted by other members of the local and State safety community. MT94
- Expand PI&E efforts by the BMV designed to reach drivers about the consequences of 0.08 and other impaired-driving laws. IN01
- Expand the role of BMV in the area of server training regarding underage purchases and fraudulent use of a driver license. IN01
- DMV should enhance its efforts to promote public awareness of DUI and license consequences of DUI and underage alcohol possession, in cooperation and coordination with the recommended Governor's Commission on Alcohol and Traffic Safety and the private sector. CT93
- Provide public information on driver sanctions imposed upon conviction of DWI. NC95
- Re-examine the language in current public information documents to insure proper reading level and cultural relevance. CO

13. DRIVER LICENSE TECHNOLOGY

- ** DMV should take further steps towards adopting advanced driver licensing technology to reduce license fraud. This should include recording images of drivers to prevent false issuance of duplicate licenses. WI93
- ** Develop a digitized driver license which has additional safeguards, such as magnetic stripes or bar codes. IL
- Promote the use of technology to recognize bar coded information on driver licenses. DE
- Make the digitized photo of the driver available to all field issuance offices of DMV. VA
- Enact legislation to require issuance of photo ID licenses, removing the option to obtain a paper license. VT
- Promote acquisition/use of bar code scanning equipment by retailers once proper safeguards are developed to protect personal information. NC

- Pursue the development of an automated, interactive, computer-based license applicant testing system that could educate and provide deterrence information to the applicant. CA
- Seek an appropriation to enable the issuance of digitized driver license. OK
- Study benefits of converting to a digitized driver license. OR
- Create a new "tamper resistant" driver license, which should have distinctive characteristics for licenses issued to those under 21. Holographic image, magnetic-strip licenses should be issued. NM91
- Duplicate licenses should be unique and appropriately labeled. NM91
- Develop a digitized driver license that has additional safeguards, such as magnetic stripes and/or barcodes. NC95
- Ensure that a photographic image is maintained when the digitized licensing concept is implemented. MI

14. PROOF-OF-AGE IDENTIFICATION/LICENSE

- ** Eliminate the use of tag agents in the issuance of driver licenses. OK
- Make under age 21 more prominent on the new license. MI
- MVD should train enforcement officers and the retail liquor industry in methods to uncover juvenile license fraud. Existing laws should be enforceable and violations vigorously prosecuted. NM91
- Reduce the incidence of use of false and altered driver licenses for purposes of obtaining alcoholic beverages through increased training, issuing fewer duplicate licenses, and other means found to be effective. MD91
- Require all applicants for a driver license to furnish their social security numbers. OK
- Require two or more items of identification when issuing driver licenses. OK

15. COMPLIANCE WITH TREATMENT RECOMMENDATIONS

- ** Mandate compliance with alcohol assessment treatment recommendations. OK
- Require that a certificate of completion of a court ordered alcohol and drug safety action program be presented to the DMV as a condition for driver license reinstatement. RI

16. DMV-MEDICAL ADVISORY BOARD INTERACTION

- Set up a Medical Advisory Board to work directly with DMV. OR
- Reinstated the Medical Advisory Board to provide the State with the proper policy guidelines for acceptable medical and drinking driver qualifications. CO

17. DRIVER TRAINING/EDUCATION

- ** Mandate alcohol and drug abuse education within the driver education curriculum. IL
- ** Establish a coordinated, multi-agency substance abuse program clearinghouse, accompanied by a Web site, to improve the integration and effectiveness of driver-related anti-impairment programs, especially those targeting youth. ND
- Enhance driver education for under-18 driver license/permit applicants. HI
- Establish procedures for law enforcement and others to identify and refer deficient drivers for reexamination. GA
- Require that one of the eight courses in two semesters prior to license issuance be driver education. IL
- Revise the Motorists' Handbook to reflect the new, lower per se limit, to clarify that OWI penalties can apply at BAC's under the per se limit, and to emphasize that Wisconsin's minimum drinking age is 21 and that the offense is a serious one under law. WI93
- The Montana Driver's Manual should be made available in a pocket-sized booklet format. MT94
- Update and change information in the driver manual to encourage substance-free driving by youth. NM91
- DMV should update the Manual for New Drivers to emphasize that alcohol consumption of any amount produces impairment and that spacing out drinks is no safe way to prevent impairment. CT93
- Traffic Safety Bureau and MVD need to open communication to ensure an effective traffic safety programs. NM95
- Traffic Safety Bureau and MVD should explore the possibility of creating an interactive computerized driver manual and make it available to the public and private schools in the state. NM95

18. LICENSING SANCTIONS

- ** Suspend the driving privilege of those people involved with driver license fraud. OK
- Increase license sanctions to prevent restoration of driving privileges after revocation for one year to maintain consistency of the law with adults. NM91

19. REPEAT/HABITUAL OFFENDERS

- Establish a 0.04 BAC restricted driver license for second and subsequent offenders. HI
- Allow issuance of a probationary type license for habitual offenders. OR
- Reduce the number of traffic convictions (20) for entrance into the habitual offender program. OR

20. DMV TRAINING EFFORTS

- Driver and Vehicle Services should develop a formal, coordinated training program to inform police officers, judges and prosecutors about changes in driver licensing provisions of the impaired-driving laws. MN95

**RECOMMENDATIONS FOR GUIDELINE AREA 4B
DETERRENCE
(** Priority Recommendations)**

1. ADMINISTRATIVE LICENSE REVOCATION PROGRAM/LEGISLATION

- ** Put into place a process to administratively suspend a driver's license for a test failure. MT94
- ** Consider proposing a change in the OWI Implied Consent Statutes to grant authority to DMV to administratively revoke an operator's license for refusing to submit to chemical testing. WI
- ** Enact ALR legislation. RI
- ** Enact legislation for administrative license suspension (ALS) on DUI first offense. GA
- ** Enact legislation granting DMV authority to revoke a driver's license upon arrest under the state's DWI statutes. Issue administrative regulations and procedures to allow immediate confiscation of the license, and develop other processes to implement the new statute. NC
- ** Enact legislation to allow the preliminary hearing on the civil suspension to be held before an administrative hearing officer. VT
- Establish administrative per se suspension for failure of breath test. MI
- Change statutes to provide that OWI on any vehicle, including boats, snowmobiles, and ATVs, will result in driver license suspension, and to require records retention of these offenses in DMV data systems. WI93
- Charge a multi-agency stakeholder group to evaluate the objectives, obstacles, strategies, and benefits of adopting administrative license revocation (ALR) as outlined in the NHTSA Advisory for Impaired Driving. MT

2. MAKE LICENSING SANCTIONS ADMINISTRATIVE IN NATURE VICE JUDICIAL

- ** Remove the courts from making driver license decisions. MI
- ** Make all licensing sanctions administrative, allowing DMV to take these actions. VA
- Consider enabling legislation to remove ADLRO from the Judiciary and place it in an executive branch agency. HI
- Only the Department of State should make decisions regarding restricting or restoring driver licenses. MI

3. ENHANCE SPEED/EFFICIENCY/DETERRENCE EFFECT OF THE ALR PROCESS

- ** Administrative hearings should only be a review of the documentation involved with the arrest of a driver for DUI along with the results of the breath test. WV93
- ** The Uniform Administrative Procedures Act should be amended, or the hearing process exempted from it, to eliminate complications imposed by

current requirements inappropriate for this type of hearing that compromise their integrity. CT93

- ** Administrative hearings should be an informal review of paperwork not requiring the presence of a law enforcement officer. OR
- ** Implement procedures to require surrender of the driver license to the police officer or judge at the beginning of the suspension time period. RI
- ** Review the ALR process to identify ways to reduce the time between arrests and administrative hearings. DE
- ** Initiate a cooperative effort between the MVD Hearing Division and the law enforcement community to identify areas of mutual agreement where improvement in the administrative hearing process can be achieved. Topics might include streamlining the hearing process to minimize officer time, as well as conducting hearings telephonically where appropriate, and a review of transcripts to determine if in fact the hearings in some instances have gone beyond statutory intent. NM
- ** Eliminate the requirement that the arresting officer be present at an administrative hearing unless subpoenaed by the offender. GA
- ** Adopt rules regarding (1) how a hearing shall be conducted, (2) when offenders shall pay expenses related to subpoenas or records, and (3) when judicial notice shall be accepted. HI
- ** Initiate a cooperative effort between the Office of Administrative Hearings and the MVA staff to evaluate the hearing process to identify means for reducing the time required to schedule and conduct hearings. MD
- ** The hearing and management processes for ALR should become self-sufficient, funded from fees paid by impaired drivers. CT93
- ** Remove probable cause verbiage from the ALR statute. HI
- ** Eliminate modification procedures for repeat offenders. OK
- Increase the number of hearing officers. NM
- Encourage law enforcement managers to monitor subpoenas for their officers to ensure their appearance at administrative hearings. GA
- Use rules of civil procedure by applying time frames for hearings and notices for seven days or less. Count business days instead of calendar days. HI
- End all automatic continuances in revocation hearings and require "good cause." WV
- The chief hearing officer or designee should assist in creating forms that are beneficial to the process as well as other interagency committees. HI
- Change statutes to have appeals from license suspension for test refusal follow the same administrative appeal process used for suspension for prohibited test results. This would promote uniformity and prevent multiple judicial tracks for actions resulting from a single OWI offense. WI93
- Simplify suspension actions dealing with drinking and driving. MI

- The laws, regulations, and procedures for ALR should be adjusted to base revocation on the fact of refusal or excessive BAC, without allowing issues not directly relevant to these facts to be considered. CT93
- MVD should adhere strictly to the ALR hearing criteria as listed in the code and raise hearing staffing to its former level. NM91
- Allow continuances of administrative hearings only in very exceptional circumstances. WV93
- Require the suspension to become effective with receipt of the court conviction and the issuance of a letter of suspension to the individual. RI
- Revise the modification procedure for reinstatement of driving privileges. OK
- Continue emphasis on the administration of current laws, and/or the introduction of new laws so that the offender cannot be repeatedly charged and convicted as a first time offender DUI. CT00

4. ASSIST/TRAIN LAW ENFORCEMENT PREPARATION FOR ALR HEARINGS

- ** Provide the enforcement community with training in the preparation of cases for DUI administrative hearings. DE
- Evaluate the current training being provided to officers to determine where it may be strengthened to better prepare them for the hearings. NM
- The Hawaii Department of Attorney General's Office should advise law enforcement agencies and hearing officers on ALR hearings. HI
- Institute comprehensive training for law enforcement and prosecutors regarding BAC testing, appropriate testing procedures, and the legal foundation for evidentiary breath testing in DUI cases. ND
- Initiate annual training requirements. Federal funding is available for training at the National Judicial College. HI
- The DMV should continue and expand its efforts to improve officer training to complete DUI arrest forms more systematically. CT93

5. UNIFORM TRAFFIC CITATION/TRACKING/REPORTING SYSTEMS

- ** Establish a uniform statewide system for reporting and tracking DUI related deferrals and diversions. IN01
- ** Create a uniform traffic citation tracking system. MI
- Create a uniform traffic citation and reporting system and require its use by all law enforcement agencies statewide. TX
- Create a comprehensive reporting system. TX
- Develop, support, and maintain a clear, concise and uniform database that is shared by the appropriate local, State, and Federal government agencies. HI

- Establish a comprehensive highway safety information system to integrate all traffic-related records. WV93

6. REPORTING REQUIREMENT (FROM COURT TO DMV)

- ** Mandate time frames for reporting convictions from all courts and prohibit instant issue of duplicate licenses. HI

- Ensure that all convictions for traffic offenses are reported to DPS for inclusion in the driver record. OK

- The ODPS should continue to educate judges of the juvenile court and courts of common pleas on their statutory reporting responsibilities to the BMV, and the traffic safety consequences of their failure to report. OH

- Require electronic transmission of all data from the various courts. MI

7. DATA LINKAGES

- MVD should use resources such as the National Driver Register to determine prospective licensee eligibility in relation to charges and duplicate licenses existing in other states. NM91

- Records systems in the State should be modernized and linked. TX

8. DATA MAINTENANCE

- Retain driver's license/OWI records for 10 years and use them in sentencing determinations. WI93

- OWI offense records should be retained for at least 10 years, and every prior conviction within that period should count toward enhancement of penalties. WI93

- Laws, regulations, and procedures should be amended to require the DMV to maintain DUI records for seven years rather than five. CT93

9. DUI ARREST PROCESS IMPROVEMENTS

- ** Streamline the reporting of alcohol arrest information to the Department of Revenue to reduce the burden on arresting officers. Should be done on a cooperative basis between the DOR staff and the law enforcement community. Technology solutions should be explored, such as computer-generated reports or electronic transmission of that information conducive to electronic media. Further, the requirement to notarize Form 2389 should be eliminated. MO

- Initiate a cooperative effort between the Maryland State Police, representatives from local law enforcement agencies, and MVA staff to develop and implement efficiencies in the DWI arrest process. MD

- Initiate a cooperative effort between the DMV, DSP, and local enforcement agencies to develop efficiencies in the processing of DUI arrests. Expand the use of technology to generate the documents required. DE

- Establish a working group comprised of representatives of law enforcement and DMV staff to address the paperwork problems involved in DUI arrests. Consideration should be given to streamlining the process either through simplified procedures or electronic field data capture and transfer. Mobile

Data Terminals (MDTs) are in place in at least one of the enforcement jurisdictions. As additional applications are considered for Maryland, especially for preparation of citations, automating the preparation of the DMV forms now required for DUI arrests should be considered. WV

- DMV should ensure comprehensive police use of administrative license suspension by monitoring and reporting to police agencies all instances of OWI arrests for which DMV does not receive administrative license suspension forms. WI93

10. ENHANCE DETERRENCE FOR DRIVERS UNDER 21

- ** Institute a zero tolerance level for all drivers under 21. WV93

- ** Include a zero BAC requirement for young/novice drivers. MT94

- ** Connecticut should adopt a law requiring ALR for any driver under 21 with a BAC of 0.02 or more at any time within two hours of arrest. CT93

- ** Strengthen the 0.02 AC law for drivers under 21 by adding driver license sanctions and consequences for violators. IN01

- ** Enact legislation to prohibit people under 21 from driving a motor vehicle with any measurable amount of alcohol in their blood. CO

- ** Change the Wisconsin "Not a Drop" law to apply to all underage drivers to send a consistent message that Wisconsin is very serious about stopping illegal alcohol use. WI93

- ** Make it illegal for a person under 21 to drive with any measurable amount of alcohol. OK

- ** Pass legislation that allows for administrative revocation of the license of a driver under 21 who has a BAC of any measurable amount. CA

- ** Create a zero tolerance law for those drivers under 21. VA

- ** Enact legislation to prohibit people under 21 from driving a motor vehicle with any measurable amount alcohol in their breath, blood or urine. GA

- Drivers under 21 convicted of DUI should be revoked for two years regardless of the 21-year-old age limit. IL

- Work with juvenile courts to promote the benefits of deterring young drivers by placing serious driving offenses on driver histories. GA

- Issue a distinctive driver license to those drivers under 21. OR

- Create legislation to allow DPS to take licensing sanctions against juveniles when their driver records reflect a lack of concern for highway safety. TX

- DMV should expand its programs to educate police and judges about the respective effects of "Not a Drop" and underage possession convictions, to promote consistent enforcement of these laws. WI93

- Juvenile traffic offenses should be treated the same as if the offense was committed by an adult. NM95

- Juvenile probation should seek prosecution and adjudication for any alcohol related offense. Thus, juveniles should be held to some accountability for their actions. NM95
- Extend to age 21 the provisional driver-licensing program. NC95
- Strengthen the 0.02 BAC law for drivers under 21 by adding driver license sanctions or consequences for violators. IN01

11. ENHANCE DETERRENCE EFFECT THROUGH INCREASINGLY SEVERE ADMINISTRATIVE PENALTIES, LEGISLATION SUPPORT

- ** Require license plate confiscation, "zebra stickers," or "scarlet letter" plates for individuals found to be driving while suspended or revoked. MT94
- ** Amend the 0.08 law making DUI impairment a Class A misdemeanor. IN01
- ** Impose reinstatement fees for all suspensions and revocations. TX
- ** Require all DUI offenders to undergo a definite period of time when the driving privilege is withdrawn. OK
- ** The State should revise the law to eliminate the availability of an occupational driving privilege for second and subsequent DUI offenders. OH
- ** The BMV should require documentation of completion of court-imposed sanctions in order to gain driver license reinstatement. OH
- ** Require that the suspension or revocation for an implied consent refusal be longer than for a test failure. MT94
- ** Improve the effectiveness of administrative license suspension at preventing impaired driving by changing the law to ensure some period of total loss of driving privileges for every OWI offense, even the first. WI93
- DMV should support legislation to reduce the DWI BAC level to 0.08. AK
- Create progressively more severe administrative penalties for repeat DUI offenders. VA
- Enact necessary repeat offender legislation and language to put the State in compliance with Section 164 of TEA-21. ND
- Reduce the BAC level to 0.08 for drivers suspected of DUI. VA
- Increase the reinstatement fee for those people having their driving license privilege suspended for DUI. VA
- Revise existing laws to reduce the loopholes and strengthen deterrence. Tennessee should consider creating a true 0.08 per se law and limit the number of times an offender can be charged as a first offender DUI/DWI. The new DWI statute should be combined with the existing DUI statute to form a single, unified 0.08 per se law. TN
- Increase the suspension time for refusal to submit to a breath test so that it exceeds the revocation time for DUI. OK

- Eliminate the procedure whereby completion of a driving safety course allows dismissal of a traffic charge. Require completion of the course prior to reinstatement of the driving privilege after DPS issues a suspension order. TX
- DMV should issue occupational licenses after OWI only upon the recommendation and on terms suggested by an assessment from an approved assessing agency, to promote appropriate terms for the license, to encourage participation in assessments, and to discourage judge shopping. This will release judges from the burden of reviewing occupational license requests. WI93
- A habitual DWI offender statute should be created with incrementally increased administrative license sanctions. TX
- DPS should establish a series of regulations that will increase the length of license revocation in increments for each subsequent offense. TX
- Pursue legislation to confiscate or immobilize the automobile of repeat DUI offenders. CO
- DMV should seek and support legislation to prohibit any person who has two DWI convictions within the last five years from owning, registering, or operating a motor vehicle on Alaska public roadways. AK
- Increase the length of time for hard suspensions prior to the granting of limited privilege driver licenses. NC95
- Raise the amount of the reinstatement fee. NC95
- Expand the "look back" period for determining DUI offense levels from the current five years used by the courts to 10 years. IN01
- Use a hardship license with restrictions allowing driving for business or work purposes when reinstating drivers prior to the expiration of the revocation period. WV93
- Consider increasing the reinstatement fee. WV93
- MVD should establish a series of regulations that will increase the length of license revocation in increments for each subsequent offense, using its authority under State Code. NM91
- Establish a habitual DWI offenders' classification with incrementally increased administrative license sanctions. NM91
- MVD should require all court-ordered sanctions imposed following conviction for DWI to be completed as a prerequisite to re-issuance of the driver's license. NM91

12. PROGRAM EVALUATION/DATA ANALYSIS EFFORTS

- ** Analyze the reinstatement, crash, DWI recidivism and Driving While Suspended/Revoked rates of drivers who have been *Cancelled - Inimical to Public Safety* and then explore any further illegal driving behavior. MN03
- ** Allow access to complete datasets by OTS data analysts. MN03

- ** Annualize the review of initial charges and final dispositions and report the results on a county, judicial district, and statewide basis at a minimum. MN03
- Replace selected "standardized" crash costs components (such as medical treatment costs) with Minnesota-specific estimates as they are developed (e.g., through the CODES project). MN03
- Use the Traffic Records Coordinating Committee and the DWI Task Force as conduits for sharing data and the results of analyses, especially as they relate to support for policy decisions and the legislative agendas of DPS and other agencies. Make sure that similar analyses do not present conflicting results to the legislature. MN03
- Conduct an analysis to describe the consequence (fatalities, injuries & property damage, associate costs, and loss of funding) of failure to pass a 0.08 law. MN03
- Research NHTSA and NSC crash cost formulas and develop a briefing document for legislators and others explaining the standard use of these numbers and the cost components that they contain. MN03
- Work with MNDOT to develop a standard set of crash cost values that will be used in support of legislative arguments. MN03
- Analyze data on percentages of licenses suspended by number of offense (1st, 2nd, etc.) and for refusals to identify recidivism and other statistical characteristics of DUI offenders. GA
- Evaluate the length of time for all driver license suspensions to determine their deterrent impact. IL
- The GHSO should conduct a study to analyze the number of administrative suspensions overturned by the courts, and the relationship of test refusals and test failures to case adjudications. OH

13. DRIVER LICENSE COMPACTS

- ** Join the Driver License Compact. MI
- ** Join the Non-Resident Violator's Compact. MI
- ** Texas should become a member of the Driver License Compact. TX

14. COMMERCIAL DRIVERS

- Reinforce the higher standards expected from commercial driver license holders by disallowing occupational licenses for any OWI offense they commit. WI93

RECOMMENDATIONS FOR GUIDELINE AREA 4C
PROGRAM MANAGEMENT
(Priority Recommendations)**

1. DEVELOP A STATEWIDE COMPREHENSIVE HIGHWAY SAFETY MIS

- ** Develop a statewide, standardized, integrated, comprehensive highway safety MIS. This could include currently available information from the DMV, Motor Vehicle Hearing Section, the Courts, EMS, the Department of Transportation, Alcohol and Drug Division, and other pertinent highway safety files. CO
- Develop a management information system for all State and municipal traffic violation arrests and dispositions. CO

2. DEVELOP/EXPAND/IMPROVE TRACKING SYSTEMS

- ** Develop a DUI tracking system for all alcohol offenses from the time of the incident (crash/arrest) until the conclusion of each case, including treatment information. CO
- ** Initiate the development of a statewide citation tracking system. ND
- ** Charge a multi-agency stakeholder group to consider the objectives, obstacles, strategies, and benefits of adopting a statewide tracking system for citations from the time of their distribution to an enforcement jurisdiction, through issuance to an offender, ultimate disposition by a court and posting to the driver history record. MT
- ** Revise the CAS to capture additional variables from the court supplied tapes which will allow the State to (1) track offenders from arrest to final disposition, (2) link with data in the driver history records and the crash file (MAARS), and (3) generally provide the State with information on its statewide impaired-driving enforcement and adjudication activity. MD
- Develop a citation tracking for all State and municipal traffic violation arrests and dispositions. CO

3. COURT-DMV DATA EXCHANGE/COURTROOM AUTOMATION

- ** Provide immediate and up-to-date driving records for use by the entire judiciary when sentencing drunk drivers. MT94
- ** Provide the judiciary, where feasible, with the ability to enter conviction information in an on-line mode directly to the driver license file. MT94
- ** Assign a high priority to the Circuit Court Automation Project to expedite the completion of an electronic records transfer capability between the courts and DMV. WI
- ** Implement appropriate technical improvements to accommodate electronic transmissions of court abstracts to DMV. RI
- ** Establish a court communication network linking all traffic courts to the Secretary of State. IL

- ** Design a process to more easily locate and retrieve court documents necessary to prove prior conviction. NM
- ** Prioritize the redesign of the driver records inquiry system for retrieving driver record abstracts. Solicit input from the judges and law enforcement officers regarding suggestions for ease of access to and interpretation of the abstracts. WI
- ** Ensure that the Department of Revenue is involved in the planning and implementation of the Statewide Court Automation Project and that the streamlining of DOR/court transactions is included in the design of the system. MO
- Expand the electronic reporting to the Secretary of State Office the dispositions of traffic cases. IL
- Mandate time frames for courts to report convictions to the licensing agency, i.e., within five days of conviction. HI
- Driver and Vehicle Services, in conjunction with the Attorney General's Officer, should ensure that computerized on-line driving records are provided to the entire judiciary. MN95
- The Department of Public Safety should provide direct access to its driver history information to all courts through creation of a court communication system. TX
- The Commission on Judicial Conduct should hold each judge or judicial court accountable for the submission of the court abstracts to MVD. NM95
- MVD should provide comprehensive driver license information to all courts. NM91
- Place a computer terminal in all courts connected to Secretary of State Office allowing for printing of the driver history record. IL
- Procure contractor assistance in designing a process for automating the transfer of information from the courts. This will expedite the receipt of conviction abstracts from the courts. It will also provide a capability for the courts to retrieve driver records prior to sentencing. WV
- Participate in the planned implementation of the court management information system to ensure that the system will provide electronic transmission of court dispositions to DMV. VT
- The automated transmission of complete driver records to the courts should be achieved as soon as possible. MD91
- Continue to upgrade communication links so as to allow the Department of State to interface with all users. MI
- Promote joint efforts by MVD, working with the Court Administrator's Office, and others to replace the current "mail process" of receiving final disposition information with an electronic upload of final dispositions to the driver history record. MT
- Educate the courts about the serious impact of delayed reporting and establish cooperative working groups to implement interim solutions pending further automation of court processing. MO

- The present automation system should be expanded. VA
- Use the remote terminals in the courts to produce certified copies of driver records for evidential purposes to save time and money. MD91
- Prosecutors should be required to review driver history records for all traffic offenders, especially those involved with impaired driving, so as to better determine prosecutorial decisions. TX
- The Department of Public Safety should provide timely notification to all police agencies, prosecutors, and traffic court judges and magistrates of all charges of vehicular and traffic laws as well as any procedural changes within DPS. TX
- A court communication system should be established to provide timely information on convictions to the Department of Public Safety. TX
- Require submission to DMV of all records involving entry into and completion of diversion. OR
- Expedite the processing of arrest notices and subsequent notices of revocation, as well as the scheduling of hearings, to insure that records of DUI suspensions are posted to the driver record as soon as possible after arrest. The State should also consider posting some type of pending action notice to the driver record. WV
- Continue the development of a court communication system. MI

4. EXAMINE/IMPROVE OTHER DATA LINKAGES

- ** Colorado should request that a current NHTSA Traffic Records Assessment be conducted to ensure that necessary linkages are available between and among the existing and planned highway safety files. CO
- Create a centrally located and networked database for all enforcement, prosecutorial, and judicial computer systems. HI
- Implement upgrades to the driver records system to provide the capability for linkages with other systems and for receiving electronic records from other systems. VT
- Develop a single unique personal identifier which can be used to insure proper identification and to link information between and among local and State agency files. CO
- Information combining DUI crash, arrest, conviction/disposition, and other highway safety statistical and trend information for State and local problem identification, planning and evaluation activities should be produced and shared between and among State agencies, local safety officials, and highway safety activists. CO

4. ACCESS TO RECORDS OF PRIOR DUI CONVICTION INCLUDING IN OTHER STATES

- ** Establish procedures for capturing DUI and other serious traffic offenses from the previous State of licensure. IN01
- ** Develop a uniform standard for proof of prior DWI convictions. NM

- Implement procedures to obtain and incorporate records of traffic violations, especially serious infractions, from a previous State when a new resident applies for West Virginia license. The American Association of Motor Vehicle Administrators (AAMVA) has software that can be used on the AAMVA telecommunications network to facilitate this transfer of records. WV
- Implement the necessary steps to incorporate DWI convictions from previous States of licensure. NC
- Implement the necessary steps to incorporate DUI convictions from previous States of licensure. DE
- Continue dialogue with the Tribal Nations to establish a means for sharing DWI conviction records. NM
- Incorporate prior DUI convictions from States of previous licensure. RI
- Establish procedures to incorporate records of alcohol-related convictions from a previous State into the active driving record when a new resident is licensed in Missouri. The statutes currently require considering "prior alcohol-related enforcement contacts" when determining periods of license suspension under the administrative per se procedures. However, the State should review the statutes and revise any provision that might affect the implementation of any administrative procedures to adopt this recommendation. MO

5. DATA AVAILABILITY/EASE OF USE TO LAW ENFORCEMENT OFFICER

- ** Obtain funding and equipment to capture electronic data in the field by law enforcement officers. Plan for self-sufficiency in future upgrades and replacement. MN03
- Continue efforts to work with State and local law enforcement agencies to update their vehicles with the latest computer technology for traffic law enforcement. MT
- Additional information should be provided the law enforcement officer on the road. VA
- Establish communications between DMV and the law enforcement community to resolve the issue of the unavailability of driver history access. RI
- Continue to promote the Captain's Project for future automated data capture applications, involving crash reports, citation reports, arrest records, incident, and other reporting to support mobile computing for law enforcement as presented in the Officer Information Management development. CT00
- In cooperation with the various enforcement agencies, revise the driver record printout format for ease of interpretation. VT

6. UNIFORM TRAFFIC CITATION/CITATION TRACKING/ELECTRONIC CITATIONS

- ** Adopt and implement a statewide uniform traffic citation. IN01
- ** Promote the adoption and use of a statewide uniform traffic ticket. MT94
- ** The Office of Traffic Safety should convene a committee of all concerned parties, including State and local law enforcement agencies, to ensure that a statewide uniform traffic ticket is adopted and implemented. MN95

- ** Establish a uniform traffic citation to be used by all law enforcement agencies. OK
- ** Adopt the use of a uniform traffic citation form for all law enforcement agencies. ND
- ** Promote the adoption and use of a statewide uniform traffic ticket. MT
- Require all law enforcement agencies to use a uniform traffic ticket. IL
- Create a uniform traffic citation tracking system. OK
- Adopt a single uniform traffic ticket (UTT) to be used in Colorado for all State and municipal traffic violations. CO
- From an agency management perspective, continue emphasis on the adoption of a method to effectively track citations and their dispositions. CT00
- Continue emphasis on electronic citation issuance capability in conjunction with the Commercial Vehicle Information Systems Network program. CT00
- Insure that the AOC electronic citation project is compatible with DMV needs. NC
- Enforcement agencies should implement electronic citation systems, including Form 2255, and the BMV should make any needed modifications to the driver records file to allow direct linkage with electronic citation and court systems. OH

7. FEE STRUCTURES

- ** Insure that the entire \$100 driver license reinstatement fee is used to support the local county DUI task force to help make the program self-sufficient. MT94
- ** Create an appropriate fee structure for licenses, records, reinstatements, duplicates, clearance letters, SR22 filings, CDL, tests and retests, driver education classes, motorcycle testing, and even pre-tests for those apprehensive about test taking. This should also include Internet fees and service fees for after-hour telephone registrations that are completed electronically. HI
- Increase fees involved with driver licensing. IL
- Double the fee for reinstatement of the driving privilege after a statutory summary suspension. IL
- Explore the option of adding a small fee attached to each traffic citation earmarked for information system development. The fee should be directed to one agency charged with building and maintaining a citation tracking system. TN

8. AGENCY/INTERAGENCY COORDINATION, OVERSIGHT

- ** Coordinate all agencies and task forces into a single DUI advisory committee and delegate functions to subcommittees with time frame to complete tasks. HI

- ** Initiate DMV's collaborations on the Justice Link Project. RI
- Establish a DUI/DWI data and process committee made up of all stakeholders in the collection and dissemination of DUI/DWI data. The committee's mission should be to develop a universal data collection action plan. Specific tasks and time frames must be delegated and administered. TN
- Consider legislative actions to empower an agency with oversight of information system development. A State chief information officer could facilitate the direction and activities necessary to create a citation/offender tracking system. TN
- The Motor Vehicle Administrator should take a leading position in the State's consideration of legislation such as:
 - Illegal per se;
 - Improved and strengthened administrative *per se* licensing sanctions;
 - State should lengthen the license suspension period for alcohol offenses, mandate a complete loss of driving privileges, and impose the sanction more promptly.
 - Procedures to submit the qualifications of people requesting a license modification directly to the State licensing agency for review and decision by a qualified driver improvement analyst. MD91
- The MVD should inform law enforcement agencies, courts, and prosecutors of the provisions and purpose of the law and train them, where appropriate, in the new procedures associated with the implementation of the law. MT94
- MVD should provide timely notification to all police agencies, judges, magistrates, and prosecutors of all changes within vehicle and traffic statutes and MVD procedures that will directly impact the operations of their respective offices. NM91
- The MVD should provide timely notification to all police agencies, judges, magistrates, and prosecutors of all changes within vehicle and traffic statutes and MVD procedures. NM95
- MVD should establish a mailing list of all users of changes within vehicle and traffic statutes and divisional procedures, and then issue regular communications to agencies and individuals on the list. NM91

9. EVALUATION/RESEARCH RECOMMENDATIONS

- DMV should develop analytical statistical summaries from the Driver File to identify problems relating to DWI drivers that will assist other public safety agencies increase their effectiveness in reducing the incidence of DWI in the State. AK
- When evaluation funds become available, consider analysis of medical records available to the Maryland Medical Advisory Board. MD91
- Expedite the full implementation of the planned Driver, Vehicle, Accident, and Medical Research database at Morgan State University as described in the Traffic Records System Strategic Plan. MD

**RECOMMENDATIONS FOR GUIDELINE AREA 5A
DIAGNOSIS AND SCREENING
(** Priority Recommendations)**

1. DEVELOP/PROVIDE SCREENING MECHANISM FOR DUI OFFENDERS

- ** Connecticut should implement pre-sentence screening for all drivers arrested for DUI. CT93
- ** All DWI offenders should receive a screening and evaluation for alcohol and substance abuse. First offenders should participate in screening as part of the DWI Education Program, which should be mandatory. TX
- ** Minnesota should revise, renew or replace the DWI Clinic programs to provide first offenders an educational and motivational intervention including a screening and referral component. MN95
- ** Enact housekeeping legislation that requires the consistent use of a screening instrument approved by the Traffic Safety Bureau and the Department of Health, Division of Public Health, Office of Epidemiology. NM
- ** Develop and implement a comprehensive, standardized screening mechanism for all DUI/DWI offenders. TN
- Enact legislation to subject all licensed drivers to screening requirements upon conviction for DWI. NM
- Screen all drivers convicted of DUI, first or subsequent offense, to determine need for treatment and/or rehabilitation. OH
- The courts should require pre-sentence screening and assessment for first offenders in coordination with the Drinking Driver Program. CA
- All drivers eligible for any level of the Substance Abuse Traffic Offender Program should be screened and referred to the appropriate level of treatment. MO
- Legislation should be enacted to require mandatory screening for all people convicted of DWI. The screening method should consider the differing needs and resources of rural, urban, and tribal communities. NM91
- Assure that all convicted impaired drivers complete screening and assessment within 30 days of conviction. RI
- Assess all those convicted of an alcohol-related driving offense prior to sentencing. OK
- Legislation should be enacted to require mandatory assessments for all individuals convicted of DWI/DUI or who receive PBJ. MD91
- Develop a screening and referral system for problem DWI drivers. TX
- Expand capacity for regional and rural ease of access to diagnosis and screening professionals. MN03
- The Arizona DHS should actively identify and develop additional agencies qualified to provide DUI screening and treatment services. AZ

2. APPROPRIATE SCREENING BASED ON INDIVIDUAL NEEDS (youth, repeat offender, etc.)

- Provide judges with screening results and recommendations for appropriate treatment in all DUI/DWI cases prior to sentencing. TN
- Courts should be encouraged and assisted in developing offender screening and assessment programs that allow consideration of individuals' intervention needs in sentencing. CA
- Use screening instruments designed for youthful offenders when assessing young people. OK
- To assure that all "problem drinker drivers" receive appropriate treatment and intervention services in conjunction with punitive sanction, second and subsequent offenders should be screened and assessed prior to sentencing. CA
- Second offenders should be required to attend the DWI Intervention Program. Screening and referral should be a major component of this program. TX
- Within the screening process, assessment criteria should be developed to identify people with drug problems other than alcohol. NM91

3. EVALUATE DIAGNOSIS AND SCREENING PROGRAMS

- ** Ensure that the judicial system and/or other appropriate bodies annually review and evaluate the performance of their employees and contractors involved in DUI assessment and treatment. IN01
- ** Conduct an outcome evaluation of DERP, including screening, referral, education, and treatment components. DE
- ** Conduct a comprehensive evaluation of the Driver Intervention Program to determine efficiency and effectiveness. OH
- ** Conduct additional research on the use of the Project CRASH School Evaluation data by critical parties such as Judges, Courts, the DMV, and the Department of Public Safety, among others. Is appropriate and maximum use being made of these data that are available for purposes such as: (1) placing the most effective sanctions on offenders in order to reduce recidivism; (2) modifying existing treatment approaches as necessary in order to improve treatment outcomes; and (3) developing reasonable plans for future treatment services for those offenders who will require such services? VT
- Conduct additional research on the aggregate data available from the Project CRASH School in order to determine how the intake evaluation process might be improved and/or streamlined. VT
- Evaluate the current screening system for DUI offenders and specific treatment programs for Level 1 DUI offenders. AZ

**RECOMMENDATIONS FOR GUIDELINE AREA 5B
TREATMENT AND REHABILITATION
(** Priority Recommendation)**

1. TREATMENT PROGRAM FUNDING

- ** Fund and/or otherwise expand the availability of alcohol and other drug treatment services for people who are charged with and/or convicted of impaired-driving offenses. IN01
- ** Provide for the requisite budget increases to allow the local ASAP office to expand the size of its probationary function and staff. AK
- ** Increase the collection percentage for the ASAP to 85%. AK
- ** The legislature should amend the current alcohol beverage excise tax and dedicate new revenues to support treatment and other programs directed at multiple offenders. MN95
- Designate a part of the reinstatement fee to provide probation services to District Courts in areas unable to fund the cost of such services. MI
- Increase the fees charged for intervention services to give the programs revenue to increase services and to move towards self-sufficiency. AK
- The Department of Health and Social Services should review treatment fee structure to assure availability of treatment services for indigent people. AK
- The offender should be required to pay more of the cost of treatment and probation services. MI
- A portion of the alcohol beverage tax should be dedicated to underwriting the costs of treatment of convicted DUI offenders not otherwise reimbursed. WV93
- Enact legislation to continue the Local Liquor Excise Tax Act and enable other interested counties to implement this tax. NM91

2. REQUIRE TREATMENT

- ** Increase sanctions to require treatment for first offenders if it is indicated by the assessment process. MT94
- ** Strengthen sanctions to require withholding of drivers license until required treatment is completed for all DUI and per se offense. MT94
- ** Require those offenders with a substance abuse problem obtain the recommended treatment. OK

3. MANDATORY SUBSTANCE ABUSE ASSESSMENTS

- ** Substance abuse assessments should be mandatory for all DUI offenders. Each assessment should be performed by a certified substance abuse counselor, and should include specific recommendations for treatment, if indicated. The individual DUI offender should bear all costs of assessment and treatment. GA

- GOHS should work with one or more trauma centers to develop and implement a pilot program that routinely tests severely injured trauma patients for alcohol and offers substance abuse assessment and treatment services for patients whose tests are positive. GA

- West Virginia should develop and implement policies and programs which constitute a system by which all drivers convicted of DUI will receive screening, evaluation, referral and treatment services as indicated. WV93

- ASAP programs should be made mandatory for all people convicted of driving while impaired. VA

4. OFFENDER ACCESS TO TREATMENT/EDUCATION PROGRAMS

- ** All correctional facilities to which DUI offenders are sentenced should have alcohol and substance abuse screening, intervention, and treatment programs available. CT93

- ** The State should assure access to the most appropriate treatments services for DUI offenders based on clinical evaluation. This might involve legislative changes to allow services to incarcerated offenders who do not require residential treatment as well as residential or structured outpatient treatment for first offenders when indicated. TN

- ** Develop a plan for assuring that all citizens of Maryland who have impaired-driving offenses and need treatment have access to the level of care they require. MD

- ** Fund and/or otherwise expand the availability of alcohol and other drug treatment services for people who are charged with and/or convicted of impaired-driving offenses. IN01

- ** Investigate the current and potential role of drug courts in managing DUI offenders and assuring access to timely and intensive treatment. RI

- Develop substance abuse programs to be used in conjunction with incarceration of people in jails and prisons. AK

- Minnesota should revise, renew or replace the DWI Clinic programs to provide first offenders an educational and motivational intervention including a screening and referral component. MN95

- The Drinking Driver Program should continue to be the primary statewide program to provide alcohol- and other drug-impaired-driving education, to most DUI offenders. CA

- The Georgia Department of Corrections system of substance abuse services should be used to guide the development of a system of substance abuse assessment and treatment for DUI offenders. The system of substance abuse assessment and treatment for DUI offenders should become an integral component of the Regional Substance Abuse Planning process. GA

- A variety of substance abuse treatment programs should be offered throughout the state, and DUI offenders in need of treatment services should be matched to programs with the greatest likelihood of treatment success for that offender. Innovative and effective programs such as the Conditional

Discharge Program in Columbus, Georgia, should be replicated with ongoing evaluation to assess long-term effectiveness. GA

- Develop a screening, referral, and treatment system for problem DWI drivers. TX
- Enact legislation to establish a statewide treatment program for court-ordered DWI offenders. This program will be entirely funded by user fees, with a sliding scale based on ability to pay. NM91
- Encourage the judiciary to refer DWI offenders for screening and referral to treatment at facilities closest to their residence, including Native American community. NM91
- DHHR should expand the capacity of the Safety and Treatment Program to meet current and future demand and assure rapid entry for all convicted drivers. WV93

5. STANDARDS FOR TREATMENT/ASSESSMENT PERSONNEL

- ** Consider passing a law to license alcohol and drug counselors and/or at least to establish minimum standards for those clinical professionals who conduct assessments or evaluations of people who are convicted of impaired-driving offenses. IN01
- ** Mandate that assessments and evaluations of impaired drivers be conducted by Licensed Alcohol and Drug Counselors and/or other treatment professionals who have both specialized training and certification in the alcohol and other drug area from their own professional treatment disciplines. IN01
- ** Complete the letter of agreement for licensure and certification of people approved to perform assessment and evaluation for people charged with impaired-driving offenses and implement the agreement immediately. MI
- Establish better training requirements and training for court assessors. An assessment fee could be levied to finance the costs of providing good and reliable assessments for the courts. MD
- Establish more rigorous standards and qualifications for treatment professionals who conduct DWI assessments, and consider the possibility of moving from a voluntary certification system to a mandatory State licensing system for alcohol and drug treatment professionals. NC
- Mandate that individuals who perform assessments should either not be allowed to recommend treatment in any program in which they have a fiduciary interest or other potential conflict, or at least require that they disclose any such potential conflict and be required to provide information on at least three different treatment providers. IN01
- Wherever possible, discourage service providers from referring DWI clients to their own programs. NM91
- Implementation of the agreement must continue the process that allows probation officers to make the initial assessment. Current probation officers now trained should be "grandfathered" as qualified. MI

6. APPROPRIATE TREATMENT RECOMMENDATIONS

- ** Those people receiving an administrative license revocation for refusing the chemical test should be required to be screened and to attend, at a minimum, the educational component of the safety and treatment program. WV
- Wisconsin should provide for greater sentencing flexibility to help assure compliance with prescribed treatment and rehabilitation. WI93
- Participants identified as problem drinkers or substance abusers in either the DWI Education or Intervention Program should be referred to appropriate treatment. Driver re-licensing and completion of probation should be contingent upon compliance with treatment. TX
- Use a panel of licensing and substance abuse professionals to recommend licensing actions for alcohol related offenders with more than one suspension for an impaired-driving offense. OK
- The DWI assessment and treatment program should include a mechanism by which offenders assigned to the ADET and subsequently found to have a substance abuse problem, can be required to complete a higher level of treatment. NC95
- Drivers in any level of the SATOP program should be referred to a higher or lower level of the program if information or behavior subsequent to program entry indicates a need for a different level of intervention. MO
- Investigate the feasibility of using a longer and more intensive assessment process for people sent to education programs who are later suspected by staff as having a more severe substance abuse problem and in need of additional treatment. MD91
- Drivers in 12- or 20-hour seminars who demonstrate problem behaviors, or for whom additional information becomes available, should be referred to a more appropriate level of treatment. ND

7. OFFENDER ASSESSMENT

- ** Provide the assessor with a copy of the offender's driving history and BAC level at the time of arrest. OK
- The 120-day early-release statute should be revised to require an assessment of all offenders prior to the end of the 120-day period and to require a report to the court on which to make a decision regarding early release and assignment to supervised probation. MO
- An evaluation should be provided at the end of the treatment or education required by the courts to the Secretary of State that indicates whether the offender has control of their substance abuse problem before re-licensure. MI
- ADP should develop a minimal, standardized assessment procedure for first offenders in the Drinking Driver Program. CA
- Adopt a standard procedure for performing assessments and require it to be used by everyone involved in the assessment process. MI

8. SUBSTANCE ABUSE ASSESSMENT PROCESS

- ** Review the process to determine which misdemeanors are prioritized for entrance into the jails. AK
- ** The substance abuse assessment process should be licensed or accredited by HDOH ADAD. HI
- ** Consideration should be given to the use of pre-sentence assessments and sentences to probation with meaningful sanctions assigned for noncompliance with recommended treatment. NC95
- ** Substance abuse assessment and treatment services should be a part of, not a substitute for, sanctions. Specifically, defendants should not be permitted to plead *nolo contendere* in return for agreeing to attend an assessment and treatment program. GA
- Both revised statutes and administrative code should be revised to insure that the substance abuse assessment process is overseen by the correct regulatory body. HI
- An examination should be made of the impact of having the same agency conduct the screening and assessment to determine that self-interest is not a factor. WV

9. TREATMENT/ASSESSMENT PROGRAM CRITERIA

- ** All substance abuse assessments should have standard criteria, which would include access to the criminal record, the blood alcohol level, and an evaluation of the defendants' clinical tolerance. HI
- ** Adopt "Proposed ADAA COMAR Revisions" to strengthen its standards to provide more meaningful guidance to the courts and all those working to prevent additional drinking and driving. At a minimum, the assessor should have access to court files, driving history, psychosocial history, and should have an understanding of mental health issues and instability. The courts need screening results that are reliable with accompanying recommendations for appropriate treatment in all cases prior to sentencing. MD
- Use American Society of Addiction Medicine criteria in determining level of treatment provided. OK
- The American Society of Addictive Medicine criteria should be used in rendering diagnosis and recommendations for alternative sentencing. HI
- Propose legislation to require the development/implementation of a standard alcohol education curriculum that all licensed or designated providers must use as the minimum acceptable. MI
- Consideration should be given to developing more uniform criteria for classifying a person as a "problem." MD91
- DHSS should develop and implement clear criteria for completion of the required program and recommendation of license reinstatement. WI93
- Determine the effectiveness of the various Intensive Supervision Programs eligibility criteria and develop minimum standards for all ISPs. WI

- Assessment criteria should be developed to better identify people with drug problems other than alcohol. MD91
- DHHR and Behavioral Health Treatment Centers should develop and implement clear criteria for completion of the required program and recommendation of license reinstatement. WV93

10. CLIENT/REFERRAL TRACKING SYSTEMS

- ** The Arizona DHS, in cooperation with courts, the Arizona DOT and MVD should develop a data system capable of tracking DUI referrals. AZ
- ** Develop and implement a DUI tracking system to include accurate assessment of all convicted impaired drivers' status in terms of completion of treatment recommendations. OH
- ** Establish a closed-loop system requiring successful completion of VASAP prior to license reinstatement. VA
- ** Develop and implement a DUI client tracking system. MT
- ** Design and institute a comprehensive statewide tracking and monitoring system for all people convicted of DWI offenses to ensure not only that timely assessments are conducted, but also that relevant and necessary information is shared at least among the judicial, motor vehicle licensing, enforcement and treatment systems. NC
- ** Develop and implement a DUI client tracking system. MT
- ** A convicted-driver monitoring and compliance system should be developed to facilitate and track the progress of drivers through the process of evaluation, intervention, treatment, and license reinstatement. ND
- ** When the substance abuse assessment recommends treatment, offenders should not be permitted to drive unless they receives treatment and can show that the substance abuse disorder is under control. The court system should monitor compliance with treatment recommendations. Evidence of control should be submitted to the court, and the licensing authority should not reinstate the driver's license until it receives this information from the court system.
- Information related to assessment results and treatment recommendations should be included in a computerized monitoring information system to be used by DHR and DMV to track offenders and monitor program performance. NC95
- Develop a statewide offender tracking system similar to that used by the Central State Institute for Addictions. IL
- A single agency should be responsible for tracking and monitoring offenders through the Assessment, Course and Treatment system. MT