

SAFETY Network

October 2013

www.michigan.gov/ohsp



Police cruiser-cabs kick off drunk driving crackdown; 267 drunk drivers arrested

Custom police cruiser-cabs helped kick off an end-of-summer drunk driving crackdown August 16-September 2. The cruiser-cabs were featured on mobile billboards with the message “Been Drinking? Choose Your Ride.” Police vehicles from the Grand Blanc Township and Novi police departments and Ottawa County Sheriff’s Office were showcased on the billboards.

The crackdown resulted in the arrest of 267 drunk drivers, including 45 drivers with a blood alcohol content (BAC)

of .17 or higher who were charged under Michigan’s High BAC Law. This year’s crackdown also included seat belt enforcement during which officers issued 4,119 seat belt and child restraint citations.

The crackdown was coordinated by the Michigan Office of Highway Safety Planning and paid for with federal traffic safety funds. Law enforcement officers from 155 state, county, and local agencies in 26 counties participated in the extra patrols.

OTHER DRIVE SOBER OR GET PULLED OVER ENFORCEMENT ACTIVITY INCLUDED:

2,206	Other Traffic Citations
816	Uninsured Motorist Citations
784	Speeding Tickets
556	Suspended Driver License Citations
266	Fugitives Apprehended
74	Drug Arrests
68	Texting Citations
43	Felony Arrests

MADD Michigan names MacEachran as executive director

Tyler MacEachran, whose expertise and passion lie in spearheading new business development, creating new and innovative programs, networking, and implementing meaningful ways for supporters to impact awareness, programs, and fundraising, was recently named executive of MADD Michigan.

A nonprofit leader since 2000, MacEachran has served as vice president of the Epilepsy Foundation of Michigan, executive director of Student Mentor Partners, and most recently as president of Destination Success, a nonprofit organization providing intensive and long-term services to teens living in poverty.

He holds a Master of Public Administration degree from Wayne State University and has management experience in the business, government, and nonprofit sectors.



According to MacEachran, “Too many families have had loved ones taken from them by the completely preventable and senselessly reckless act of impaired driving. As the leader of MADD Michigan, I will make sure that Michigan’s roads are the safest and most sober in the nation. I also intend to help those victimized by impaired drivers with every resource possible.”

To contact MacEachran, e-mail Tyler.MacEachran@madd.org or call (248) 528-1745.

SAFETY Network



Director's Corner

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

As we prepare to bring FY 2013 to a close and begin FY 2014, I would like to thank staff and our partners and stakeholders who have contributed their time, talent, and expertise to making Michigan's roadways safer. I would especially like to thank those who took part in the Strategic Highway Safety Planning (SHSP) process, a document which Governor Rick Snyder signed in February.

The Michigan SHSP provides a clear and concise overview of our future direction in traffic safety. This document, and the input you have provided, was integrated into our FY 2014 Highway Safety Plan which was approved by the National Highway Traffic Safety Administration on August 30. This plan provides, in specific detail, OHSP's priorities for the coming year and the projects our office will fund in order to contribute to the achievement of the goals set forth in Michigan's SHSP.

Some of these priorities include:

INCREASING SEAT BELT USE

Since creation of the National Highway Safety Program in 1966, traffic law enforcement, with a focus on seat belt use, has been and continues to be a cornerstone of our traffic safety programming. Increasing seat belt use is the fastest and least expensive way to reduce fatalities, injuries, and the associated economic costs. Michigan's seat belt use rate has stalled at around 93 percent, down from a high of nearly 98 percent a few years ago. While still a respectable number, as a primary law state it is reasonable to expect a higher degree of compliance in seat belt use from the motoring public. To achieve that compliance we need a strict "zero tolerance" approach to seat belt enforcement. Most of those who will voluntarily buckle up are already doing so. The remaining 5-7 percent will only do so if they know they will be cited for failing to comply. Over the last five years, 1,112 people have been killed riding unrestrained in motor vehicles. We

could save up to half of these people with strict enforcement and greater compliance with the primary seat belt law.

REDUCING MOTORCYCLE CRASHES, FATALITIES, AND INJURIES

Through a partnership with the Michigan Department of State's Motorcycle Safety Program, OHSP will provide additional resources to improve the accessibility to basic and advanced rider training, one of the strategies to reduce motorcycle crashes in Michigan. Efforts will be made to reach out to unendorsed "shadow riders" to encourage them to become trained and legal riders. OHSP will also continue to promote the *Ride Safe to Ride Again* campaign which includes the promotion of high-visibility protective gear so riders can more readily be seen by other motorists.

IMPROVING TRAFFIC RECORDS AND CRASH DATA

OHSP will continue funding support of the modernization of the Traffic Crash Reporting System, training for law enforcement in evidenced-based policing strategies like Data-Driven Approaches to Crime and Traffic Safety, and the Michigan Traffic Crash Facts Web site. Continuation of a project to facilitate data linkages between various traffic records systems (driver, vehicle, roadway, crash, and injury) is also planned.

REDUCING IMPAIRED DRIVING

Creating an atmosphere of "general deterrence," where people refrain from driving while impaired because they believe there is a good chance they will be arrested, is proven to be the most effective method of reducing impaired driving. General deterrence is primarily created through strict, high-visibility enforcement publicized through earned and paid media campaigns and outreach efforts.

Our enforcement programming will be supplemented in 2014 with several key strategies, including:

Impaired Driving Detection Training:

OHSP will provide a fully funded program to train police officers in the skills necessary to identify, arrest, and prosecute impaired driving offenders. Standardized Field Sobriety Testing will continue to be mandatory for any officers working grant-funded traffic enforcement through OHSP. Advanced Roadside Impaired Driving Enforcement will also be offered which is particularly important in efforts to combat drugged driving. Another Drug Recognition Expert (DRE) school will take place in early 2014 to supplement the 50 DREs currently patrolling Michigan's roadways. While Michigan was one of the last states to join the DRE program, it is our intent to have the highest quality program in the nation and we are well on our way in achieving this goal.

Sobriety Court Enhancement:

Michigan is one of the leading states in the country when it comes to sobriety courts. This proven methodology has been shown to dramatically reduce recidivism of impaired driving through a team approach to intensive supervision and treatment. Funding will be increased to allow for the establishment of additional courts and greater capacity for existing courts. OHSP will also be looking for ways to leverage the existence of overtime OWI enforcement grants with sobriety courts.

Traffic Safety Resource Prosecutor (TSRP):

The TSRP program will continue through a grant to the Prosecuting Attorneys Association of Michigan. Through this program, OHSP funds advanced levels of traffic-related training for prosecutors and law enforcement agencies, including, but not limited to, Cops in Courts, Visual Trial School, Prosecuting the Drugged Driver, and many others. Ken Stecker, Michigan's TSRP, is also a recognized expert and presenter on medical marijuana issues as they relate to impaired

Continued on page 4 >



SAFETY Network



Col. Kriste Kibbey Etue, Director of the Michigan State Police, is interviewed about the Save a Life. Give a Lane. campaign.

Campaign reminds motorists about state's Move Over Law

The successful recovery of Michigan State Police (MSP) Tpr. Drew Spencer following a life-threatening crash is the focus of a new public information and education campaign encouraging motorists to move over for emergency response vehicles. The first-of-its-kind statewide campaign uses Spencer's story to highlight the little and

big moments emergency workers could miss if injured or killed in the line of duty.

The *Save a Life. Give a Lane. It's the Move Over Law.* campaign gives a first-hand account from Spencer, who suffered severe injuries when struck by a vehicle while conducting a traffic stop in 2011. Following weeks of intensive physical and

Continued on page 8 >



Honorable Deborah A.P. Hersman, chairwoman of the National Transportation Safety Board and Jim Santilli, executive director of the Traffic Improvement Association of Michigan.

Remembering Ally campaign honored by GHSA

The *Remembering Ally: Distracted Driving Awareness Campaign* was honored by the Governors Highway Safety Association (GHSA) with a Peter K. O'Rourke Special Achievement Award at GHSA's annual meeting in August. The campaign was named in honor of Ally Zimmerman, a 16-year-old Romeo High School student, who was hit by a distracted driver on Dec. 28, 2010. She later died from her injuries.

Continued on page 11 >

Nominations sought for GTSAC traffic safety awards

Nominations are being accepted for the 2013 Governor's Traffic Safety Advisory Commission (GTSAC) awards. Each year, the GTSAC honors individuals, organizations, and programs by presenting awards for outstanding contributions to traffic safety in Michigan.

Individuals or organizations may be nominated by a person who is familiar with the activities for which the nominee is being considered. A person/organization may only be nominated in one category. No self-nominations are accepted, however, a person may nominate a program, organization, or activity with which they are involved.

Nominees must be a Michigan resident or an organization located in the state. All entries must be received by November 1 to be considered.

Entries will be judged by representatives of the GTSAC. Awards will be presented on March 26, 2014, at the Michigan Traffic Safety Summit at the Kellogg Hotel & Conference Center in East Lansing.

Nomination forms are available at Michigan.gov/gtsac.





SAFETY Network



Governor makes appointments to Michigan Truck Safety Commission

OHSP promotes *Ride Safe to Ride Again*, high viz gear at Muskegon Bike Time

The Michigan Office of Highway Safety Planning (OHSP) promoted the use of high-visibility riding gear and its *Ride Safe to Ride Again* motorcycle safety campaign during Muskegon Bike Time July 19-21.

OHSP and the Michigan Department of State raffled off high-visibility gear and provided information about rider training and endorsement to several thousand motorcycle enthusiasts. Michigan State Police Tprs. Casey Trucks and Jay Sweetland of the Rockford Post provided riding safety demonstrations and answered questions

from the public about motorcycles and traffic safety.

The Secretary of State Mobile Office was also on-site to offer all the services available at a traditional branch office including license renewals, motorcycle endorsements, instant titles, and voter registration.

The *Ride Safe to Ride Again* campaign recognizes that the best person to look out for a motorcycle rider's safety is the rider. It urges riders to make themselves more visible while out on the road and to ride defensively.

Gov. Rick Snyder recently announced two appointments and five reappointments to the Michigan Truck Safety Commission.

The 11-member commission develops and administers programs addressing commercial truck driver education.

New appointees include Sharon Conklin, safety director for Van's Delivery Service Inc., and Lt. Col. Timothy Yungfer (Ret.), a member of the Michigan State Police for nearly 40 years.

Conklin has more than 40 years of experience in the transportation industry and has worked for Modular Transportation Inc., Amazon Transportation, Ryder Dedicated Logistics, and Transamerican Freight Lines. She is a member and past president of the



Continued on page 8 >

Director *Continued from page 2 >*

driving and serves as a technical advisor for prosecutors and law enforcement on prosecuting impaired driving cases, particularly those that involve crashes resulting in injuries or fatalities.

Judicial Outreach Liaison (JOL): The JOL program, which began in FY 2013, will continue in FY 2014 through a grant with the State Court Administrative Office. Michigan is very fortunate to have the services of retired Judge Patrick Boller, one of the most experienced sobriety court judges in Michigan. Judge Boller has been traveling the state, promoting the expansion of sobriety courts, conducting training, and providing technical assistance to existing and prospective sobriety courts. Judge Boller is also an adviser to the state's DRE program.

IMPROVED PERFORMANCE AND ACCOUNTABILITY

One of the priorities for the coming year is maximizing results from all federally funded programming, including overtime traffic patrols. Overtime enforcement is a high-cost strategy with the potential of high-impact; but with the cost of premium pay is the expectation of premium results. OHSP has secured the services of Western Michigan University to utilize a newly developed performance measure and ranking system to identify the performance levels of more than 170 law enforcement agencies receiving federal funding for overtime traffic patrols. High-performing agencies will be recognized for their efforts while low performing agencies will run the risk of losing federal funds. While the issuing of citations and making arrests will continue to be left to

the discretion of the officer, visible traffic enforcement through vehicle stops will help to create the general deterrence effect that sends a message to the public that traffic laws are strictly enforced in Michigan.

This is only a sampling of what we have planned for FY 2014. Today's annual traffic safety planning process is so dynamic and fluid that there is no longer a "planning season." Planning now takes place year round, and OHSP continuously seeks out new and effective strategies that will help us achieve the state's ultimate goal of zero deaths. To that end, I encourage you to get involved, join one of the Governor Traffic Safety Advisory Commission Action Teams, and share your ideas and expertise.

We don't just want you to be part of the process, we need you as part of the process.



SAFETY Network

NETS offers free, online toolkits for Drive Safely Work Week

Taking a systematic approach to safe driving that includes the roles of the mind, body, and vehicle, the Network of Employers for Traffic Safety (NETS), has launched a free, comprehensive online toolkit to help employers improve the safety of employees, employee family members, and their communities.

The 2013 Drive Safely Work Week (DSWW) toolkit was developed by NETS, a partnership of private-sector companies and the federal government. The campaign theme this year is *Gear up for safe driving: Mind-Body-Vehicle*. Campaign materials illustrate how maintenance of mind, body, and vehicle are all connected and essential components to being a safe driver.

The campaign was developed using the expertise of NETS' member companies, collectively representing a fleet of more than half a million vehicles that travel in excess of 10 billion miles globally each year.

The DSWW campaign focuses on the importance of issues that include:

- >> Regular vision screening
- >> Being well-rested and properly fueled
- >> Keeping your vehicle healthy through preventative maintenance
- >> Getting the right fit to your vehicle for maximized field of vision and sustained energy

The toolkit provides easy-to-use Web-based resources, including facts and tips on each of the issue areas, downloadable graphics, and activities tailored for each day of the campaign week. It is also available in Spanish

DSWW is observed annually during the first week of October. However, the materials are not dated and may be used anytime throughout the year. The DSWW 2013 toolkit can be downloaded at TrafficSafety.org/drivesafelyworkweek.



LINK ADVERTISING PROMOTES KELSEY'S LAW

Link Advertising, Inc., of Saginaw, donated billboard space to help promote a new law for teen drivers, Kelsey's Law. The pictured sign was located on M-13 near Standish. Kelsey's Law prohibits Level 1 and Level 2 drivers from talking on a cell phone while driving.

What's Ahead

OCTOBER

- International Walk to School Month**
Walktoschool.org
- 2 **Walk to School Day**
Walktoschool.org
- 2-6 **Drive Safely Work Week**
TrafficSafety.org
- 4 **Traffic Incident Management Action Team meeting**, Horatio S. Earle Learning Center, 7575 Crowner Drive, Dimondale, Lake Erie Room, 9:30 a.m.
- 8 **Traffic Safety Engineering Action Team meeting**, Horatio S. Earle Learning Center, 7575 Crowner Drive, Dimondale, 1 p.m.
- 10 **Lakeshore Traffic Safety Committee meeting**, West Shore Educational Service District (formerly the Oceana ISD), 844 Griswold Street, Hart, 10 a.m.

- 15 **Distracted Driving Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing, 1960s Room, 1 p.m.
- 15 **Occupant Protection Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing, 1920s Room, 10 a.m.
- 16 **Impaired Driving Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing, 1960s Room, 10 a.m.
- 17 **Traffic Records & Information Systems Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing, 1920s Room, 10 a.m.

- 20-26 **National Teen Driver Safety Week**
Teendriverssource.org
- 21-25 **National School Bus Safety Week**
Napt.org

NOVEMBER

- 6 **Commercial Motor Vehicle Action Team meeting**, Michigan Center for Truck Safety, 1131 Centennial Way, Lansing, 9 a.m.
- 12 **Pedestrian and Bicycle Safety Action Team meeting**, Michigan State Police Headquarters, 333 South Grand Avenue, Lansing, 1970s Room, 9 a.m.
- 14 **Senior Mobility and Safety Action Team meeting**, Horatio S. Earle Learning Center, 7575 Crowner Drive, Dimondale, Lake Superior Room, 1:30 p.m.

SAFETY Network

Cell phones raise issues of safety on Michigan roadways

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

Cell phones have become a valuable tool in the way we go about our daily lives. In the business world, employees use them to perform their jobs. They help boost productivity as employees can easily reach clients while driving from one destination to another. Cell phone commercials show teenagers constantly typing text messages to each other in lingo only they understand. However, cell phones also raise a number of issues involving safety on our roadways.

Distracted driving increases the likelihood of being involved in a crash. It involves doing another activity that takes your attention away from driving.

There are three main types of distraction:

- >> Visual—taking your eyes off the road,
- >> Manual—taking your hands off the wheel, and
- >> Cognitive—taking your mind off of driving.

Distracted driving activities include using a cell phone, texting, and other activities such as eating, combing your hair, or trying to read a newspaper or magazine. While all of these types of activities endanger the driver and others, texting while driving is especially dangerous because it combines all three types of distractions.

DISTRACTED DRIVING IN THE UNITED STATES: IT'S A PROBLEM

It is important to note that each day, more than nine people are killed and 1,060 more are injured in crashes that involve a distracted driver. For example:

- >> In 2011, 3,331 people were killed in crashes involving a distracted driver compared to 3,267 in 2010.¹
- >> In 2011, 387,000 people were injured in motor vehicle crashes involving a distracted driver.²
- >> In 2010, "distraction" was reported as being a factor in nearly one in five

crashes (18 percent) in which someone was injured.³

- >> In June 2011, more than 196 billion text messages were sent or received in the United States, up nearly 50 percent from June 2009.⁴
- >> More than 30 percent of U.S. drivers ages 18-64 reported that they had read or sent text messages or e-mail messages while driving at least once within the 30 days before they were surveyed.⁵

WHAT ARE THE STATES AND THE FEDERAL GOVERNMENT DOING?

Many states are enacting laws such as banning texting while driving, or using graduated driver licensing systems for teen drivers to help to promote awareness about the dangers of distracted driving and prevent it from happening.

Talking on a handheld cell phone while driving is banned in 12 states (California, Connecticut, Delaware, Hawaii, Illinois, Maryland, Nevada, New Jersey, New York, Oregon, Washington, and West Virginia) and the District of Columbia.⁶

The use of cell phones by novice drivers is restricted in 37 states and the District of Columbia and the use of cell phones while driving a school bus is prohibited in 21 states and the District of Columbia.⁷

Text messaging is banned for all drivers in 41 states and the District of Columbia. In addition, novice drivers are banned from texting in six states (Mississippi, Missouri, New Mexico, Oklahoma, South Dakota, and Texas) and school bus drivers are banned from text messaging in three states (Mississippi, Oklahoma, and Texas).⁸

Many localities have also enacted their own bans on cell phones or text messaging.

On September 30, 2009, President Barack Obama issued an executive order prohibiting federal employees from tex-



ting while driving on government business or with government equipment.⁹

Additionally, on October 27, 2010, the Federal Motor Carrier Safety Administration enacted a ban that prohibits commercial vehicle drivers from texting while driving.¹⁰

WHAT IS MICHIGAN DOING?

In 2010, Gov. Jennifer Granholm signed a texting ban that reads in pertinent part as follows:

"Except as otherwise provided in this section, a person shall not read, manually type, or send a text message on a wireless two-way communication device that is located in the person's hand or in the person's lap, including a wireless telephone used in cellular telephone service or personal communication service, while operating a motor vehicle that is moving on a highway or street in this state."¹¹

Fines are \$100 for a first offense, \$200 for a subsequent offense, and it is a civil infraction.¹² However, the law does not cover such activities as reading and writing e-mails, checking Facebook, or watching a streaming Detroit Tigers baseball game.

In March 2013, Gov. Rick Snyder signed into law "Kelsey's Law" that reads in pertinent part as follows:

"Except as provided in this section, an individual issued a Level 1 or Level 2 graduated license under section 310e shall not use a cellular telephone while operating a motor vehicle upon a highway or street. For purposes of this subsection, 'use' means to initiate a call; answer a call; or listen to or engage in verbal communication through the cellular telephone."¹³

A violation of the law is a civil infraction and carries a \$100 *Continued on page 7 >*



SAFETY Network

PAAM Continued from page 6 >

fine, court costs, and potential license suspension or extension of the probationary period.¹⁴

The law is named after Kelsey Raffaele, a teenager from Sault Ste. Marie, who died in a 2010 car crash while talking on her cell phone. Kelsey's mother, Bonnie, was instrumental in making sure that this became law. She lobbied the Michigan legislature for tougher restrictions on cell phone use by novice drivers a year after her daughter's death.

Lastly, effective October 28, 2013, the Michigan Department of State will implement Public Act 159 of 2011, Public Act 498 of 2012, and Public Act 36 of 2013, amending 257.602b of the Michigan Vehicle Code. The law prohibits commercial motor vehicle drivers and bus drivers from reading, manually typing, or sending a text message on a wireless two-way communication device that is located in the person's hand or in the person's lap, including a wireless telephone used in cellular telephone service or personal communication service.

HOW DOES LAW ENFORCEMENT PLAY A ROLE?

It is important to note that there are no published Michigan Court of Appeals or Supreme Court cases regarding a driver texting and being stopped by a police officer.

There is, however, a very recent published California Court of Appeals case that offers guidance to law enforcement on this issue. Like Michigan, California is a primary enforcement state that enables an officer to stop and ticket a driver for texting.

In *People v. Corrales*, 213 Cal. App. 4th 696 (Cal. App. 2d Dist. 2013), the defendant challenged the legality of a traffic stop. The defendant argued the officers should not have legally temporarily detained him.

The facts are that on October 22, 2011, Ofcr. William Lantz and a partner were patrolling in North Hollywood. The officers saw the defendant parked on the side of the road using his cell phone to send a text message. The defendant was the sole occupant of the vehicle and was sitting in the driver's seat. The officers drove slowly past the defendant. Five minutes later, the officers approached the defendant again. This time the defendant was pulling out into traffic as the officers approached. The defendant drove southbound with the officers directly behind him. The defendant was leaning, looking down, and making movements with his hand as if he was texting. The defendant continued to text for 30 to 40 seconds. The officers pulled the defendant over for texting while driving, a violation of California Vehicle Code section 23123.5. Subsequent to the traffic stop, the defendant was arrested for being under the influence of a controlled substance. During a search incident to the arrest, the officers found a baggie containing methamphetamine in the defendant's right shoe.

The defendant contended the initial stop, based on the fact the officers concluded he was texting while driving, was constitutionally unreasonable. The defendant argued the trial court should have granted his motion to suppress all of the evidence because, "The fact that the defendant was looking down and moving his arm did not, without more, give

rise to a reasonable suspicion that he was texting." Further, the defendant argued: "Officer Lantz only relied on the fact that the defendant was looking down. Officer Lantz admitted he did not see the defendant's hand, but testified he saw the defendant looking down and moving like he was doing something."

The California Court of Appeals disagreed with the defendant and ruled the decision to stop the defendant was reasonable. In essence, the defendant was observed using his cellular telephone, while parked by the side of a road, to send a text message. Five minutes later, the defendant was engaged in conduct an experienced police officer could reasonably believe involved texting while driving, a violation of Vehicle Code section 23123.5, subdivision (a). Therefore, no Fourth Amendment violation occurred.

This case illustrates what a police officer may want to observe of the driver's behavior in order to give rise to a reasonable suspicion that he or she is texting. Enforcement of this violation is key to keeping our state safe.

For more information on this article and PAAM training programs, contact Kenneth Stecker, Traffic Safety Resource Prosecutor, at (517) 334-6060 or e-mail at stecker@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 National Highway Traffic Safety Administration. Facts and Statistics. <http://www.distraction.gov/content/get-the-facts/facts-and-statistics.html>.

2 Id.

3 Id.

4 Id.

5 Centers for Disease Control and Prevention. Mobile Device Use While Driving — United States and Seven European Countries, 2011. *MMWR* 2013 / 62(10);177-182. <http://>

www.cdc.gov/mmwr/preview/mmwrhtml/mm6210a1.htm?s_cid=mm6210a1_w

6 www.iihs.org/laws/cellphonelaws.aspx

7 Id.

8 Id.

9 National Highway Traffic Safety Administration.

Regulations. Available from: <http://www.distraction.gov/content/dot-action/regulations.html>

10 Federal Motor Carrier Safety Administration. Limiting the Use of Wireless Communication Devices. Washington DC:

US Department of Transportation, Federal Motor Carrier Safety Administration, 2011. Available from: <http://www.fmcsa.dot.gov/>

11 Michigan Compiled Law 257.602b

12 Id.

13 Michigan Compiled Law 257.602c

14 Id.



SAFETY Network

LMB seeking host sites for bike safety law enforcement trainings



The League of Michigan Bicyclists is looking for host sites for its 2014 Community Bicycle Safety for Law Enforcement trainings.

This five-hour course for law enforcement and the general public is designed to encourage interaction and dialogue among those attending as well as provide information about basic safe bicycle riding skills, such as lane placement and riding predictably. Motor vehicle codes and laws that pertain to bicyclists will also be

reviewed. Models for effective education, best practices for bicycle incident/crash investigation and reporting, and a review of the acceptable road markings and signage for bicyclists will also be discussed.

Five trainings will be held in April and May and class sizes are usually 20-30 people. The host site will be provided with four complimentary registrations.

Any agency interested in hosting one of the 2014 Community Bicycle Safety for Law Enforcement trainings is asked to contact Rich Moeller at Rich@LMB.org for more information.

Move Over *Continued from page 3 >*
occupational therapy, Spencer returned to full duty less than one year later.

Under Michigan's Emergency Vehicle Caution Law, more commonly known as the Move Over Law, motorists must move over for stationary emergency vehicles with their lights activated or slow down and pass with caution if it is not possible to safely change lanes. The law applies to police, fire, rescue, ambulance, wrecker, and road service vehicles.

According to the Federal Highway Administration, approximately 20,000 emergency workers are injured every year



It's the Move Over law

responding to traffic incidents across the country.

A motorist found responsible for violating the Move Over Law is guilty of a misdemeanor and is subject to enhanced penalties of up to 15 years in prison and/or a \$7,500 fine if the violation causes injury or death to a police officer, firefighter, or other emergency response personnel.

The campaign includes television and radio public service announcements (PSA). To request electronic copies of these PSAs, contact Melody Kindraka at kindrakam@michigan.gov.

The *Save a Life. Give a Lane. It's the Move Over Law.* television PSA can be viewed at Youtube.com/ohsp.

MTSC *Continued from page 4 >*
Grand Rapids Transportation Club and the West Michigan Safety Council and studied accounting at Henry Ford Community College. Conklin will represent private motor carriers and replaces Ken Houck.

Yungfer, of Bath, served at several posts around the state, as well as the Motor Carrier Division, the Human Resources Division, the Executive Division, and the Office of the Director. He is a former

member of the Michigan Association of Chiefs of Police and the International Association of Chiefs of Police. Yungfer holds a bachelor's degree in English from Alma College. He will represent the general public and fills a vacancy.

Reappointments include Robert Ramels, of Iron Mountain, representing the general public; Walter Heinritz, of Lansing, representing the Michigan Trucking Association; Daniel Blower, of Ypsilanti, representing

Krumm named commander of MSP CVED



Michigan State Police (MSP) Insp. Michael Krumm has been promoted to captain and commander of MSP's Commercial Vehicle Enforcement Division (CVED).

As commander of CVED, Krumm is responsible for providing leadership and administrative oversight of statewide commercial vehicle enforcement operations and special programs.

Krumm enlisted with the department in 1995, graduating as a member of the 112th Trooper Recruit School. He has served at the Training Academy and Paw Paw and Jackson posts. Most recently, Krumm served as assistant division commander of the Special Operations Division. During his 18-year career, Krumm has held the ranks of trooper, sergeant, first lieutenant, and inspector.

Krumm holds a master's degree in public administration and a bachelor's degree in criminal justice from Michigan State University.

In 2009, Krumm graduated from the 239th Session of the FBI National Academy in Quantico, Virginia.

four-year colleges; Dave Goller, of Rockford, representing organized labor; and Thomas O'Brien, of Fremont, representing community colleges.

Members serve two-year terms expiring August 4, 2015, and their appointments are subject to the advice and consent of the state Senate.



SAFETY Network

MADD honors law enforcement officers with Lifesavers awards

Mothers Against Drunk Driving Michigan recently honored law enforcement officers for their commitment to impaired driving enforcement with Lifesavers Law Enforcement Recognition Awards.

A new award was introduced this year in honor of Ferndale Police Ofcr. John Cleveland and his daughter, Olivia. Cleveland, who has been recognized by MADD in previous years for his diligence

in eliminating drunk driving, personally experienced this tragedy when he and his family were involved in a crash with an impaired driver in June 2012. His wife and two of his children suffered serious injuries and his 3-year-old daughter, Olivia, was killed.

The Olivia Cleveland Gratitude Award, created by the Cleveland family to honor Olivia, salutes those who demonstrate outstanding commitment to eliminating impaired driving. The family presented the award to Dep. Patrick "Jamie" Bagos and Dep. John Palazzolo (pictured at left), both of the Macomb County Sheriff's Office, who have been instrumental during the family's time of grief and healing.

Other 2013 MADD Michigan Lifesavers Award recipients included:



OUTSTANDING TROOPER

- Tpr. **Rick Kane** Michigan State Police (MSP) Flint Post
- Tpr. **Michael McDonald**MSP Paw Paw Post
- Tpr. **Greg Primeau**.....MSP Iron Mountain Post
- Tpr. **Jeffrey Short**.....MSP Houghton Lake Post

OUTSTANDING DEPUTY

- Dep. **Matthew Armstrong**..... Sanilac County Sheriff's Office
- Dep. **Stephen Beard**..... Jackson County Sheriff's Office
- Dep. **Brian Webb**.....Washtenaw County Sheriff's Office

OUTSTANDING OFFICER

- Ofcr. **Matthew Bowyer**Zeeland Police Department
- Ofcr. **Jon Jacob**Milford Police Department
- Ofcr. **Kevin Kolk** Fremont Police Department
- Ofcr. **Labree McClendon** Detroit Police Department
- Ofcr. **Jessica McDonald**..... Detroit Police Department
- Ofcr. **Melinda Weingart**.....Troy Police Department

OUTSTANDING ROOKIE OF THE YEAR

- Dep. **Mark McCool**..... Antrim County Sheriff's Office

OUTSTANDING LAW ENFORCEMENT AGENCY

- Michigan State University Police Department
- Novi Police Department
- Richland Police Department
- Sanilac County Sheriff's Office

RECOGNITION OF EXCELLENCE

- Ofcr. **Jared Passchier**..... Norton Shores Police Department
- Ofcr. **Timothy Trush**.....Gibraltar Police Department



Teen safe driving program expands to 20 counties

Students at more than 600 Michigan high schools have the opportunity to help save the lives of their fellow students by participating in a program aimed at making students better and safer drivers.

This public-private partnership between AAA Michigan, Ford Driving Skills for Life, and the Michigan Office of Highway Safety Planning was created to help reduce teen traffic crashes which are the leading cause of death for teens in the United States.

Strive For A Safer Drive (S4SD) provides funding and resources to help teens talk to other teens about safe driving. Up to 50 high schools in the top counties for teen traffic fatalities and serious injuries will be selected to participate during the 2013-2014 school year.

This year S4SD is expanding to 20 eligible counties including Allegan, Berrien, Eaton, Genesee, Ingham, Jackson, Kalamazoo, Kent, Lapeer, Livingston, Macomb, Monroe, Muskegon, Oakland, Ottawa, Saginaw, St. Clair, Van Buren, Washtenaw, and Wayne.

Each participating school will receive \$2,000 for students to create teen-led traffic safety campaigns about distracted driving, seat belt use, speeding, underage drinking, impaired driving, or winter driving. The schools determined to have the top campaigns will have the opportunity to send students to a free Ford Driving Skills for Life hands-on driving clinic with professional driving instructors.



SAFETY Network

Van Buren County prosecutor honored with MADD LifeSaver Award

Van Buren County Prosecutor Michael Bedford was presented the David Schieber MADD Life Saver Award for prosecuting a complex drunk driving case that resulted in a second degree murder conviction of an offender who killed three people.

The award was presented at the Prosecuting Attorneys Annual Conference by Jan Withers, National President of



Michael J. Bedford (center) received the MADD Life Saver Award at the Prosecuting Attorneys Association of Michigan 86th Annual Conference Banquet from Jan Withers, MADD National President, and Jason Hamblen of the Michigan Office of Highway Safety and Planning.

Mothers Against Drunk Driving (MADD), and Jason Hamblen, Program Manager Section Chief of the Michigan Office of Highway Safety Planning. The MADD Prosecutor Life Saver Award was first presented in 2006 and is annually awarded to Michigan prosecutors whose work exemplifies the ideals of MADD.

The case Bedford prosecuted involved a November 2012 crash involving a 32-year-old man who struck an on-coming vehicle while attempting to pass another vehicle. The head-on crash killed a 24-year-old woman and two children, ages 4 and 2. The defendant admitted to drinking alcohol before getting behind the wheel and was driving on a suspended license. He was originally charged with three counts of second-degree murder, three counts of operating a vehicle while intoxicated causing death, three counts of operating a vehicle with license suspended causing death, one count of operating while intoxicated causing serious injury, and one count of driving while license suspended causing injury.

New flyer released for Child Passenger Safety Week

The number of children being cared for by non-parental caregivers, including grandparents, has increased over the last decade resulting in a larger variety of people being responsible for safely transporting a child in a vehicle.

According to the U.S. Census Bureau, 4.9 million children under age 18 live in grandparent-headed households. This is an increase from 4.5 million 10 years ago. For approximately 20 percent of these children, grandparents are responsible for their basic needs.

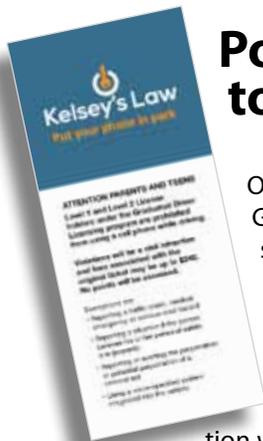
One key issue for most grandparents is the use of older car seats. Grandparents are more likely to purchase car seats at garage sales or reuse old seats. Car seats should not be purchased secondhand because the history of the seat is unknown.

As part of National Child Passenger Safety (CPS) Week, the Michigan Office of Highway Safety Planning created a new *Car Seat Basics* flyer with information including the four steps for riding safely, common car seat mistakes, and tips for purchasing car seats. The flyer was distributed by CPS technicians during CPS Week and is available on Michigan.gov/ohsp.

CPS Week is a national initiative to raise awareness for car seat use and encourage caregivers to have their children's car seats installed and inspected by a certified CPS technician.



Posters and flyers available to promote Kelsey's Law



On January 8, 2013, Gov. Rick Snyder signed into law a provision prohibiting cell phone use by novice drivers. Known as Kelsey's Law, the restriction

was named in honor of Kelsey Raffaele, 17, of Sault Ste. Marie, who was killed in a cell phone-related crash in 2010.

The law prohibits Level 1 and Level 2 license holders under Michigan's Graduated Driver Licensing program from using a cell phone while driving.

To help promote this potentially life-saving law, posters and flyers with information about Kelsey's Law are available through the Michigan Office of Highway Safety Planning (OHSP). Requests for materials can be made to the OHSP Traffic Safety Materials Distribution Center by calling (517) 636-4256 or e-mailing trafficsafety@michigan.gov.

SAFETY Network

October and November are dangerous months for deer/vehicle crashes

As the two most dangerous months for deer/vehicle crashes approach, October and November, the Michigan Deer Crash Coalition is warning motorists that these crashes can cause more than just damage to the vehicle. Deer/vehicle crashes resulted in 1,329 injuries and eight deaths last year.

There is an average of 134 deer/vehicle crashes each day in Michigan. Although reported deer/vehicle crashes declined from 53,592 crashes in 2011 to 48,918 in 2012, many crashes go unreported and actual crash numbers are higher.

In 2012, Oakland County had the most deer/vehicle crashes with 1,683 crashes. The remaining top nine counties for deer/vehicle crashes were Kent (1,572), Jackson (1,281), Montcalm (1,182), Lapeer (1,175), Ingham (1,065), Clinton (1,032), Ottawa (1,013), Huron (1,082), and Eaton (1,000).

All motorists should “think deer” whenever they are behind the wheel and drive defensively as if a deer can appear at any moment. The state has a 1.75 million-strong deer herd and motorists should be aware that deer frequently travel in groups. If one deer crosses the road, chances are there are more nearby.

Motorists should follow the following safety tips, particularly when driving near dusk or dawn as that is when deer are most active:

- >> Stay aware, awake, and sober
- >> Buckle up as seat belt are a motorists' best defense in the event of a crash
- >> Don't rely on gimmicks such as flashing high-beam headlights or honking horns to deter deer
- >> Don't swerve if there is a deer in the roadway; brake firmly to bring the vehicle to a controlled stop

Ally Continued from page 3 >

The centerpiece of the *Remembering Ally: Distracted Driving Awareness Campaign* is a dramatized video that depicts a distracted driving crash. Since its release in March 2012, the video has been viewed in more than 90 countries, posted on former U.S. Transportation Secretary Ray LaHood's Facebook page, and shown to employees of the Seattle-based Boeing Company at its safety fair. The video also won an Eclipse Award for production excellence and the campaign was honored by the Michigan Governor's Traffic Safety Advisory Commission.

The agencies that participated in creating the crash video include: Clinton Township Department of Fire, Rescue and EMS, Clinton Township Police Department, Henry Ford Macomb Hospitals, Macomb County Sheriff's Office, Macomb Township Fire Department, Medstar Ambulance, Michigan Department of Transportation, Michigan State Police, Ruehle's Towing,

Traffic Improvement Association of Michigan (TIA), and U.S. Coast Guard Air Station Detroit.

More than 200,000 people have been educated as a result of the campaign, which also includes a TV public service announcement, poster, and wristbands.

To expand the campaign's outreach, TIA teamed up with the Michigan Office of Highway Safety Planning to develop a traffic safety resource DVD for public safety officials, driver education instructors, and safety advocates to educate teens and young adults about the dangers of drunk and distracted driving. The DVD includes PowerPoint presentations and videos, including the eight-minute distracted driving crash video, and speaker notes.

Jim Santilli, TIA executive director, accepted the award at the GHSA Conference and later presented it to Laurel Zimmerman, Ally's mother, who frequently speaks at schools about the dangers of distracted driving.



Abstracts sought for 2014 North American Conference on Elderly Mobility

The planning committee for the 2014 North American Conference on Elderly Mobility Best Practices From Around the World: A Decade of Progress is seeking abstracts for workshops. The conference will address best practices in older adult mobility and highlight new developments since the conference was first held in 2004.

The conference, slated for May 11-14, 2014, at the Detroit Marriott at the Renaissance Center, will provide an update and evaluation of best practices that improve older adult mobility from organizations around the world.

Abstracts are being sought in the following topic areas: alternative transportation, mobility management and coordination, infrastructure and vehicles, driver education and training, driver screening and assessment, and housing and land use.

Abstracts are due November 1, and presenters will be notified via e-mail by February 1, 2014.

Contact Diane Drago, conference coordinator, by calling (734) 747-2746 or e-mailing ddrago@dmsevents.com for more information and an abstract submission form.



SAFETY Network

Phone surveys show increase in awareness of drunk driving enforcement

According to a phone survey about an end-of-summer drunk driving enforcement effort, Michigan motorists heard the message that law enforcement were cracking down on impaired drivers.

The *Drive Sober or Get Pulled Over* crackdown was August 15-September 2 and phone surveys were conducted before and after the effort to gauge public awareness. The survey polled

400 motorists over the age of 18 and an additional 150 male motorists under age 30. In 2012, male drivers accounted for nearly three-quarters of the drinking drivers involved in crashes, and men ages 21-34 accounted for nearly half of the drinking males drivers involved in fatal crashes.

Following are some questions from the survey and the responses:



Would you agree or disagree with the following statement? "Police in my community are arresting more people for drunk driving now than they were a few months ago."

	Young Men		General Public	
	Pre	Post	Pre	Post
Strongly agree	16.7%	24.7%	15.8%	17.0%
Somewhat agree	26.0%	22.0%	18.5%	18.0%
Somewhat disagree	10.7%	12.7%	15.8%	15.5%
Strongly disagree	8.0%	3.3%	6.0%	5.8%
Don't Know	38.7%	37.3%	44.0%	43.8%

In the past 30 days, have you seen or heard of any special effort by the police to arrest drivers in your community for drunk driving?

	Young Men		General Public	
	Pre	Post	Pre	Post
Yes, have heard	25.3%	42.7%	18.5%	32.8%
No, have not heard	73.3%	54.0%	79.5%	65.0%
Don't Know/Undecided	1.3%	3.3%	2.0%	2.3%

Would you say that the number of these messages (that encourage people not to drink and drive) you have seen or heard in the past 30 days is more than usual, fewer than usual, or about the same as usual?

	Young Men		General Public	
	Pre	Post	Pre	Post
More than usual	7.8%	39.1%	14.9%	35.4%
Fewer than usual	3.5%	0.0%	3.1%	1.8%
About the same as usual	88.7%	59.4%	79.3%	60.1%
Don't Know/Undecided	0.0%	1.5%	2.7%	2.7%

SAFETY Network



OHSP Staff:

Contact	Program Area	Phone	E-mail
Michael L. Prince	Director	(517) 241-1512	princem@michigan.gov
Janet Hengesbach	Executive Secretary	(517) 241-1512	hengsbachj2@michigan.gov
SAFETY PLANNING AND ADMINISTRATION			
Kathy Farnum	Senior Section Chief	(517) 241-2528	farnumk@michigan.gov
Linda Fech	Special Programs	(517) 241-2533	fechl@michigan.gov
Charlotte Kilvington	Analysis & Evaluation	(517) 241-2582	kilvingtonc@michigan.gov
Alicia Sledge	Traffic Records	(517) 241-1505	sledgea@michigan.gov
COMMUNICATIONS			
Anne Readett	Section Chief	(517) 241-2569	readetta@michigan.gov
Jonathan Benallack	Graphic Designer	(517) 241-2571	benallackj1@michigan.gov
Melody Kindraka	Public Information	(517) 241-1522	kindrakam@michigan.gov
Lynn Sutfin	Public Information	(517) 241-1513	sutfinl@michigan.gov
FINANCIAL MANAGEMENT			
Spencer Simmons	Section Chief	(517) 241-2556	simmonss6@michigan.gov
Susan Bishop	Administrative Assistant	(517) 241-2520	bishops2@michigan.gov
Julie Roth	Secondary Road Patrol	(517) 241-2572	rothj3@michigan.gov
Heidi Ruiz	Accountant	(517) 241-2584	
Jean Shattuck	Accounting Technician	(517) 241-2544	shattuckj@michigan.gov
PROGRAM MANAGEMENT			
Jason Hamblen	Section Chief	(517) 241-2578	hamblenj@michigan.gov
Jamie Dolan	Northern Michigan	(906) 225-7036	dolanj@michigan.gov
Pat Eliason	Police Traffic Services	(517) 241-2498	eliasonp@michigan.gov
Michael Harris	Law Enforcement Liaison/State DRE Coordinator	(517) 241-2536	harrism13@michigan.gov
Alyson Kechkaylo	Occupant Protection	(517) 241-2546	kechkayloa@michigan.gov
Dianne Perukel	Alcohol Programs	(517) 241-2565	perukeld@michigan.gov
Chad Teachout	Motorcycle	(517) 241-2579	teachoutc@michigan.gov

Safety Network is published by the
 Michigan Office of Highway Safety Planning
 Editor: Lynn Sutfin
 Designer: Jon Benallack
 Office of Highway Safety Planning
 P.O. Box 30634
 Lansing, MI 48909
 (517) 241-2500