

# Impaired Driving Action Plan

## Governor’s Traffic Safety Advisory Commission

Member agencies:

Michigan Department of Transportation  
Office of Highway Safety Planning  
Michigan Department of State  
Michigan State Police  
Office of Services to the Aging  
Michigan Department of Education  
Michigan Department of Community Health

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## **Introduction**

In 1998, the American Association of State Highway and Transportation Officials (AASHTO) approved its Strategic Highway Safety Plan, which was developed by the AASHTO Standing Committee for Highway Traffic Safety with the assistance of the Federal Highway Administration, the National Highway Traffic Safety Administration, and the Transportation Research Board Committee on Transportation Safety Management. The plan includes strategies in 22 key emphasis areas that affect highway safety. The plan's goal is to reduce the annual number of highway deaths by 5,000 to 7,000. Each of the 22 emphasis areas includes strategies and an outline of what is needed to implement each strategy.

NCHRP Project 17-18(3) is developing a series of guides to assist state and local agencies in reducing injuries and fatalities in targeted areas. The guides correspond to the emphasis areas outlined in the AASHTO Strategic Highway Safety Plan. Each guide includes a brief introduction, a general description of the problem, the strategies/countermeasures to address the problem, and a model implementation process.

The Impaired Driving Action Plan was created by using the above documents and resources as a base foundation.

## **Action Plan Development**

A Strategic Highway Safety Plan should define a system, organization, and process for managing the attributes of the road, the rider, and the vehicle to achieve the highest level of highway safety by integrating the work of disciplines and agencies involved. These disciplines include the planning, design, construction, operation, and maintenance of the roadway infrastructure (engineering); injury prevention and control (emergency response services), health education; and those disciplines involved in modifying road user behaviors (education and enforcement).

The development of the strategic highway safety plan was commissioned by Michigan's Governors Traffic Safety Advisory Commission (GTSAC) in October 2004. The GTSAC consists of the Governor (or a designee), the Directors (or their designees) of the Departments of Community Health, Education, State, State Police, and Transportation, the Office of Highway Safety Planning, the Office of Services to the Aging, and three local representatives from the county, city, and township level.

Impaired driving issues were identified as an emphasis area in the both AASHTO and GTSAC Strategic Highway Safety Plans. A sub-committee consisting of a multi-disciplinary group of agencies and disciplines has been in existence for a number of years and was well positioned to develop the action plan.

## The Issue: Impaired Driving Enforcement and Safety

The Pacific Institute for Research and Evaluation (PIRE) reports the following:

“For one of every 140 miles driven in Michigan in 1999, a person with a blood alcohol concentration (BAC)  $\geq$  .10 sat behind the wheel. Police in Michigan reported 18,595 crashes involving a driver or pedestrian with a BAC of .01 or more. Formulas developed by NHTSA were used to estimate the number of alcohol-related crashes where alcohol involvement was not reported by the police”

There is some positive news to report regarding impaired driving in Michigan. Nationally, these traffic fatalities have remained basically unchanged over the last six years. This is not the case in Michigan. From 2001 to 2004 there was an overall 17% decrease in the number of traffic fatalities involving alcohol and/or drugs.



The improvement was even greater when factoring out the fatalities that only involved drugs. The number of alcohol fatalities declined by 21% during this same four year period.



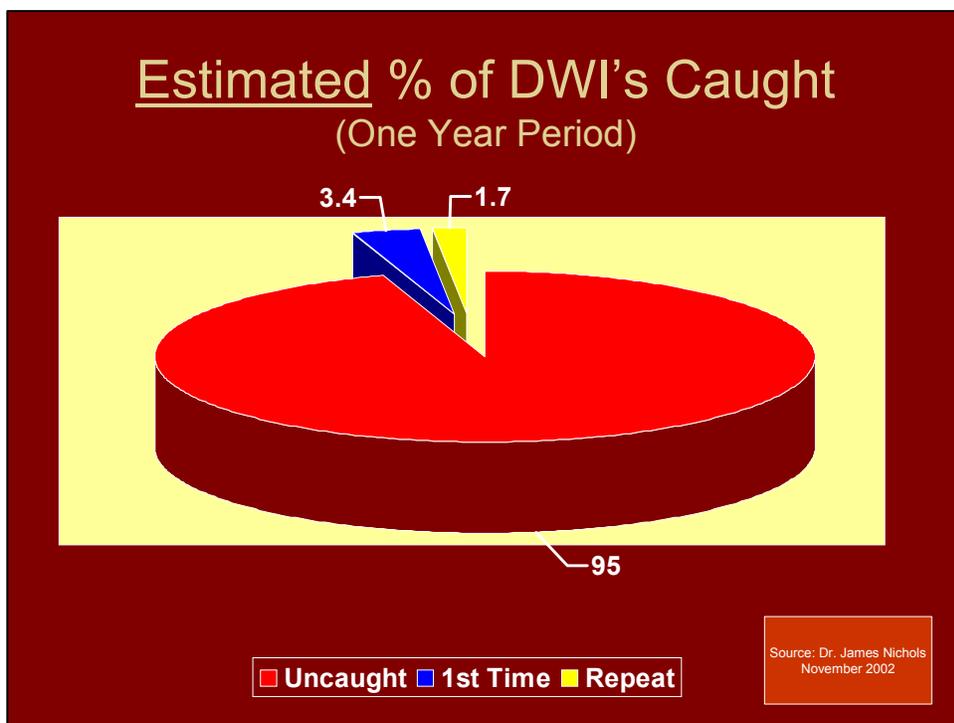
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The prevention of fatalities and injuries is a complex task. However, there are some specific factors that should be recognized as having contributed to the successful reduction of fatalities in Michigan.

Specific legislation designed to address the repeat offender, recognition of .08 Blood Alcohol Content (BAC) level as the illegal drunk driving limit, and a primary safety-belt law must be considered as contributing factors.

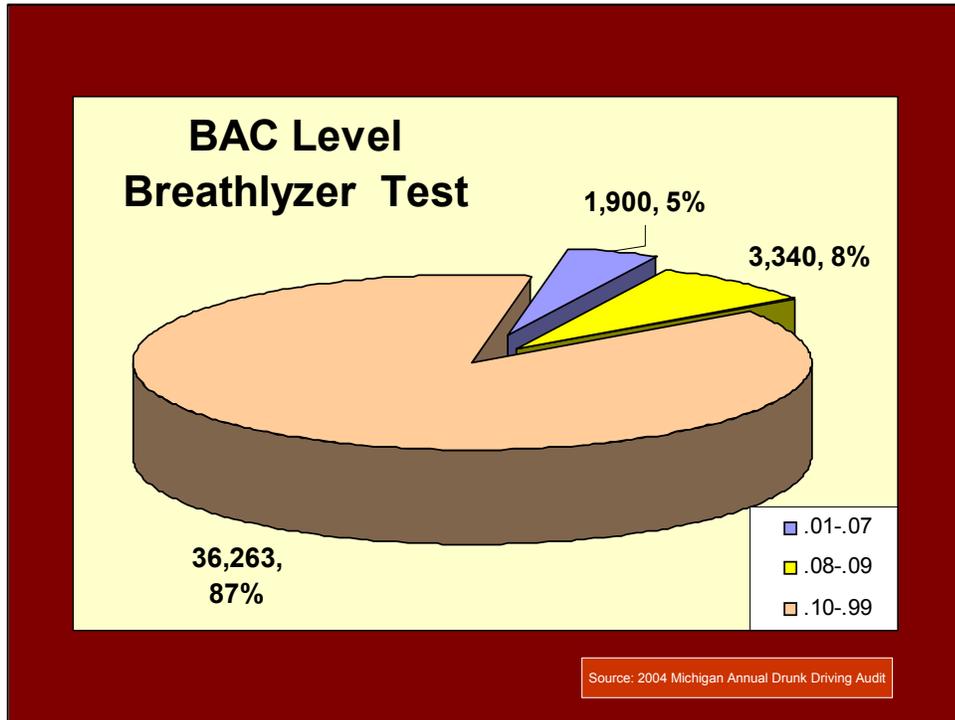
In addition, Michigan law enforcement annually removes an approximate 55,000 impaired drivers from our roadways. High visibility enforcement combined with strong media campaigns have proven to be effective here as well as in other states. The “You Drink, You Lose” and “Click It or Ticket” messages continue to drive home the point of safety to Michigan drivers.

Despite these positive trends, impaired driving remains the number one factor in traffic fatalities in Michigan. The following chart is from a November 2002 presentation at a NHTSA Region V planning conference by Dr. James Nichols. Although it is not specific to Michigan, it does help us to understand the enormous aspect of impaired driving. In 2004, just over 55,000 impaired driving arrests were made in Michigan. According to this chart, that number would represent only five percent of the incidences of impaired driving on our roadways.

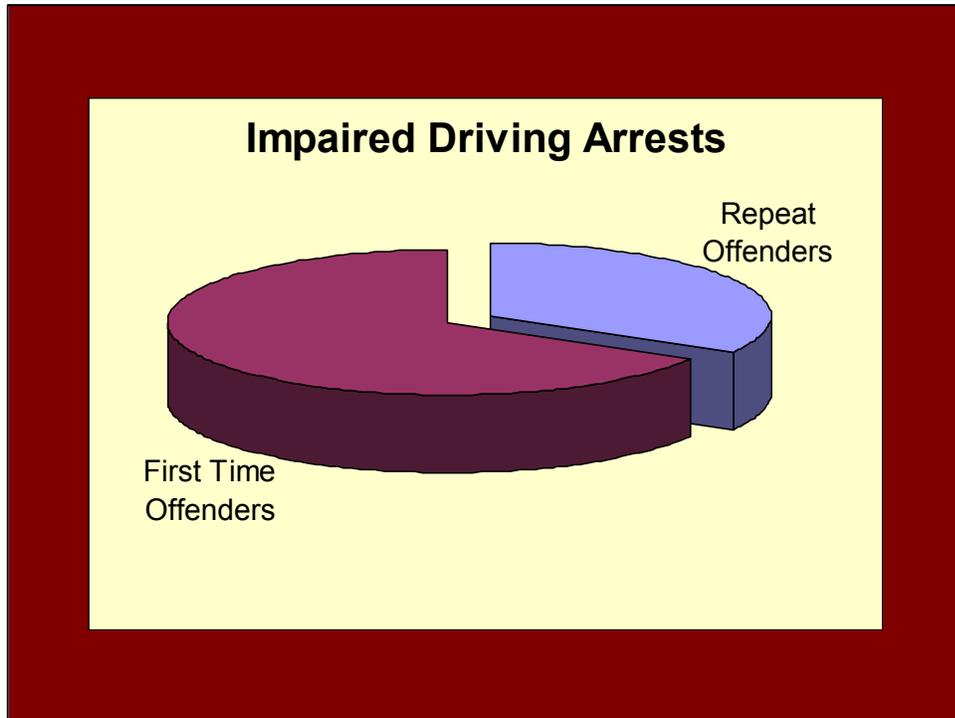


This may be the upper end of how much of the problem we are catching. Other studies indicate that one arrest is made for every 80-100 incidences of driving over a .08 BAC.

An analysis of those who are being arrested reveals that 87% in 2004 had a BAC level of over .10. The reported average BAC level in Michigan is .15, a level which has been designated by the National Highway Traffic Safety Administration to represent the high risk driver.



Another aspect to consider when looking at those who are being arrested is previous impaired driving convictions. Studies in various states generally find that one-third of all Driving Under the Influence (DUI) arrests are repeat offenders and two-thirds are first time offenders.



## **Cost/Benefit Analysis**

The Pacific Institute for Research and Evaluation (PIRE) reports the following:  
“Alcohol is a factor in 26% of Michigan’s crash costs. Alcohol-related crashes in Michigan cost the public an estimated \$4.3 billion in 1999, including \$2.0 billion in monetary costs and almost \$2.3 billion in quality of life losses.

The average alcohol-related fatality in Michigan costs \$3.5 million:

- \$1.1 million in monetary costs
- \$2.4 million in quality of life losses

The estimated cost per injured survivor of an alcohol-related crash averaged \$101,000

- \$48,000 in monetary costs
- \$53,000 in quality of life losses

Alcohol-related crashes accounted for an estimated 20% of Michigan’s auto insurance payments. Reducing alcohol-related crashes by 10% would save \$120 million in claims payments and loss adjustment expenses.”

# Impaired Driving Strategies

*This action plan suggests several strategies for addressing the problems. These strategies combine the elements of enforcement, education, and engineering. The strategies are suggested recognizing that, with few exceptions, programs that depend upon only one of these elements are not likely to be successful.*

- ❑ Support year round impaired driving enforcement, with a special emphasis during national crackdown periods.
- ❑ Support a strong public information and education campaign to:
  - 1) Increase driver awareness about the effects of alcohol, drugs and other substances that impair.
  - 2) Increase the perceived threat of arrest. This should include a strong emphasis on the target populations of young drivers and underage drivers.
- ❑ Increase training for all sectors of the criminal justice community including law enforcement, prosecutors, judges and probation.
- ❑ Sponsor efforts to improve cooperation among law enforcement, prosecutors, judges, probation and the treatment community in impaired driver prosecution and adjudication in order to promote the increased use of OWI/drug courts for the purpose of reducing recidivism.
- ❑ Support initiatives to reduce underage alcohol use and underage drinking and driving.
- ❑ Support rehabilitation programs for offenders.
- ❑ Support the use of new technologies for all components of the criminal justice system.
- ❑ Support increased cooperation and information sharing between the MDOS and impaired driving adjudicators.

Additional strategies are found in the report issued by PIRE. These strategies include:

- Administrative License Revocation – “Laws that allow police or driver licensing authorities to revoke a driver’s license swiftly and automatically for refusing or failing a BAC test have reduced alcohol-related fatalities by 6.5% on average.”
- Sobriety Checkpoint – “Intensive enforcement of Michigan State BAC limits with highly visible sobriety checkpoints would reduce alcohol-related fatalities by at least 15%.”
- Enforcing Serving Intoxicated Patrons Law – “Using undercover police officers to enforce the State law against serving alcohol to intoxicated bar

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and restaurant patrons would reduce alcohol-related crash fatalities by an estimated 11%.”

- Server Training – “A statewide, full-day, mandatory, face-to-face server training program with active management support has the potential to reduce nighttime DUI crashes by 17%.”
- Automobile Impoundment – “Impounding vehicles after conviction for DUI or driving while suspended can decrease recidivism by an estimated 38% and DUI crashes by about 4%.”
- Ignition Interlock – “Attaching an interlock to a car for a year after its operator is convicted of driving while intoxicated would reduce recidivism by an estimated 75% and alcohol-related fatalities by 7%.”
- Intensive Probation Supervision with Treatment – This early intervention program seeks to reduce alcohol-impaired driving by addressing offenders’ drinking habits and provides intensive individual counseling and monitoring.

## ENFORCEMENT

**Objective:** Support year round impaired driving enforcement, with a special emphasis during national crackdown periods.

**Strategies:**

- A. Provide local communities with information on resources available for enforcement and awareness– based on funding collected as fees by the MLCC and distributed to the counties. The following items were identified as additional steps:
  - 1. Review PA 417 of 1976
  - 2. Determine the breakdown for the distribution
  - 3. Identify specific definition from MLCC, also who contacts are who receive the distribution
  - 4. Determine strategy for making information available along with suggested uses for funds that will effectively reduce impaired driving and underage drinking
  
- B. Promote increased support of national crackdown periods by law enforcement agencies, other traffic safety advocates and media
  - 1. Develop enhanced traffic safety organizational list
  - 2. Distribute information on enforcement periods

**Resources:**

## EDUCATION

**Objective:** Support a strong public information and education campaign: 1) to increase driver awareness about the effects of alcohol, drugs and other substances that impair and 2) to increase the perceived threat of arrest. This should include a strong emphasis on the target populations of young drivers and underage drivers.

### **Strategies:**

- A. Awareness Projects – based on helping individuals understand the effects of alcohol. The following items were identified as additional steps:
  - 1. Support and utilize brochure that OHSP is doing in this area
  - 2. Foster further awareness of the Michigan Licensed Beverage Association’s training in this area.
  - 3. Utilize PowerPoint presentation and workshops available from P.A.A.M.
  - 4. Develop materials that are user friendly and attractive to the general public
  - 5. Make sure materials are provided to SOS, driver training schools, college orientation programs including web linkages to all appropriate agencies and organizations.
- B. Utilize MLBA training for owner/manager’s as opportunity to emphasize points included in the objective.

### **Resources:**

Item A.2. - OHSP will fund the creation and design of a new brochure targeted towards increasing understanding of Blood Alcohol Concentration (BAC) and alcohol/drug impairment. The brochure will include information on the effects on the body and driving at various stages of impairment, from .02 to .15 and above.

The brochure will primarily reflect Michigan facts and Michigan laws and provide information on what a person should do to get home safely, if they plan on drinking.

The brochure will be available for any network, organization, school, law enforcement agency or private citizen interested in traffic safety.

## JUDICIAL

### **Objective:**

- A. Support the use of new technologies such as alcohol tethers and ignition interlocks for all components of the criminal justice system.
- B. Sponsor efforts to improve cooperation among law enforcement, prosecutors, judges, probation, and the treatment community in impaired driver prosecution and adjudication to promote the increased use of OWI/drug courts for purpose of reducing substance use/abuse and recidivism.
- C. Support rehabilitation programs for offenders

### **Strategies:**

- A. Increase technology awareness for Judicial and Probation Officers.
  - 1. Collect information about agencies that are utilizing technologies
  - 2. Distribute information (and anecdotes) about technologies utilizing existing information distribution systems such as the P.A.A.M. Newsletter, MADCP (Michigan Association of District Court Probation Officers) and MJI systems.
- B. Identify existing DUI courts and those courts in the planning stages
  - 1. Determine DUI drug court programmatic needs in order to sustain existing programs and those in the planning stages.
    - a. Identify new and existing federal, state, and local funding streams that support such programs and identify funding gaps, limitations.
    - b. Identify existing training opportunities available to DUI courts (DCPI, MADCP, etc.) and determine what additional training specific to DUI courts in Michigan is needed.
    - c. Determine treatment needs and identify programs producing positive outcome data
  - C. Identify existing rehabilitative programs that appear to be effective such as those engaging in best practices and are producing good outcomes.
    - 1. Develop a strategy, mechanism to replicate and sustain such programs in jurisdictions where resources are few or non-existent or where need is apparent.
    - 2. Develop a needs assessment or other tool to determine what types of additional programs that need to be developed and implemented and where.

### **Resources:**

## **Legislative Strategies**

- High Risk Offender – New laws that would target high risk offenders by offering a comprehensive approach utilizing proven effective sanctions including treatment, ignition interlock, license sanctions and vehicle sanctions
- Administrative License Revocation
- Identify revenue enhancement for treatment and DUI courts
- Reinstigate Sobriety Checkpoints

**Impaired Driving Action Plan Strategies**

<u>Category</u>	<u>Plan #</u>	<u>Strategy</u>	<u>Lead Department or Organization</u>
Enforcement	A	Provide local communities with information on resources available for enforcement and awareness	
	B	Promote increased support of national crackdown periods by law enforcement agencies, other traffic safety advocates and media	OHSP
Education	A 1	Support and utilize OHSP Brochure designed to increase understanding of BAC and alcohol/drug impairment	OHSP
	A 2	Foster greater awareness and utilization of training provided to servers by MLBA	MLBA
	A 3	Increase utilization of materials provided by P.A.A.M.	
	A 4	Develop new materials that are user friendly and attractive to the general public	MADD
	B	Utilize training for manager/owners to emphasize alcohol awareness issues	MLBA
Judicial	A	Increase technology awareness for Judicial and Probation officials	
	B	Encourage development of DUI courts	SDTCAC
	C	Identify best practices rehabilitative programs	
Legislative		High Risk Offender	MADD, MIIPA
		Administrative License Revocation	
		Identify revenue enhancement for treatment and DUI courts	MASACA/SDTCAC
		Reinstitute Sobriety Checkpoints	

**ACRONYMS**

AAA	American Automobile Association
AASHTO	American Association of State Highway and Transportation Officials
FHWA	Federal Highway Administration
GTSAC	Governor's Traffic Safety Advisory Commission
MADCPO	Michigan Association of District Court Probation Officers
MASACA	Michigan Association of Substance Abuse Coordinating Agencies
MDE	Michigan Department of Education
MDOS	Michigan Department of State
MDOT	Michigan Department of Transportation
MLBA	Michigan Licensed Beverage Association
MLCC	Michigan Liquor Control Commission
MJI	Michigan Judicial Institute
NCHRP	National Cooperative Highway Research Program
NHI	National Highway Institute
OHSP	Office of Highway Safety Planning
PAAM	Prosecuting Attorneys' Association of Michigan
PI&E	Public Information and Education
PSA	Public Service Announcement
SDTCAC	State Drug Treatment Court Advisory Committee

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