

Alcohol- and Drug- Impaired Driving Crashes

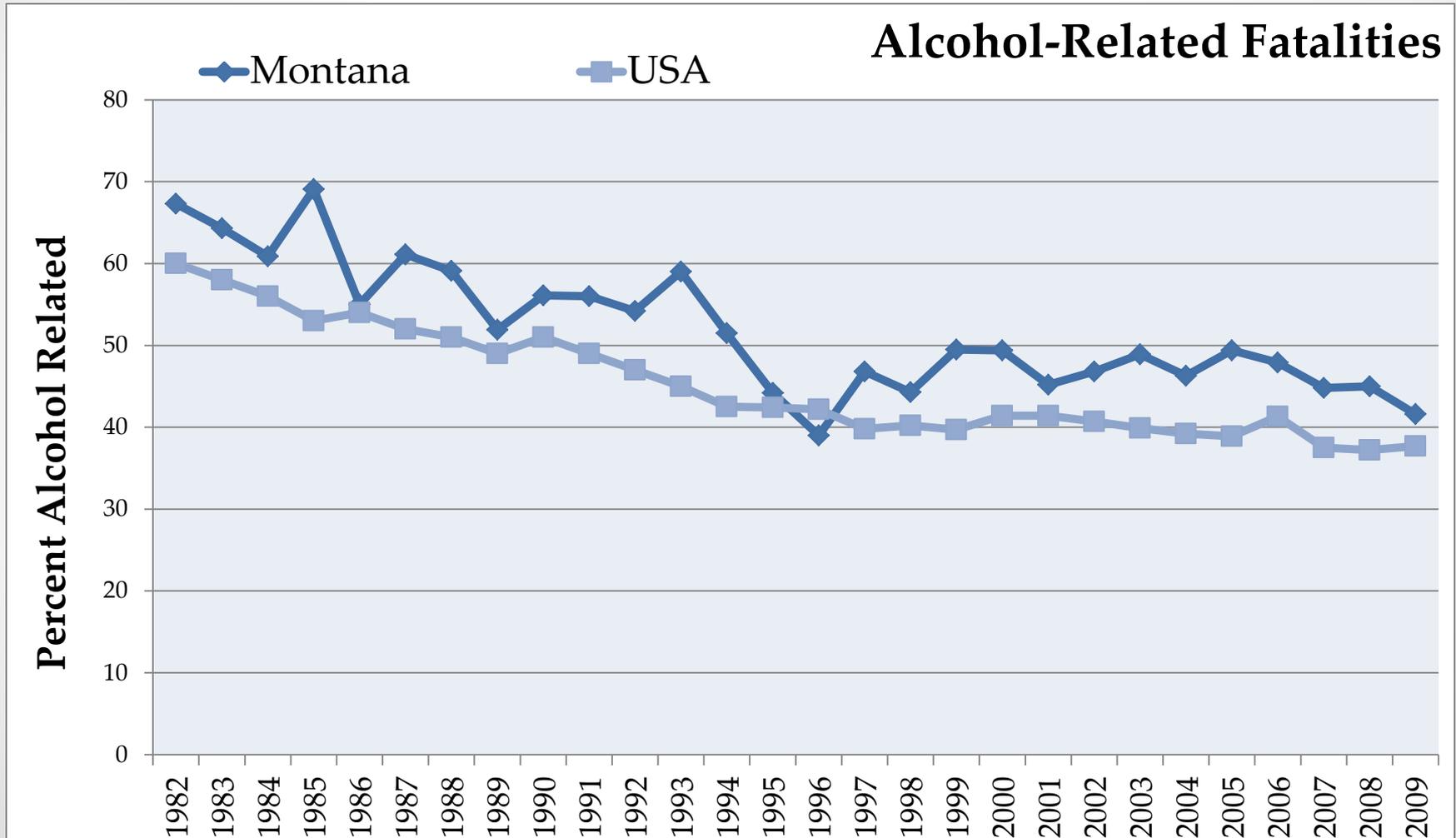
June 9, 2011

Lonie Hutchison, Champion

2010 data

	Total	Alcohol /Drug-Related	Percent
Fatalities	189	91	48%
Injuries	7,032	1,320	19%
Severe Injuries	1,185	377	32%
Fatal Crashes	161	76	47%
Injury Crashes	4,972	834	17%
Property Damage Only Crashes	15,013	1,025	7%

Fatalities: MT vs. US



Positive trend continues

Fatality Comparison - <i>Preliminary Data</i>			
January 1 - May 2			
2010 vs. 2011			
	2010	2011	% change
Fatalities to date	50	36	-28%
Alcohol involved	16	8	-50%
% alcohol involved	32.0%	22.2%	-31%

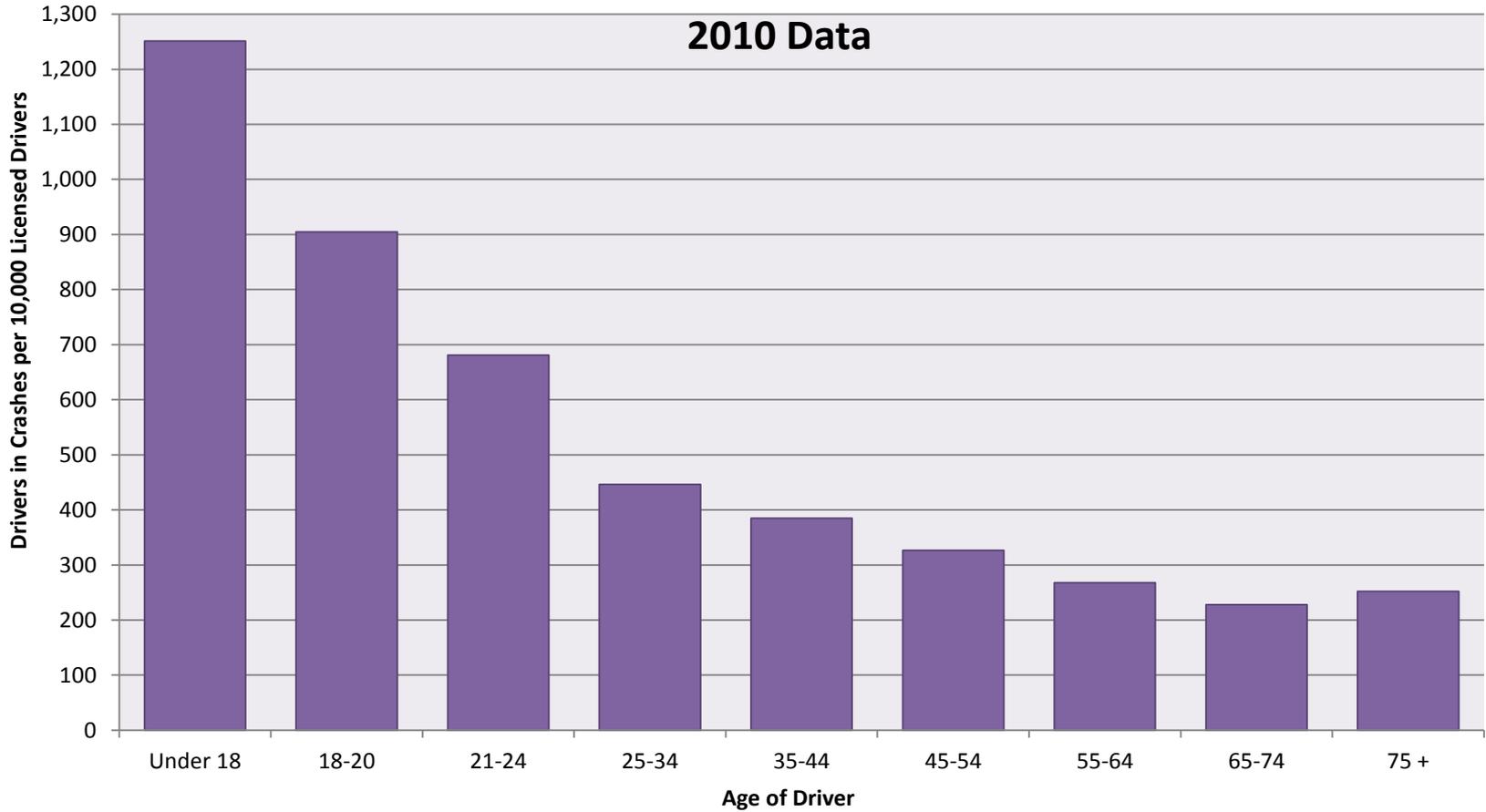
Crashes and injuries



Alcohol/Drug Related Crashes			
Year	All Crashes		
	Alcohol Related	All	% of All
2005	2,182	22,373	9.8%
2006	2,243	22,186	10.1%
2007	2,273	21,829	10.4%
2008	2,313	21,971	10.5%
2009	2,138	20,967	10.2%
2010	1,935	20,146	9.6%
Change 1 Yr	-9.5%	-3.9%	-5.8%
Change 5 Yr	-13.2%	-7.9%	-5.8%

Source: Montana Department of Transportation - Safety Management System

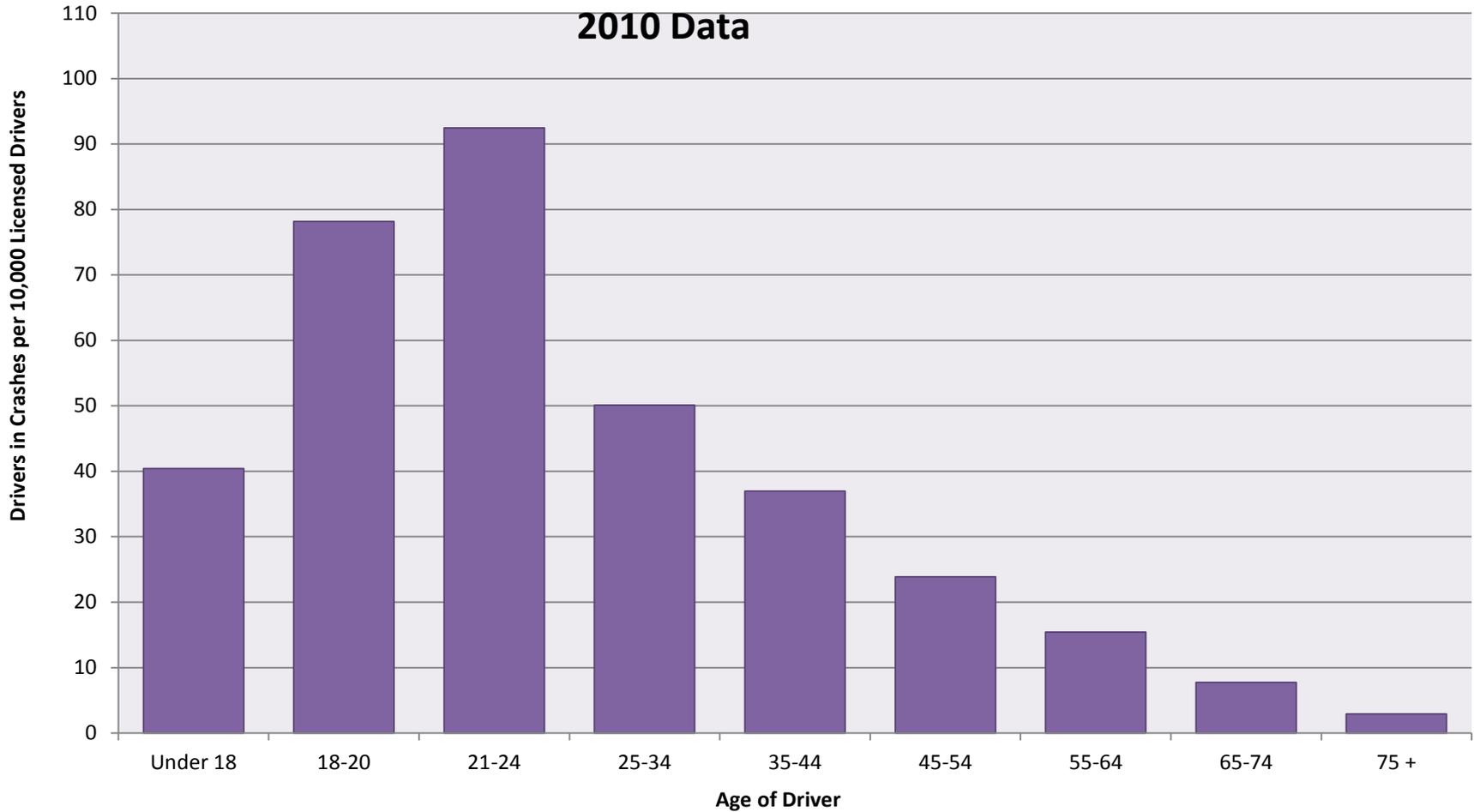
Drivers Involved in All Crashes 2010 Data



Licensed drivers	17,073	33,267	47,812	125,386	110,338	142,484	138,831	80,334	48,086
# of drivers	2,136	3,010	3,256	5,593	4,245	4,651	3,718	1,830	1,212

Drivers Involved in Alcohol/Drug-Related Crashes

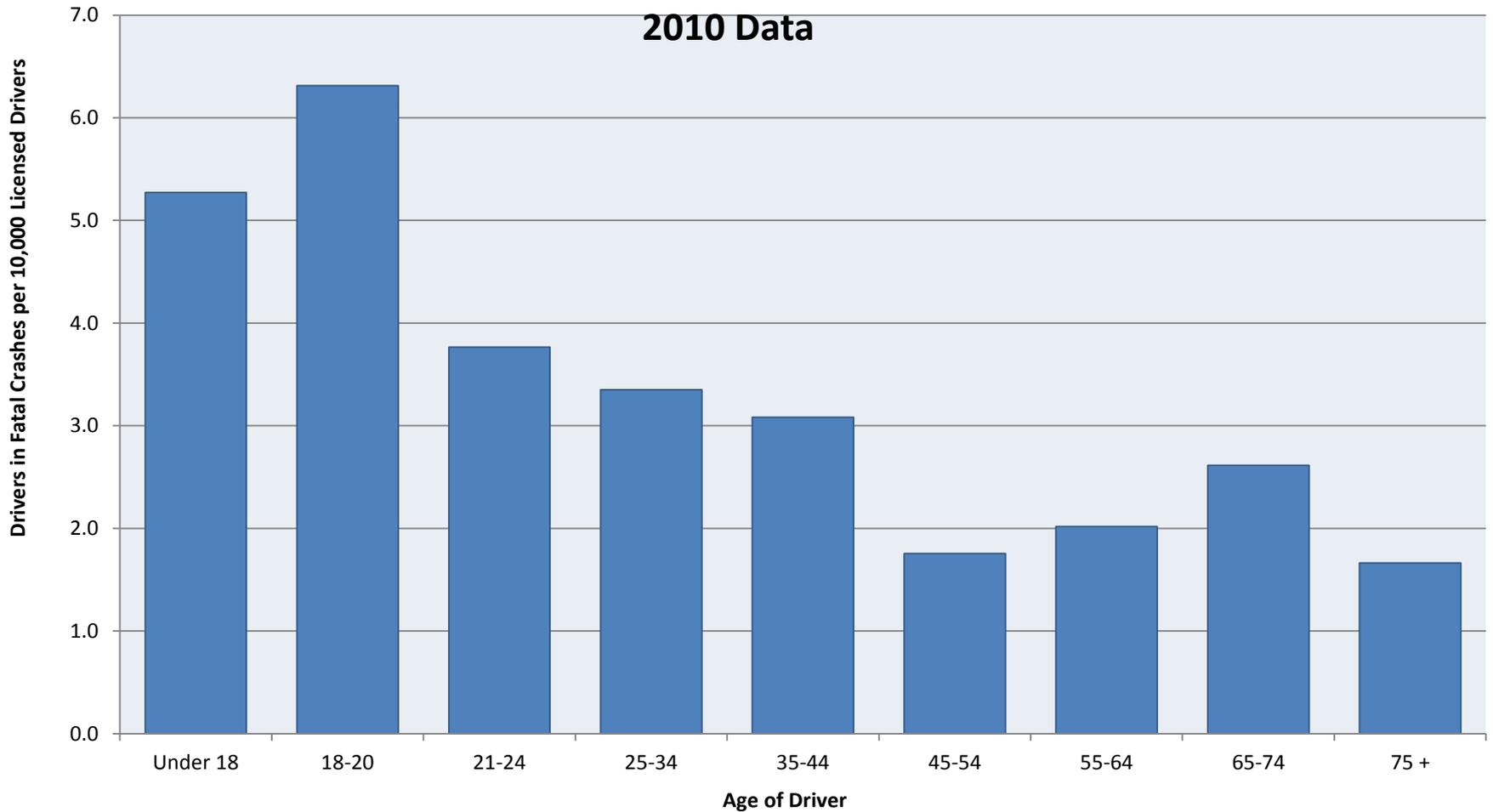
2010 Data



Licensed drivers	17,073	33,267	47,812	125,386	110,338	142,484	138,831	80,334	48,086
# of drivers	69	260	442	628	408	340	214	62	14

Drivers Involved in All Fatal Crashes

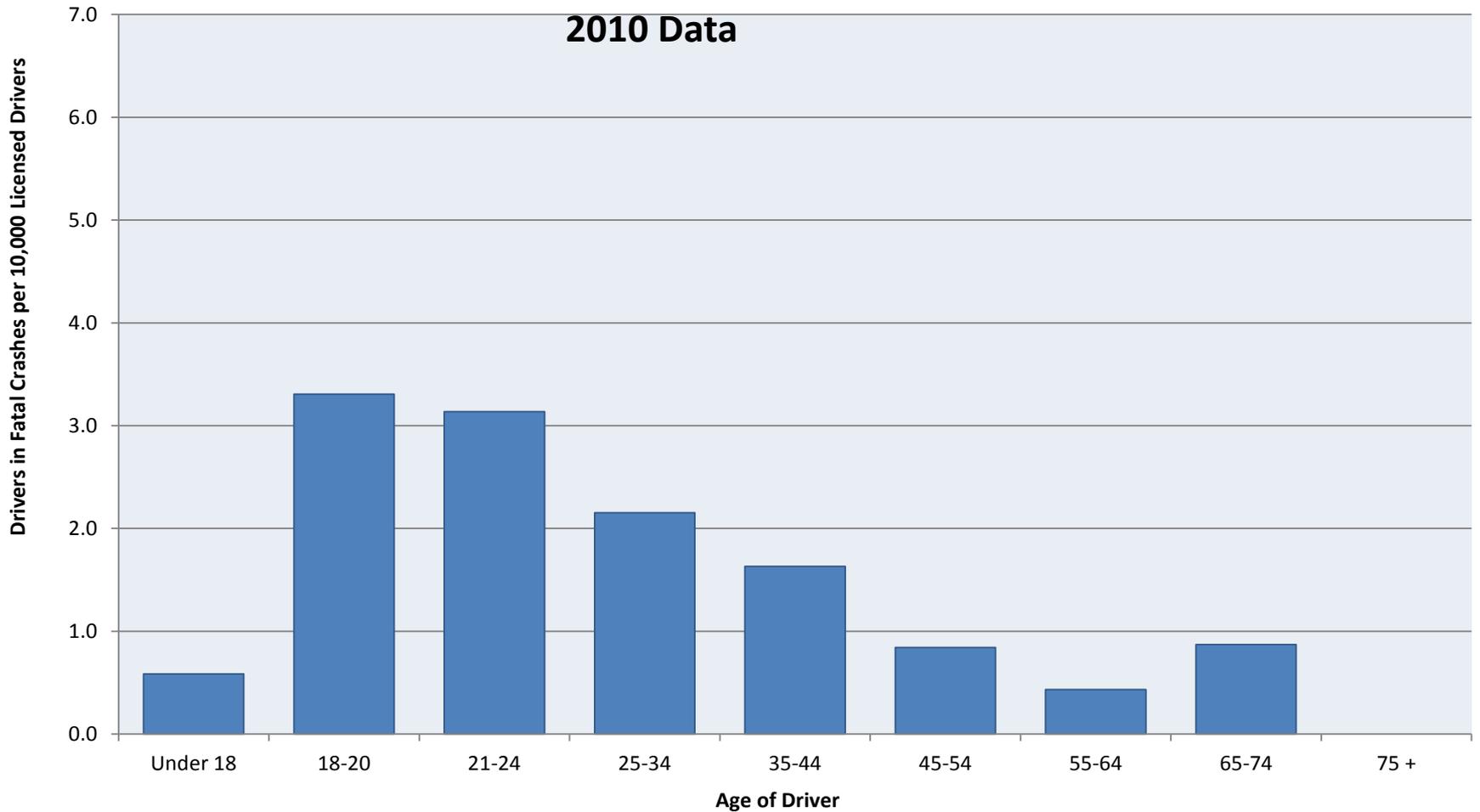
2010 Data



Licensed drivers	17,073	33,267	47,812	125,386	110,338	142,484	138,831	80,334	48,086
# of drivers	9	21	18	42	34	25	28	21	8

Drivers Involved in Alcohol/Drug-Related Fatal Crashes

2010 Data



Licensed drivers	17,073	33,267	47,812	125,386	110,338	142,484	138,831	80,334	48,086
# of drivers	1	11	15	27	18	12	6	7	0

2011 DUI Legislation

Bill #	What the bill changes					
HB 12	<p>Extends court jurisdiction on second DUI, from 6 months to 1 year. Increases maximum jail time on BAC violations to match DUI.</p> <ul style="list-style-type: none"> • 1st offense – maximum 6 months in jail • 2nd offense – maximum 1 year in jail • 3rd offense – maximum 1 year in jail <p style="text-align: right;"><i>Effective April 20, 2011</i></p>					
HB 69	<p>Jail time (other than the mandatory minimum) may be suspended for DUI court participants.</p> <p style="text-align: right;"><i>Effective April 20, 2011</i></p> <table border="1" data-bbox="289 991 1831 1333"> <thead> <tr> <th data-bbox="289 991 1078 1062">DUI (§ 61-8-401, MCA)</th> <th data-bbox="1078 991 1831 1062">BAC (§ 61-8-406, MCA)</th> </tr> </thead> <tbody> <tr> <td data-bbox="289 1062 1078 1333"> <ul style="list-style-type: none"> • 1st offense – minimum 24 consecutive hours in jail • 2nd offense – minimum 7 days in jail • 3rd offense – minimum 30 days in jail </td> <td data-bbox="1078 1062 1831 1333"> <ul style="list-style-type: none"> • 1st offense – no minimum jail time • 2nd offense – minimum 5 days in jail • 3rd offense – minimum 30 days in jail </td> </tr> </tbody> </table>		DUI (§ 61-8-401, MCA)	BAC (§ 61-8-406, MCA)	<ul style="list-style-type: none"> • 1st offense – minimum 24 consecutive hours in jail • 2nd offense – minimum 7 days in jail • 3rd offense – minimum 30 days in jail 	<ul style="list-style-type: none"> • 1st offense – no minimum jail time • 2nd offense – minimum 5 days in jail • 3rd offense – minimum 30 days in jail
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2011 DUI Legislation

Bill #	What the bill changes
HB 102	Revise probationary driver's license provisions for DUI court participation <i>Effective April 20, 2011</i>
HB 106	Provide for a 24/7 sobriety project for impaired driving offenders <i>Effective July 1, 2011</i>
SB 15	Create misdemeanor crime of aggravated DUI <i>Effective April 28, 2011</i>
SB 42	Authorize warrants to obtain blood or breath test in DUI cases <i>Effective April 28, 2011</i>

CHSP goal

Reduce statewide alcohol- and drug-impaired fatal and incapacitating injury crashes

New strategies

AL-1

Stronger penalties for BAC test refusal, including consistency between jurisdictions and states

Establish stronger penalties for BAC test refusal than for test failure. Current penalty for refusal is six-month mandatory license suspension.

1. Continue contracting with a DUI Task Force Facilitator to strengthen and network the State's DUI task forces to educate on this issue.
2. Work to establish a strong partnership between Montana Community Change Project (MCCP) (with identified strategies to reduce binge drinking and drinking and driving, and consistency between jurisdictions) and the DUI Task Forces in pursuing stronger penalties for BAC test refusal. 2010 data collection project is in progress.
3. Support local jurisdictions that adopt BAC refusal penalties.
4. Support use of search warrants to obtain BAC evidence.

New strategies

AL-2 Enhance DUI data collection and analysis

Provide for monitoring of DUI offenses and improved tracking of DUI arrests, adjudication, sentencing, treatment, and recidivism –

Data needs to be compiled, coordinated, and analyzed from various sources to better monitor and track history of DUI offenses to provide enhanced and comprehensive data for law enforcement, the courts, and treatment programs.

1. Implement project to obtain data from the Montana Supreme Court.
2. Determine the extent of diversion programs and plea bargains to non-alcohol offenses.
3. Conduct yearlong data gathering project among many counties in the State (January-December 2010). Report pending.
4. MDT-SHTSO will fund the purchase and implementation of a web-based DUI reporting program that LE officers would use when processing a DUI. The program would streamline the process and time required to process a DUI by having officers enter suspect data only once. This will also reduce inconsistencies/errors in data entry and help a range of government entities and stakeholders track DUI data and develop plans focused on areas with high rates of impaired driving.

New strategies

AL-3 **Reduce sales or service of alcohol to apparently or obviously intoxicated persons**

The average BAC (of those arrested for DUI that provided a breath sample) in Montana is 0.154, almost twice the legal limit.

1. RASS training (see AL-4). Curriculum to include eight-minute professionally produced “Last Call” – a video of a Montana story about over-service and the human and legal consequences.
2. Employ media advocacy to:
 - a. Recognize establishments that pass compliance and other liquor checks;
 - b. Raise awareness of service to intoxicated persons and potential legal consequences to bartenders and establishments; and
 - c. Promote responsible drinking and citizen reporting of service to intoxicated persons to law enforcement and DOR.
3. Promote support for sellers/servers of alcohol by DOR creating and publicizing a RASS training curriculum specifically for establishment owners.
4. Promote law enforcement practice of tracking impaired driver's alcohol source following a DUI arrest or DUI-related crash and issuing of appropriate citations.
5. Promote discontinuation of happy hour, two-for-one specials, or other low-cost drink specials that promote overconsumption
6. Expansion of alcohol screening, brief intervention, and referral to treatment (SBIRT) protocols.

New strategies

AL-4

Increased merchant education

Significantly increase capacity to provide merchant education to servers and sellers of alcohol.

The Montana Department of Revenue's server training program would be made available statewide.

Training educates participants regarding responsible alcohol sales and service.

1. Continue implementing and publicizing training program. Ensure consistency of training program statewide by recertifying trainers every two years.
2. Continue to increase number of trainers by conducting train-the-trainer sessions.
3. Customize existing curriculum for off-premise participants (convenience, grocery, and liquor stores).
4. Consider if server training should be required for all servers.
5. Evaluate effectiveness of training program, including referral forms provided by judges and consider conducting random fidelity checks.
6. Post compliance check results as provided to the Montana Department of Revenue.
7. Distribute best practice alcohol service and sales policies to establishments and encourage adoption.

New strategies

AL-5

Expand DUI courts

Traditional sanctions often have little effect on drivers with a prior DUI conviction and those with high BAC.

Specialized DUI courts provide a system that specifically addresses high-risk offenders and the addiction that keeps them from changing their behavior.

DUI courts that operate according to the National Drug Court Institute's 10 guiding principles are proven to reduce DUI recidivism.

1. Training on DUI courts for judges and their court teams.
2. Implementation of the DUI court model within Montana's court system.
3. Seek additional monies to fund DUI court model implementation statewide.

New strategies

AL-6

Reduce impaired driving related to marijuana and prescription drugs.

Crashes and fatalities related to marijuana and prescription drugs have risen over the past few years.

1. Increase education to the public regarding impairment from marijuana and prescription drugs, especially in combination with alcohol.
2. Increase training to health care providers regarding the impairing effects of prescription drugs, and educating patients.
3. Evaluate the possibility of sending out educational notices to all medical marijuana card holders.
4. Explore other options for reducing impaired driving related to marijuana and prescription drugs.

Success through partnerships



Local law enforcement



Governor's Interagency Coordinating Council

Annual meeting
Comprehensive Highway Safety Plan

June 8-9, 2011

Montana's sovereign tribal nations

