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Michigan.gov/ohsp

NHTSA releases 2016 fatal traffic crash data

The National Highway Traffic Safety Administration (NHTSA) recently released fatal traffic crash data for calendar year 2016. According to NHTSA data, which was



collected from all 50 states and the District of Columbia, 37,461 lives were lost on U.S. roads in 2016, an increase of 5.6 percent from calendar year 2015.

The number of vehicle miles traveled on U.S. roads in 2016 increased by 2.2 percent

and resulted in a fatality rate of 1.18 deaths per 100 million vehicle miles traveled—a 2.6-percent increase from the previous year.

The NHTSA found that distracted driving and drowsy driving fatalities declined, while deaths related to other reckless behaviors—including speeding, alcohol impairment, and not wearing seat belts—continued to increase. Motorcyclist and pedestrian deaths accounted for more than one third of the year-to-year increase.

The 2016 national data shows that:

- Distraction-related deaths (3,450 fatalities) decreased by 2.2 percent
- Drowsy-driving deaths (803 fatalities) decreased by 3.5 percent

- Drunk-driving deaths (10,497 fatalities) increased by 1.7 percent
- Speeding-related deaths (10,111 fatalities) increased by 4.0 percent
- Unbelted deaths (10,428 fatalities) increased by 4.6 percent
- Motorcyclist deaths (5,286 fatalities—the largest number of motorcyclist fatalities since 2008) increased by 5.1 percent
- Pedestrian deaths (5,987 fatalities—the highest number since 1990) increased by 9.0 percent
- Bicyclist deaths (840 fatalities—the highest number since 1991) increased by 1.3 percent.

Increased impaired driving enforcement kicks off

Is it possible to be grateful for being pulled over? Many drivers who were arrested for drunk driving are thankful that they were taken off the road before they seriously injured or killed themselves or others.

The Michigan Office of Highway Safety Planning (OHSP) and law enforcement officers recently announced the beginning of a *Drive Sober or Get Pulled Over* drunk driving crackdown with a sobriety court judge and graduate in Grand Rapids. Increased drunk driving enforcement patrols are out in every county across Michigan between now and Dec. 10.

“I put myself in a terrible circumstance,” said Mark Williams, sobriety court graduate. “I could have lost everything—including my own life or the life of another. I feel very



OHSP Director Michael L. Prince and law enforcement officials announced the crackdown.

grateful that did not happen. Now, I’m encouraging everyone to learn from my mistakes. Make smart decisions and get a safe ride home.”

In 2016, 416 people died in Michigan as a result of alcohol and/or drug-involved traffic crashes. During the same year, 2,986 (31 percent) of drivers in alcohol-involved crashes were between the ages of 25-34 and 2,279 (23.7 percent) were 24 or younger. Drivers with two or more drunk driving convictions may have the opportunity to apply to a sobriety court program in certain Michigan counties.

“Many of the people who enter my courtroom aren’t happy to be there,” said Judge Jeanine LaVille, 61st District Court.

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SAFETY Network

Roadside drug testing pilot begins in five counties

In an effort to combat the dangers of drugged driving, five Michigan counties are participating in a one-year oral fluid roadside drug testing pilot program established by the Michigan State Police (MSP). The counties are Berrien, Delta, Kent, St. Clair, and Washtenaw.

The Preliminary Oral Fluid Analysis pilot program was established by Public Acts 242 and 243 of 2016. The pilot program will set policies for the administration of roadside drug testing to determine whether an individual is operating a vehicle while under the influence of a controlled substance in violation of Michigan law. The one-year pilot program began on Nov. 8.

Over the last several years, Michigan has seen a steady increase in fatal crashes involving drivers impaired by drugs. In 2016, there were 236 drug-involved traffic fatalities, which is an increase of 32 percent from 179 drug-involved traffic fatalities in 2015.

The pilot counties were chosen based on several criteria, including the number

of impaired driving crashes, impaired drivers arrested, and trained Drug Recognition Experts (DREs) in the county.

DREs are police officers who have received highly specified training that allows them to identify drivers impaired by drugs. Although the pilot program is being organized and managed by the MSP, DREs employed by county, township, and municipal police agencies will also be involved.

Under the pilot program, a DRE may require a person to submit to a preliminary oral fluid analysis to detect the presence of a controlled substance in the person's body if they suspect the driver is impaired by drugs. The preliminary oral fluid analysis will be conducted by a DRE on the person's oral fluid, obtained by mouth swab, and will be administered along with the drug recognition 12-step evaluation currently used by DREs. Refusal to submit to a preliminary oral fluid analysis upon lawful demand of a police officer is a civil infraction.

Lawson named SRP Deputy of the Year

Shiawassee County Sheriff's Deputy Craig Lawson always goes the extra mile to ensure the safety of everyone on the road.

These efforts were recognized during the Michigan Sheriff's Association (MSA) Fall Training Conference when Lawson received the 2017 Secondary Road Patrol (SRP) Deputy of the Year Award. The honor is presented to deputies who show initiative, display a positive image of the sheriff's office, and demonstrate outstanding work performance. The award is sponsored by the OHSP, in partnership with the MSA.

The Secondary Road Patrol and Traffic Prevention Program, created by Public Act 416 of 1978, provides county sheriff offices with funding to patrol county and local

roads outside the corporate limits of cities and villages. It is managed by the OHSP and has the legislated primary responsibility of traffic enforcement and traffic crash prevention on secondary roads.

Lawson has been performing SRP/416 duties since January 2017. In that time, he has made 1,253 traffic stops and issued 873 traffic citations. The deputy considers his mission is "to help make the county a safer place, one stop at a time."

Deputies funded under the program are responsible for traffic enforcement, traffic crash prevention and investigation, criminal law enforcement, and emergency assistance on secondary roadways.

What's Ahead

DECEMBER 2017

- 6 Traffic Incident Management Action Team meeting.** Horatio S. Earle Learning Center, 7575 Crowner Drive, Dimondale, 9:30 a.m.

JANUARY 2018

- 10 Michigan Truck Safety Commission meeting.** Michigan Center for Truck Safety, 1131 Centennial Way, Lansing. 9 a.m.
- 10 Impaired Driving Action Team meeting.** Michigan State Police Headquarters, 7150 Harris Drive, Dimondale, 10 a.m.
- 11 Senior Mobility and Safety Action Team meeting.** Horatio S. Earle Learning Center, 7575 Crowner Drive, Dimondale, 1:30 p.m.
- 16 Distracted Driving Action Team meeting.** Michigan State Police Headquarters, 7150 Harris Drive, Dimondale, 1 p.m.
- 18 Motorcycle Safety Action Team meeting.** Horatio S. Earle Learning Center, 7575 Crowner Drive, Dimondale, 9 a.m.
- 18 Traffic Records Coordinating Committee meeting.** Michigan State Police Headquarters, 7150 Harris Drive, Dimondale, 1:30 p.m.
- 23 Pedestrian and Bicycle Safety Action Team meeting.** Horatio S. Earle Learning Center, 7575 Crowner Drive, Dimondale, 9 a.m.



Deputy Craig Lawson (center) with Shiawassee County Sheriff Brian BeGole (left) and OHSP Director Michael L. Prince.

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Prescription drugs behind the wheel

By: Kenneth Stecker and Kinga Gorzelewski

Defendant Charles Pickett Jr. has been ordered to stand trial for the June 2016 crash that killed five bicyclists and injured four in Kalamazoo County.¹ Pickett plowed his pickup truck into the nine cyclists as they rode along a rural road.² Defendant's girlfriend told police he downed handfuls of pain pills and muscle relaxers before getting behind the wheel.³

A forensic scientist testified at a preliminary examination hearing that defendant's blood, which was taken right after the crash, tested for four different substances.⁴ Two of those—amphetamine and methamphetamine—are stimulants. The other two substances were the pain killer Vicodin (hydrocodone) and Tramadol, which is used to treat restless leg syndrome.

In a separate crash that occurred on Nov. 14, 2008, in Kalkaska County, Sheri Chaffee killed one person and seriously injured another after crashing into a vehicle, nearly head on.⁵

Testimony at trial revealed that before the collision defendant was observed driving erratically, weaving into oncoming traffic, and following very closely behind several vehicles.⁶

An off-duty sergeant testified he was forced off the road to avoid hitting defendant's car and then witnessed the fatal crash through his rear view mirror.⁷

At the scene Chaffee admitted she had taken Xanax (Alprazolam) and Ambien (Zolpidem), both of which had been prescribed to her.⁸

A jury convicted defendant of operating a motor vehicle while under the influence of a controlled substance causing death and serious impairment of a bodily

function.⁹ She was sentenced to 43 months to 15 years in prison.¹⁰

These two cases have all the markings of a drunk driving case, but these are drivers impaired by prescription drugs.

The use of prescription drugs can make driving a vehicle unsafe—just like driving after drinking alcohol. The effects of specific drugs differ depending on how they act in the brain.¹¹ For example, opiates can cause drowsiness, and mental confusion even at lower, moderate doses.¹² A driver may have difficulty keeping the vehicle in the correct lane and make errors in judgment.¹³

On the other hand, amphetamines can interfere with concentration, impair vision, and increase a driver's tendencies to take risks. The use of tranquilizers produces drowsiness, lack of coordination, altered perceptions, memory impairment, poor control of speech, and slower reaction time. Effects on driving include poor tracking, difficulty in maintaining lane position, and neglecting roadside instructions.

Under Michigan law, it is a crime to operate a motor vehicle while under the influence of a "controlled substance" and/or an "intoxicating substance." Because prescription drugs may fall under either of these categories, there may be some concern that this will result in prosecuting drivers who lawfully take their prescription drugs.

This will not happen under a proper understanding of the law.

This is not a per se law. A person does not violate the law just because he or she took their prescription drug any more than a person who has had one or two drinks and is below the .08 legal limit. A person violates this law only when operating a

motor vehicle while under the influence by a prescription drug.

"Under the influence" means that, because of consuming a controlled substance or intoxicating substance, a person's ability to operate a motor vehicle in a normal manner was substantially lessened. The test is whether one's mental or physical condition is significantly affected and they are no longer able to operate a motor vehicle in a normal manner.

In essence, if an individual is properly taking their prescribed medication, they can legally drive their vehicle. However, they risk arrest in the following situations:

- Ignoring prescription warnings that it may not be safe to operate a vehicle or heavy machinery, and the medication impairs their ability to drive
- Not following prescription instructions regarding recommended dosage or not to combine with alcohol, and the medication affects their ability to drive
- Taking someone else's prescribed medication, and the medication affects their ability to drive.

In conclusion, driving while intoxicated or impaired poses a significant risk not only to the driver and their passengers but also to anyone else on the road. This is true whether the impairing substance is alcohol, an illicit drug, or a prescription medication not being taken properly.

For more information on this article and PAAM training programs, contact Traffic Safety Resource Prosecutors Kenneth Stecker at steckerk@michigan.gov or Kinga Gorzelewski at gorzelewskik@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.

1 *MLive*, "Charles Pickett Jr. ordered to stand trial in fatal bicycle crash," by: Emily Monacelli, November 7, 2016.

2 *Id.*

3 *Id.*

4 *Id.*

5 *People v. Chaffee*, No. 299758, decided June 19, 2012, Michigan Court of Appeals (Unpublished)

6 *Id.*

7 *Id.*

8 *Id.*

9 *Id.*

10 *Id.*

11 National Institute on drug Abuse, "Drugged Driving," Revised June 2016.

12 Emergency Medical Services Authority, by CSI Communications, LLC, 2017.

13 *Id.*

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Is there an aging driver in your household?

If you or someone you know is concerned about the driving skills of an older motorist, there are excellent resources available to help families with aging drivers.

The fastest growing segment of the state's population is residents age 65 and older. The topics of aging and driving raise many questions among seniors and their families. Fortunately, Michigan has an award-winning program to supply answers.

The week of Dec. 4-8, 2017 has been declared nationally as Older Driver Safety Awareness Week and the state has officially recognized



the week by issuing a statewide proclamation. About one in seven drivers is age 65 or older in Michigan. Experts predict that number will rise to one in five drivers by the year 2025.

The Safe Drivers Smart Options website at www.Michigan.gov/agingdriver was created for aging drivers, their families, and professionals, such as health care providers and law enforcement. The website includes self-assessment driving tools, videos, links to driver refresher courses and other community supports for aging drivers, information about how medications and health problems may affect driving, and lists of resources available to drivers once they stop driving.

Its three primary goals are to:

- Help aging drivers continue to drive safely.
- Help aging drivers who are no longer able to drive safely transition to non-driving.
- Provide community resources and mobility options for those no longer driving.

Updates from the Traffic Crash Reporting Unit

In 2016, the MSP Traffic Crash Reporting Unit (TCRU) worked closely with LexisNexis, an electronic UD-10 vendor, to develop a locating tool for officers to place a pushpin on a map and have that information automatically populate certain fields on the UD-10 to obtain accurate crash data. The tool, called the Crash Location Improvement Project (CLIP), has been used by the MSP since December 2016. After receiving feedback from the field, the TCRU worked with LexisNexis and the OHSP to receive federal funding to make enhancements to CLIP.

These enhancements are being referred to as CLIP 2.0. They will be pushed to the remaining law enforcement agencies currently using LexisNexis eCrash to submit traffic crashes electronically to the TCRU. CLIP 2.0 will also include "Crash Designer," an enhanced drawing tool for officers to complete the diagram on the UD-10. The law enforcement agencies affected by this upgrade will be contacted with specific instructions and training opportunities once CLIP 2.0 is ready to be implemented.

The traffic safety community has had many discussions about automated vehicles and how law enforcement will capture this information when applicable. According to the Society of Automotive Engineers there are five levels of automation ranging from no automation to

The decision to give up the keys can be traumatic for drivers and their families. Especially at this time of year, when people are reconnecting over the holidays, the topic of older drivers may be suddenly brought to the table as concerns are raised about changes in a loved one's driving behavior.

complete autonomy. Today, several models of vehicles on the road operate with some level of autonomy. This fall, the University of Michigan will begin operating a driverless shuttle service on its campus to transport up to 15 students, staff, and faculty along a predetermined two-mile route. With the implementation of this technology and others, including truck platooning, the TCRU thought it appropriate to issue some guidance and recommendations for officers.

The TCRU is making a minor change to the UD-10 to capture these vehicles correctly when involved in a traffic crash. An instructional flyer is also being created for officers on how to properly code these automated vehicles on the UD-10.

The UD-10 Instruction Manual is being revised. The current version was published in 2016 and included all the new information for the UD-10 revision that occurred that year. The updated manual will help to address specific issues and questions, and will better align with federal reporting definitions and standards. Check the MSP webpage at michigan.gov/crash later this year to download the 2018 edition of the UD-10 Instruction Manual.

For any questions about the TCRU or for free training opportunities, contact Sgt. Scott Carlson at 517-745-8794 or CarlsonS1@michigan.gov.



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News Briefs:

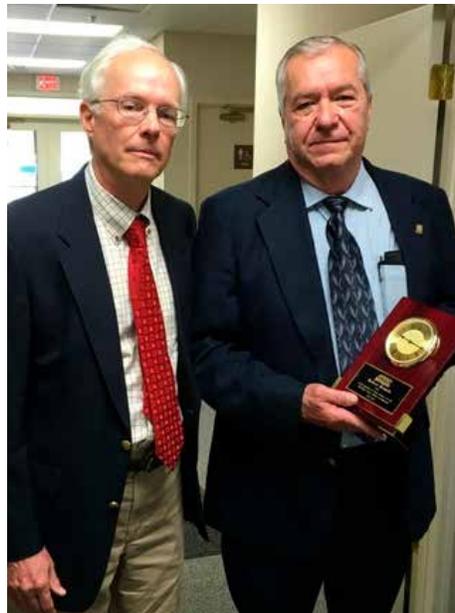
- Governor Rick Snyder has signed legislation (Public Act 152 of 2017) that will continue Michigan's .08 blood alcohol limit for drunken driving until October 2021.
- The 2017 Continuing Education Training for DREs was conducted at Cooley Law School's Auburn Hills Campus from Oct. 11-13. Among those attending were 64 DREs, 12 DRE prosecutors, and six district judges.



Dan Blower, chair of the Michigan Truck Safety Commission (MTSC), presents Janet Bawol with an award for serving as the commission's executive secretary from 2011 to 2017.



Dan Blower, MTSC chair, honors Tom O'Brien for being a commissioner from 2008-2017.



Dan Blower, MTSC chair, honors Robert Ramels for his years of service as a commissioner from 2011 to 2017.

The Monroe County Board of Commissioners recently recognized Traffic Safety Resource Prosecutor Kenneth Stecker for his outstanding service in providing continuing legal training and education to law enforcement officers and assistant prosecutors in Monroe County.



Kenneth Stecker (left) is pictured with Monroe County Prosecuting Attorney William Nichols.

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MADD honors law enforcement officers



Through the Lifesavers Law Enforcement Recognition Awards, Mothers Against Drunk Driving (MADD) Michigan recently honored law enforcement officers for their commitment to impaired driving enforcement.

The 2017 MADD Michigan Lifesavers Award recipients included:

OUTSTANDING AGENCY:

Grand Blanc Township Police Department
MSP Iron Mountain Post

OUTSTANDING TROOPER:

Tpr. Daniel Drewyor—MSP Monroe Post
Tpr. Jared Chiros—MSP Tri-City Post
Tpr. Timothy Rajala—MSP Calumet Post
Tpr. Rick Kane—MSP Flint Post

OUTSTANDING DEPUTY:

Dep. Brandon Berens—Allegan County Sheriff's Office
Dep. John Talos—Macomb County Sheriff's Office
Dep. Omar Dieppa—Kent County Sheriff's Office

OUTSTANDING OFFICER:

Ofcr. Jordan Kosinski—Almont Police Department
Ofcr. Robert Schurig—Westland Police Department
Cpl. Nicholas Hutchens—Dearborn Heights Police Department
Ofcr. Jeffrey Thompson—Mount Pleasant Police Department

OUTSTANDING ROOKIE:

Ofcr. Derrek Lazarski—Huron Township Police Department
Dep. Alex Capra—Livingston County Sheriff's Office
Dep. Gregory Simmons—Macomb County Sheriff's Office

LONGEVITY AWARD:

Tpr. Timothy J. Gean—MSP Niles Post

RECOGNITION OF EXCELLENCE:

Det. Jeramey Peters—Auburn Hills Police Department
Tpr. Troy Meder—MSP Tri-City Post
Ofcr. Timothy Anderson—Ypsilanti Police Department

OLIVIA CLEVELAND AWARD:

Ofcr. Wes Evans—Grand Blanc Township Police Department

TZD Toward Zero Deaths

November 28, 2017

942

**Traffic Deaths
in Michigan this Year**

Impaired Continued from page 1 >

"Most, however, are grateful that they have the opportunity to work on their recovery and that they did not seriously harm or kill themselves or others by choosing to drive drunk."

Of the 980 fatal crashes during 2016 in Michigan, 254 (25.9 percent) were alcohol-related, involving at least one drinking operator, bicyclist, or pedestrian. On average, more than 10,000 people died nationwide every year in drunk-driving crashes from 2006-2015. One person is killed in a drunk-driving crash every 51 minutes in the United States. The OHSP launched www.michigan.gov/360 to encourage planning ahead before activities involving alcohol consumption.

"We're encouraging everyone to pause and do a 360-degree assessment of how they plan to get home safely—before they begin to drink," said Michael L. Prince, director of the OHSP. "Before you leave for a night out, consider these questions: How will you get there? How will you get home? Who is coming along?"

23RD ANNUAL MICHIGAN TRAFFIC SAFETY SUMMIT

SAVE THE DATE

MARCH 20-22, 2018

Online registration will open in late 2017.



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