

High-Risk Impaired Driver

State Checklist

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TO
ACTION

High-risk impaired drivers continue to pose a major public safety threat as they cause a disproportionate number of fatalities on our roadways. With approximately 10,511 impaired driving deaths in 2018, states must do more to address this problem.

The Problem

More than 20 years ago, Responsibility.org placed a focus on high-risk impaired drivers who present a critical threat on our roadways, Today, this problem persists. These offenders are disproportionately involved in impaired driving deaths.

Who are they?

Repeat impaired drivers

Drivers with high blood alcohol concentrations (BAC) of .15 or above

Drivers impaired by a combination of substances (polysubstance impaired drivers)

Even as drunk driving has declined steadily over the years, **the number of alcohol-impaired traffic fatalities caused by high-risk impaired drivers has remained relatively unchanged.**

- ✓ Approximately 25% of individuals arrested and 30% of individuals convicted for DUI in the United States are repeat drunk drivers (Warren-Kigenyi and Coleman, 2014).
- ✓ The most frequently recorded BAC among drinking drivers in fatal crashes in 2017 was .16 (NHTSA, 2018).
- ✓ An overwhelming majority of alcohol-impaired traffic fatalities are caused by drivers at high-BAC levels (.15 or above). In 2017, 68% of alcohol-impaired driving fatalities were in crashes in which at least one driver had a BAC of .15 or higher (NHTSA, 2018).
- ✓ Data from the Washington Traffic Safety Commission identifies polysubstance impairment as the most common type of impairment found among drivers involved in fatal crashes.

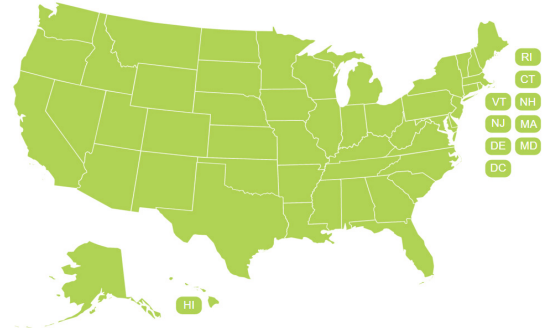


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Refer to our State Map for data on statistics and laws:

<https://www.responsibility.org/alcohol-statistics/state-map/>



Priority Solutions:

- Support evidence-based countermeasures;
- Expand implementation of model programs;
- Support innovation in the form of technology, promising practices, and research;
- Provide more training/equipment for each facet of the DUI system.

Policy Options:

- Promote collaboration and leadership to make impaired driving a priority.**
 - Establish multi-jurisdictional impaired driving task forces with relevant stakeholders
 - Allow non-traditional partners to provide input and offer solutions
 - Conduct cross-training with law enforcement, prosecutors, judges, and toxicologists
 - Identify gaps in the DUI system and develop a strategic plan to address them
- Provide law enforcement with more tools to remove high-risk impaired drivers from the roadway**
 - Increase training opportunities, particularly Advanced Roadside Impaired Driving Enforcement (ARIDE) and the Drug Evaluation and Classification (DEC) Program
 - Utilize oral fluid to test for presence of drugs at roadside; collect data and evaluate the program
 - Allocate funds to impaired driving enforcement initiatives including saturation patrols, dedicated DUI officers, dedicated DUI teams/units, No Refusal weekends, equipment, etc.
 - Establish phlebotomy programs for law enforcement (Already in place in 10 states)
 - Establish electronic warrant systems to streamline the DUI arrest process
- Strengthen ignition interlock programs to increase installation rates and compliance**
 - Encourage program entry (e.g., allowing installation post-arrest and offering day-for-day credit)
 - Ensure that an agency has the authority to and is actively monitoring participants
 - Address offender non-compliance (graduated sanctions, compliance-based removal)
 - Require all convicted DUI offenders to install interlocks
 - Connect interlock program participants with treatment initiatives when possible

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Policy Options:

- Promote accountability and behavior change to reduce recidivism and save lives**
 - Enhance penalties for high-BAC and polysubstance impaired drivers
 - Mandate screening and assessment for all impaired drivers
 - Identify both substance use and mental health disorders
 - Utilize alcohol and drug monitoring technologies as appropriate
 - Implement intensive supervision programs such as 24/7
 - Expand the use of DUI Courts or add DUI tracks to existing drug courts
 - Implement specialized treatment programs for high-risk offenders

- Make modifications to DUI laws to account for court decisions and emerging technologies**
 - Increase lookback period to at least 10 years
 - Implement administrative penalties for individuals who refuse tests
 - Modify implied consent language to allow for emerging technologies (e.g., oral fluid)

- Improve state data collection to get a better understanding of the impaired driver population**
 - Mandate the reporting and analysis of fatality, arrest, and conviction data for alcohol, drug, and polysubstance-impaired driving on an annual basis
 - Increase the testing rate of fatally and serious-injured drivers; ideally, alcohol and drug testing would be mandatory in each of these instances

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