



SAFETY Network

November 2014

Michigan.gov/ohsp

Extra Patrols Keep Thanksgiving Travelers Safe This Holiday Season

The Thanksgiving holiday is one of the heaviest travel times of the year for Michigan motorists as they take to the roadways for a time of food and family. In November, Michigan State Police (MSP) is working to make the travel season safe through the department's largest ever Operation C.A.R.E. (Combined Accident Reduction Effort) traffic enforcement initiative from November 26-30.

Operation C.A.R.E. is a nationwide initiative aimed at reducing traffic crashes and fatalities on highways across the country. It began in 1977 as a collaborative effort between the MSP and the Indiana State Police. Today Operation C.A.R.E. is one of the nation's longest running traffic safety initiatives and includes state and highway patrol agencies from all 50 states as well as some American territories and Canadian provinces.

"Our goal is to prevent traffic crashes and fatalities so every family can enjoy a safe holiday season," said Col. Kriste Kibbey Etue, director of the MSP. "With extra troopers on patrol, make sure your Thanksgiving to-do list includes wearing a seat belt, designating a sober driver and leaving your phone alone while driving."

Thanksgiving is the second deadliest holiday in Michigan for traffic crashes. In 2013, there were 12 traffic fatalities during the Thanksgiving holiday, a 30 percent increase from the nine fatalities in 2012.

Troopers across the state will conduct high visibility enforcement focusing on impaired driving, seat belt use, careless driving, and speeding. The extra patrols are paid for with federal traffic safety funds coordinated by OHSP.



Don't drive like a turkey.

Give thanks. Drive safely.

The effort is supported by the *Give thanks. Drive safely.* public awareness campaign, including a public service announcement available on www.youtube.com/OHSP. Each campaign element features illustrations of traditional Thanksgiving items to create a connection between driving safely and enjoying the holiday.

The Michigan Department of Transportation is displaying safe driving reminders on freeway message boards throughout the busy holiday travel season. The Michigan Department of State is supporting the effort by making campaign materials available in branch offices.



Michigan Office of Highway Safety Planning Gets Social by Launching Facebook

OHSP launched its Facebook page in mid-November to better share information with grantees, law enforcement, and other partners; strengthen partnerships; share traffic safety information to meet changing communication avenues; and enhance the availability of materials and information.

The OHSP Facebook page will feature a variety of content, including:

- Action team meetings
- Current campaigns
- Governor's Traffic Safety Advisory Commission meetings
- OHSP materials
- Michigan Traffic Safety Summit updates
- Michigan Truck Safety Commission meetings
- Newsletters
- Photos from traffic safety events
- Research
- Traffic Safety Committee meetings
- Traffic safety laws and legislation
- Training opportunities

OHSP also will encourage and engage discussion by asking questions, seeking opinions, and input on a variety of topics and issues. OHSP looks forward to having an interactive presence online. It will open new doors of communication.

SAFETY Network



2015 Program Update

By Michael L. Prince, Director, Office of Highway Safety Planning

The Michigan Office of Highway Safety Planning (OHSP) will double the number of counties eligible for participation in grant-funded traffic enforcement from 25 to 50 with a total of five enforcement campaigns taking place in FY 15, one more than last fiscal year. The campaigns will focus on impaired driving and seat belt use:

- October 27-November 9, 2014: OWI/seat belts
- March 17-April 6, 2015: OWI
- May 18-31, 2015: seat belts
- July 1-12, 2015: OWI/seat belts
- August 21-September 7, 2015: OWI/seat belts

While funding for traffic enforcement will focus on the top 50 crash casualty counties, all law enforcement agencies are urged to take part in these campaigns.

IMPAIRED DRIVING

Drug-involved traffic fatalities increased 22 percent in 2013, and according to the University of Michigan Transportation Research Institute, we can expect continued increases in fatalities involving drugs by 10 percent through 2017. According to the Fatality Analysis Reporting System, Michigan fatalities where a driver tested positive for marijuana and other cannabinoids increased from 16 in 1999 to 91 in 2012. Essentially, in nearly 10 percent of the total traffic fatalities in 2012, a driver tested positive for cannabinoids. Consequently, OHSP is increasing funding support to address the growing problem of drugs and driving in FY 15:

- Funding for DUI courts will more than double to over \$2 million.
- Funding for Drug Recognition Expert and Advanced Roadside Impaired Driving. Training for law enforcement officers will increase by nearly 80 percent.
- OHSP will expand the size and scope of the Traffic Safety Resource Prosecutor Program with the

Prosecuting Attorney's Association of Michigan.

- OHSP will fund a major drugged driving research project to examine the full scope of the problem in Michigan.
- Funding for the Judicial Outreach Liaison Program will continue.

Other impaired driving projects include an evaluation of Michigan's repeat offender and .08 blood-alcohol content laws, funding support for the Michigan Department of State's (MDOS) Automated Ignition Interlock Violation Management System, and a project with Mothers Against Drunk Driving to create a victim impact video for court systems around the state. Underage drinking enforcement funding will increase tenfold in FY 15, and there will be new projects funded in underage drinking prevention. OHSP will also sponsor at least one offering of the "Using Social Media as an Investigative Tool" course this year.

MOTORCYCLE SAFETY

In Michigan, nearly 20 percent of registered motorcycles are operated by an unendorsed rider. In crashes, nearly 58 percent of all motorcyclists are unendorsed and nearly 85 percent of motorcyclists killed have had no formal training in the last 10 years. Clearly, the unendorsed rider, or "shadow rider" as they are called, is a major contributor to our motorcycle crash, injury, and fatality picture. In FY 15, OHSP will continue to work with MDOS's motorcycle safety program to conduct another mailing to "shadow riders" as well as sponsoring the Basic Rider and Returning Rider courses along with professional development training for rider coaches. Special efforts will be made to work with law enforcement to increase enforcement of Michigan's motorcycle licensing law requiring a motorcycle endorsement for operators. OHSP will also initiate a major initiative to promote hi-visibility riding gear through a pilot project to distribute up to 9,000 hi-viz motorcycle vests to rid-

ers who pass MDOS's basic or advanced rider training.

OTHER PROJECTS

While seat belts, impaired driving, and motorcycle safety show the greatest promise for quick and cost-efficient reductions in injuries and fatalities, much more is planned, including, but not limited to:

- Funding a statewide study of pedestrian and bicycle crash causes, best practices, and successful countermeasures.
- Year three of the "Drive Slow on Ice and Snow" winter driving campaign.
- Strive For a Safer Drive Program will continue in up to 50 high schools in the top ranked counties for teen driver fatal and injury crashes.
- A distracted driving enforcement pilot project.
- The Traffic Safety Specialist Program for law enforcement officers, modeled after a program in Maryland, will allow officers to receive professional designation based on their level of experience, training, and proficiency in highway safety.
- Funding support for a statewide EMS Assessment, Traffic Incident Management training, a five-year analysis of EMS crash data, and the U.P. EMS Conference.
- Over \$1 million in funding support for traffic records initiatives to improve our understanding and analysis of traffic crashes in Michigan.
- The 20th Michigan Traffic Safety Summit at the Kellogg Hotel and Conference Center on the campus of Michigan State University in East Lansing March 24-26, 2015.

This is just a sampling of the programming OHSP has planned. We look forward to working with our traffic safety partners on these and many other initiatives on our drive to zero deaths on Michigan roadways.

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Toward Zero Deaths (TZD)—Become a Champion

TZD Toward Zero Deaths
National Strategy on Highway Safety

Mark Bott—Michigan Department of Transportation

The first step to improving the nation's traffic culture is to establish a TZD vision with key stakeholders. Michigan, through the Governor's Traffic Safety Advisory Commission, has done that through the Strategic Highway Safety Plan (SHSP). While the SHSP goal is to reduce traffic fatalities from 889 in 2011 to 750 in 2016, our ultimate vision is Toward Zero Deaths on Michigan's roadways. Now it is time to market TZD through you, our stakeholders.

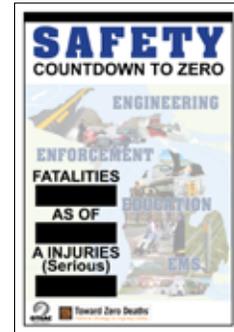
Be a champion in supporting TZD and the safety culture in Michigan, your organization, or company by incorporating the official logo for the National Strategy on Highway Safety TZD program on your website, ads, brochures, posters, and other communications. Become a TZD participant by going to www.towardzerodeaths.org/partners_participant_form.php. You can select from two versions of the TZD logo that best fits your current safety

program, fill out the applicable form to download the high-resolution logos, and the branding/style guide. To learn more about the national strategy please visit www.towardzerodeaths.org

COUNTDOWN TO ZERO

Do you want to educate your customer or employees on TZD in Michigan? In order to educate others you need to know where we stand. Sign up for a weekly update on the number of fatalities and serious injuries that have occurred on Michigan's roadways. Go to: <https://public.govdelivery.com/accounts/MIDOT/subscriber/new>

- Select Subscription Type
- Enter your email address
- Click Submit
- Select **Michigan Statewide Fatalities/Serious Injuries to Date** under **Highway Development**
- Click Submit



Now you will get a weekly email on where we stand in Michigan. Want to provide this information to others? Then use the Countdown to Zero boards. The boards have spaces available to provide up-to-date numbers. If you are interested in a board, please contact Anne Readett in the Office of Highway Safety Planning at 517-241-2569 or email at readetta@michigan.gov

Seat Belts Save Lives Even in a Zombie Apocalypse—OHSP Launches a New Halloween Enforcement Campaign



In the spirit of Halloween, the Michigan Office of Highway Safety Planning (OHSP) launched a new campaign featuring zombies to highlight the stepped up seat belt enforcement across the state. This October and November state officials urged people to use seat belts to save lives and even avoid a zombie apocalypse.

Local police departments, sheriff offices, and Michigan State Police posts in 26 coun-

ties conducted federally funded seat belt enforcement zones as part of the *Click It Or Ticket* campaign October 27 through November 9. The campaign and seat belt enforcement zones were paid for with federal traffic safety funds coordinated by OHSP.

OHSP announced the campaign with three media events at the Forest of Fear in Caledonia, the Haunted Forest in Burton, and the Wyandotte Jaycees Haunted House. Of the 13 fatalities in 2013 between October 31 and November 1, four were not wearing a seat belt and four were pedestrians.

"Seat belts are your best and primary defense in the event of a crash, zombie-related or not," said OHSP director, Michael

L. Prince. "Michigan law enforcement will be out strictly enforcing the state's seat belt law over the next couple of weeks."

The zombie-thwarting properties of a seat belt are featured in a new video available at Youtube.com/ohsp. No actual dead were harmed in the making of this commercial.

Michigan law requires all drivers, front seat passengers as well as passengers 15 and younger in any seating position to be buckled up. Children must be in a car seat or booster seat until they are 8 years old or 4 feet 9 inches tall.

The next traffic enforcement mobilization is planned for March 17- April 7.

SAFETY Network

Daniel Blower Appointed New Chair of the Michigan Truck Safety Commission



Daniel Blower, Ph.D, an associate research scientist from the University of Michigan Transportation Research Institute (UMTRI) was recently named the new chair of the Michigan Truck Safety Commission (MTSC).

Blower will represent Michigan's four-year colleges and universities. He will serve a two-year term, replacing outgoing chair Fred Bueter from the Michigan Secretary of State office.

"It is a quite personal honor to be nominated as the chair of MTSC," said Blower.

"It is also a reflection of the stature that UMTRI commands and the high regard for the work that UMTRI has done for the State of Michigan, particularly the Michigan Office of Highway Safety Planning."

Governor Rick Snyder appointed Blower to the 11-member commission in 2011 and the Michigan Senate recently confirmed his reappointment for a second term. Blower was nominated and appointed as the chair during the September meeting. He began his term on November 5.

Blower began working for UMTRI over 25 years ago on the Trucks Involved in Fatal Accidents project. His primary research

area has been medium and heavy trucks, but he has also led projects on traffic safety issues related to light vehicles. Currently, Blower's primary area of interest is traffic crash causation.

The MTSC is committed to enhancing truck and truck driver safety by providing truck driver education and training, heightening all drivers' awareness of the operational characteristics and limitations of trucks, initiating data collection and research, and supporting enforcement of commercial truck safety laws.

Michigan's Guide for Aging Drivers & Their Families

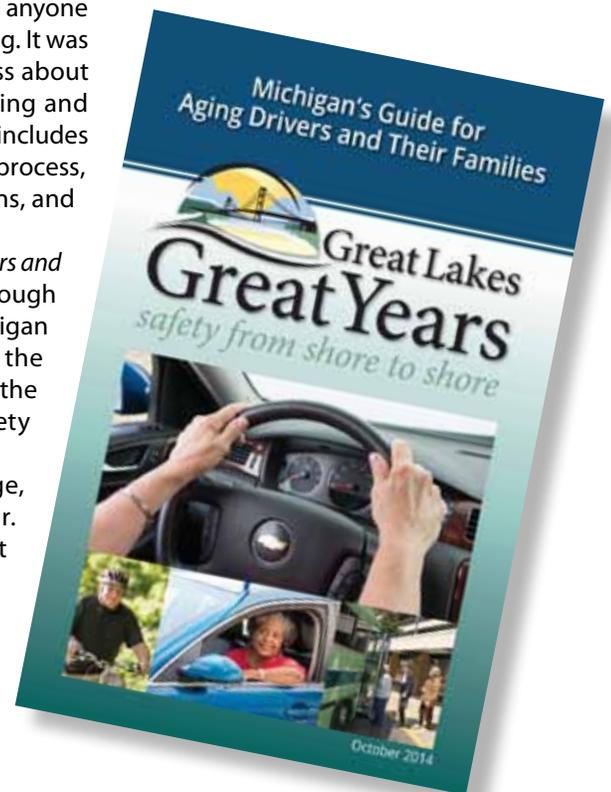
Michigan has 1.3 million drivers age 65 and older, and that number is growing. By 2025, one in five drivers is expected to be 65 or older. Older drivers are among the safest on the road when it comes to wearing seat belts, obeying speed limits, and avoiding drinking and driving. However, older drivers are more likely to be injured or killed in a traffic crash, no matter who is at fault. Safety problems for the older driver are directly tied to the aging process, such as changes in vision, cognition, and physical condition.

Everyone wants to maintain their independence, and for many that means continuing to drive. By using smart self-management techniques to review driving skills, older drivers may drive longer while limiting risks to themselves and others. However, the time will come for many to limit or stop driving. *Michigan's Guide for Aging Drivers and Their Families* is a resource that is beneficial for aging drivers, their

family members, caregivers, law enforcement, medical professionals, and anyone who provides services to the aging. It was developed to increase awareness about how aging may affect safe driving and to improve older driver safety. It includes information about the licensing process, alternative transportation options, and much more.

Michigan's Guide for Aging Drivers and Their Families was developed through a partnership between the Michigan Department of Transportation, the Michigan Department of State, the Michigan Office of Highway Safety Planning, and AAA Michigan.

To obtain copies at no charge, visit Michigan.gov/agingdriver. Copies can also be obtained at local Secretary of State or Area Agency on Aging offices.



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Fred Bueter Concludes Term as Chair of the Michigan Truck Safety Commission



Fred Bueter, a bureau director for the Michigan Department of State (MDOS), was recognized by members of the Michigan Truck Safety Commission (MTSC) at the September meeting as the outgoing commission chair following four years of service.

Bueter, director of Bureau of Driver and Vehicle Programs for the MDOS, has served on the commission for 10 years representing the Secretary of State, who is appointed statutorily to the 11-member commission.

In recognizing Bueter, the commission noted his "significant contributions and distinguished service" as chair.

He has more than 36 years of management and leadership experience with MDOS, including branch manager, district manager, branch administrator, call center manager, and division director. As bureau director, he is responsible for four divisions, a 200-member team, and an annual budget of more than \$20 million working to improve customer service, traffic safety and consumer protection.

The MTSC promotes truck safety through truck driver safety education programs, research and demonstration projects, truck safety enforcement efforts, and other methods it deems appropriate with the state.

Chief Stamm Receives GTSAC Recognition Award for 10 Years of Service

Chief David Stamm, the Chief of Police for the Charter Township of Grand Blanc, received a Recognition Award for 10 years of service with the Governor's Traffic Safety Advisory Commission (GTSAC).

Gov. Jennifer Granholm appointed Stamm to the GTSAC in 2004 and reappointed him to the commission two more times. He was reappointed to the commission by Gov. Rick Snyder in 2011 for a term ending in May 2014.

Stamm has served as the Chief of Police since 1999. He has been with Grand Blanc Township Police for 32 years holding various positions of police officer, detective, sergeant, and captain. He is a member of the International Association of Chiefs of Police, the Michigan Association of Chiefs of Police, Genesee County Chiefs of Police, and the Central Michigan Chiefs of Police.



What's Ahead

DECEMBER

- 5 **Traffic Incident Management Action Team meeting**, Horatio S. Earle Learning Center, 7575 Crowser Drive, Dimondale, 9:30-11:30 a.m.
 - 12/11 **Buzzed Driving Social Media Campaign**
- ### JANUARY
- 13 **Pedestrian & Bicycle Safety Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing, 9 a.m.
 - 14 **Occupant Protection Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing, 1920s Room, 10 a.m.
 - 15 **Impaired Driving Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing, 10 a.m.
 - 15 **Motorcycle Action Team meeting**, Horatio S. Earle Learning Center, 7575 Crowser Drive, Dimondale, Lake Huron Room, 9 a.m.,
 - 20 **Traffic Records & Information Systems Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing, 1917 Room/Millennium Room, 10 a.m.
 - 20 **Traffic Safety Engineering Action Team meeting**, Horatio S. Earle Learning Center, 7575 Crowser Drive, Dimondale, 9 a.m.
 - 27 **Distracted Driving Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing, 1917 Room, 1 p.m.

He is a graduate of University of Michigan-Flint and the Federal Bureau of Investigation (FBI) National Academy 209th session. He is married to Alice Marie Stamm, a graduate of University of Michigan-Flint. They have three adult daughters Alexandra, Christina, and Megan.

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OHSP & PAAM Welcome Kinga Gorzelewski to the Traffic Safety Program



Wayne County Assistant Prosecuting Attorney (APA) Kinga Gorzelewski has been selected as the Prosecuting Attorneys Association of Michigan's second Traffic Safety Resource Prosecutor.

She has worked in the Wayne County Prosecutor's Office for the last 10 years. Her career started in Detroit's district court, where she handled hundreds of traffic and OWI cases. She was respon-

sible for that docket for two years and became the office's "go-to" person for traffic safety cases. When she started, many good cases were getting dismissed before trial because the BAC DataMaster and evidential breath testing logs were not being maintained in compliance with the law.

Through close collaboration and trainings conducted with law enforcement officers, Gorzelewski worked with them to fix the problems and trained them in the legal requirements for maintaining

the instruments and records. She later progressed to felony OWI cases when assigned to the General Trials Division.

In addition to her APA work, Gorzelewski has training as a journalist. She interned as a reporter and producer at various television stations in the Lansing area and later as a reporter for Michigan Public Radio stations in Detroit and East Lansing where she covered the State Capitol. She started work on October 20.

Targeting Aggressive Cars and Trucks (TACT)

The Michigan Truck Safety Commission, along with the Federal Motor Carrier Safety Administration provided funding to conduct a TACT program in Michigan during FY14. The goal of this program was to reduce fatalities and injuries resulting from unsafe driving behaviors by cars and trucks such as tailgating and speeding. The program combined targeted enforcement of aggressive light-vehicle and large truck interactions with a public information and education (PI&E) campaign. Enforcement took place on two 25-mile segments of freeways near Grand Rapids during a two-week period at the beginning of October, November, and December 2013. Participating agencies included the Michigan State Police, the Michigan State Police Commercial Motor Vehicle Enforcement Division, the Ottawa and Kent County Sheriffs' Offices, and the Walker and Wyoming Police Departments.

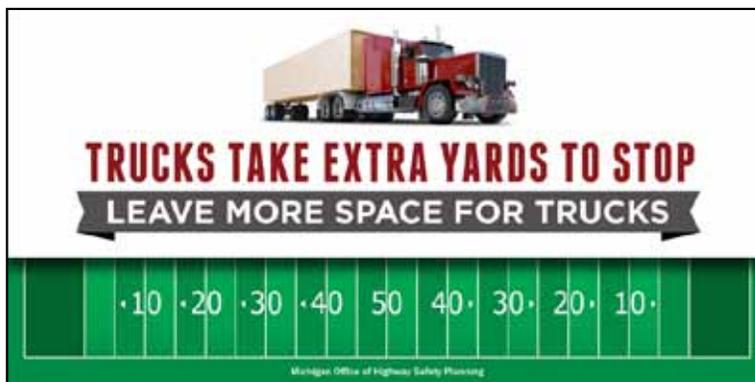
During the enforcement waves, OHSP implemented a PI&E campaign titled *Leave More Space for Trucks*. The campaign included a 60-second radio commercial and billboards. The messages encouraged drivers to leave more space for trucks by

allowing one car length for every 10 miles of speed and not tailgating. The program was kicked off in October with a news event at Van's Delivery Service in Grand Rapids which included the opportunity for reporters to ride along the enforcement route with truck drivers.

Evaluation of the TACT program was an integral component of the program. The University of Michigan Transportation Research Institute (UMTRI) conducted the evaluation which included both process and program outcome evaluations.

According to the analysis and evaluation report, the TACT program did not

result in a statistically significant amount of change in safe driver behavior or decrease the number of truck-involved crashes. The main issue cited was the timing of the TACT enforcement during the late fall and early winter months. The winter of 2013 set snowfall records dating back 100 years and was noted by scientists as one of Michigan's worst winters in recorded history. Despite these results, UMTRI made the recommendation that the TACT enforcement project should take place again during the summer months in order to increase its ability to achieve the desired outcomes.



SAFETY Network

U.S. Transportation Secretary Foxx Announces New Initiative to Enhance Pedestrian and Bicycle Safety

U.S. Transportation Secretary Anthony Foxx recently announced a new initiative to reduce the growing number of pedestrian and bicyclist injuries and fatalities through a comprehensive approach that addresses infrastructure safety, education, vehicle safety, and data collection. The 18-month campaign will begin with road safety assessments conducted by U.S. Department of Transportation field offices in every state, and will produce multiple resources to help communities build streets that are safer for people walking, bicycling, and taking public transportation.

Nationally, injuries and fatalities of pedestrian and people bicycling have steadily increased since 2009, at a rate

higher than motor vehicle fatalities. From 2011 to 2012, pedestrian deaths rose 6 percent and bicyclist fatalities went up almost 7 percent.

The new pedestrian and bicycle safety initiative will promote design improvements to ensure safe and efficient routes for pedestrians and bicycles, promote behavioral safety, and provide education to help individuals make safer travel choices. The initiative will also encourage vehicle safety by drawing on current crash avoidance technologies to alert motorists to the presence of bicyclists and pedestrians.

The initiative will begin when the department's Federal Highway Administration,

Federal Transit Administration and National Highway Traffic Safety Administration field offices survey routes for pedestrians and cyclists with local transportation officials and stakeholders to understand where and why gaps exist in the non-motorized transportation network and strategize on ways to close them. Gaps are areas where the risk of a crash increases due to the lack of sidewalks or other safe infrastructure. The Department's Federal Motor Carrier Safety Administration and Federal Railroad Administration will participate in assessments to gain understanding of non-motorized crashes involving truck and trains.

"TOO FAST FOR CONDITIONS"

HOW BAD WEATHER CRASHES ARE CHARACTERIZED TO NEWS MEDIA IS CRITICAL

By Michael L. Prince, Director, Office of Highway Safety Planning

I heard my first "ice and snow-covered roads were cited as the cause of the crash" story of the winter this past week. With that story I begin my second annual personal campaign about how we characterize winter driving crashes. Last winter I wrote an article about this ongoing problem. I wrote about how these crashes are overwhelmingly driver error, mostly driving too fast for road conditions. I wrote about how Michigan law is clear on this, and that all drivers are responsible for making sure they can keep their vehicles under control at all times, under all circumstances, whether the road has been plowed or salted or not. That is the law. No excuses. But these crashes continue to be reported as being caused by ice and snow covered roads instead of driver error.

To really tackle this problem, we need a culture change when it comes to winter

driving in our state. To drive that culture change, we need two things. The first is to change how we characterize bad weather crashes to the news media. For example, the next time a reporter calls your agency and speaks to your PIO, dispatch, or the desk sergeant, and asks if the road conditions were the cause of the crash, respond by saying that the responsibility is always with the vehicle operator to drive according to the road conditions. Driving too fast for conditions, failing to maintain control of the vehicle, and following too closely are almost always the primary factors in these crashes. The second thing we need is to educate the public, through the media, that they can receive a citation for any one of these offenses, and then follow that up with strict enforcement. Last winter, a state trooper downstate wrote a driver for one of these "slide off" crashes

where there was no damage, and in the process caught all kinds of grief in the news media for doing it. But it was the right call, and we need more enforcement action in these situations, not less. At the very least, "slide offs" snarl traffic, create massive traffic delays, and can result in additional crashes. As long as the public believes they get a "free pass" when the road conditions are poor, driver behavior is not going to change and they will not slow down. And the fact that there is no damage is sometimes only "a game of inches" as they say. A tragic triple fatality in the Upper Peninsula this past week, that left three children dead and the driver in critical condition, drives home the point that a traffic ticket should be the least of your concerns when losing control of your vehicle on a snowy or icy road.

SAFETY Network

New Study Reveals 9 out of 10 Parents Move Their Child from Booster Seat to Seat Belt Before Their Child is Big Enough

As part of National Child Passenger Safety Week in September, Safe Kids Worldwide released "Buckle Up: Booster Seats," a new study that finds an alarming number of parents are allowing kids to use a seat belt alone before they are big enough.

The report, funded in part by a \$2 million grant from the General Motors Foundation, is based on a national online survey of 1,000 parents of children ages 4 to 10. The study found seven in 10 parents do not know that a child should be at least 57 inches (4'9") to ride in a car without a booster seat. In fact, in practice, nine out

of 10 parents move a child from a booster seat to a seat belt too soon.

Motor vehicle crashes are the second-leading cause of death for children 4-10 years old. In 2012, 340 children this age died in motor vehicle crashes. A third of these children were riding without a restraint that could have potentially saved their lives. Many children of this age should be riding in booster seats which have been shown to reduce the risk of serious injury by 45 percent compared to seat belts alone.

Booster seats protect children who are too big for a car seat but too small for a seat belt. Seat belts don't fit children properly

until they are at least 57" (4'9") tall and weigh between 80 and 100 pounds.

The report also revealed that carpooling can be a particularly risky time for small passengers. One in five parents whose children carpool say they "bend the rules" when driving, letting children ride without seat belts and without the car seat or booster seat they would normally use. And 61 percent of parents say they notice other carpool drivers bending the rules. Safe Kids research also shows that one in four parents report they don't buckle up their children on every ride.

Michigan Secretary of State (SOS) Offers Teen Driving Newsletter to Parents

The Michigan SOS now offers an email newsletter to parents of teens 15-17 years old. *Teen Driver Updates* focuses on issues concerning teen drivers, such as Kelsey's law, how to select a driver education provider, and risks that teen drivers face. The publication kicked off in February and currently has almost 2,000 subscribers.

Michigan's laws are designed to help teens safely build their skills and experience behind the wheel. The newsletter and other resources at Michigan.gov can aid families of teen drivers navigate Michigan's Graduated Driver License (GDL) process and help teens successfully complete the GDL program.

Parents can access the newsletter by visiting www.michigan.gov/teendrivers and clicking the red envelope icon for GovDelivery at the bottom of the page. Parents can also access the newsletter by subscribing through email or texting

"msos gld" along with their email address to 468-111 for updates.

The SOS also offers parents a free guide, *The Parent's Supervised Driving Guide*. Secretary of State Ruth Johnson, Ford Motor Co., and the Safe Roads Alliance have teamed up to provide a comprehensive practice driving guide sponsored by Ford at no cost to taxpayers.

The guide is available for parents of teen drivers online and at SOS offices when applying for a Level 1 license. The ultimate goal of the program is to help reduce the number of vehicle crashes, the leading cause of death for 14- to 18-year-olds in the U.S.

The Parent's Supervised Driving Guide provides a practical and detailed instruction plan to help parents and their teen drivers get the most out of the supervised driving requirement under Michigan's GDL law. The material is designed for behind-

the-wheel supervision so it is clear, concise, and easily put into practice. Topics include everything from the most basic driving skills: moving, stopping, and steering to more advanced skills such as anticipating actions of other drivers and avoiding crashes.

"Driving is a complex task and young drivers need to get some valuable supervised road experience before they are behind the wheel," said Secretary Johnson. "Anything we can do to improve upon practice time can ultimately help reduce crashes and keep our teens and other motorists alive."

Educating young drivers and their families on the GDL program will help them become more informed with the process of learning safe driving skills. Car crashes are the number one cause of death for teens. In 2013, there were 41,375 crashes in Michigan with a driver age 15-19. This resulted in 103 fatalities and 821 serious injuries.

SAFETY Network

Legal Update—An Overview of House Bills 5385 (Public Act 315) and Senate Bill 863 (Public Act 316)—Effective, January 12, 2015

By Kenneth Stecker, Traffic Safety Resource Prosecutor, Prosecuting Attorneys Association of Michigan

On October 14, 2014, Gov. Rick Snyder signed into laws House Bill 5385 (Public Act 315) and Senate Bill 863 (Public Act 316). The laws take effect 90 days after the signing, January 12, 2015. The laws address drugged driving on Michigan roadways.

Representative Dan Lauwers and Senator Phil Pavlov sponsored the bills after the July 2013 deaths of Russell Ward and Koby Raymo. A repeat-drugged driver, Lisa Bergman killed these two young men in a head-on collision in St. Clair County.

Bergman was under the influence of drugs at the time of the crash. She was convicted of second-degree murder, and received a sentence of 25 to 50 years. Prior to this head-on collision, Bergman had been pulled over six times in a period of approximately 15 months for drugged driving. The officers did not know she had multiple offenses because these offenses were not listed in the Law Enforcement Information Network (LEIN).

As to House Bill 5385, it would amend the Michigan Vehicle Code. More specifically, the bill defines “preliminary roadside analysis” as the on-site taking of a preliminary breath test of a person or the performance and observation of a field sobriety test for the purpose of detecting the presence of any of the following within the person’s body:

- Alcoholic liquor.
- A controlled substance, as defined in Section 7104 of the Public Health Code.
- Any other intoxicating substance, as defined in Section 625 of the Vehicle Code.
- Any combination of the substances listed above.

It should be noted that the bill would replace the term “preliminary breath analysis” with the term “preliminary roadside analysis.” Once the bill is enacted into law, Michigan Compiled Law 257. 43a, would be amended to read in pertinent part, as

follows: “...Preliminary roadside analysis” means the on-site taking of a preliminary breath test from the breath of a person

Also removed earlier from this section was a provision allowing for a roadside saliva test for controlled substances. A refusal of the preliminary roadside analysis would carry a \$100 maximum civil infraction fine or, for a person driving a commercial vehicle, a misdemeanor penalty of up to \$100 and/or 93 days in jail.

House Bill 5385 also subjects drugged drivers to the same drivers license restrictions as drunken motorists. Once the bill is enacted into law, Michigan Compiled Law 257.625g, will be amended to read in pertinent part as follows:

(2) If a person submits to a chemical test offered under section 625a(6) that requires an analysis of blood or urine and a report of the results of that chemical test is not immediately available, the peace officer who requested the person to submit to the test shall comply with subsection (1)(a) and (b)(ii) and indicate in the notice under subsection (1)(b)(ii) that a subsequent chemical test is pending. *If the report reveals an unlawful alcohol content, or the presence of a controlled substance or other intoxicating substance, or any combination of them, the peace officer who requested the person to submit to the test shall immediately comply with subsection (1)(b)(iii).*

If the report does not reveal an unlawful alcohol content, or the presence of a controlled substance or other intoxicating substance, or any combination of them, the peace officer who requested the person to submit to the test shall immediately notify the person of the test results and immediately return the person’s license or permit by first-class mail to the address provided at the time of arrest.

MCL 257.625g(1)(b)(iii) reads as follows: “Destroy the person’s driver’s license or permit.” As to Senate Bill 863, it would

amend the Code of Criminal Procedure (MCL 765.6b) to do the following with respect to a defendant who had submitted to a preliminary roadside analysis that detected the presence of alcohol, a controlled substance, and/or other intoxicating substance:

- Authorize the court to release the defendant subject to conditions necessary for the protection of the public.
- Require the court order to be entered into the LEIN.
- Require the defendant to be informed that, as a condition of release, he or she could not operate a motor vehicle under the influence of alcohol, a controlled substance, and/or another intoxicating substance.
- Require the defendant to be informed that he or she would be subject to warrantless arrest and bail revocation if he or she violated that condition.

Also, with respect to a defendant who is released subject to conditions necessary for the protection of another person, the bill would require the judge or magistrate to order the issuing court or a law enforcement agency to enter the order into LEIN.

The bill would also revise the definition of “electronic monitoring device” to apply to devices that monitor an individual’s blood alcohol content.

The purpose of these laws will hopefully prevent such tragedies as the one that happened in St. Clair County.

For more information on this article and PAAM training programs, contact Kenneth Stecker, TSRP, at (517) 334-6060 or e-mail steckerk@michigan.gov. Please consult your prosecutor before adopting practices suggested by reports in this article. Discuss your practices that relate to this article with your commanding officers, police legal advisors, and the prosecuting attorney before changing your practice.



SAFETY Network



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