GHSA
Governors Highway Safety Association
The States' Voice on Highway Safety

Drug-Impaired Driving:
What the Research Says
(and what's still not known)

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DRUG-IMPAIRED DRIVING

A GUIDE FOR WHAT STATES CAN DO

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FOUNDATION FOR
ADVANCING ALCOHOL
RESPONSIBILITY

Drug-Impaired Driving:
A Guide for What States Can Do

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▸ Available at www.GHSA.org

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What's in the Report

- **Definition:** what drugs can impair
- **Data:** problem size and characteristics
- **Science:** drug levels, impairment, and crash risk
- **Laws:** different types, what states have in place now
- **Enforcement:** SFST, DEC, oral fluid, blood testing
- **Prosecution and adjudication:** challenges and strategies
- **Training:** what's available and useful
- **Sanctions and treatment:** what's effective
- **Education:** what are states doing now
- **Recommendations for states**

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Yes, There Is Research

- **Studies with key words "drugs" and "driving" in the title as of April 2016**
  - 1990 and later: 581
  - 2000 and later: 440
  - 2010 and later: 170

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Research Areas

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Background: What Drugs Can Impair

- **Illegal drugs**
  - ◦ Narcotics, stimulants, depressants, hallucinogens
- **Legal, non-medicinal**
- **Prescription medications**
- **OTC medications**

Hundreds of different drugs with more created constantly

- FARS has codes for 430 specific drugs or metabolites
- Marijuana is illegal, legal, or medicinal in different states
- Designer and synthetic drugs (e.g., synthetic cannibinoids/cathinones)

Report concentrates on **illegal drugs and marijuana**

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Data: Problem Size and Characteristics

- **FARS 2014, dead drivers, known test results**
  - ◦ 41% with drugs; just under 1/3 of these were marijuana
  - ◦ 39% with alcohol (any BAC)
- **NHTSA roadside survey 2013-14**
  - ◦ 22.5% with drugs, both weekday days and weekend nights
  - ◦ 13% with marijuana on weekend nights
  - ◦ 8% with alcohol on weekend nights; 1.5% with BAC .08 or above
- **Survey (NSDUH)**
  - ◦ About 20% of young adults age 18-25 and about 6% of adults age 26+ use illegal drugs or marijuana at least monthly
- **Needed: good data on drug involvement in crashes**

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Science: Drug Levels, Impairment, Crash Risk

- **Any drug can impair – experimental studies**
  - ◦ Impairment can increase if drugs are used in combination or together with alcohol.
- **Any drug can increase crash risk**
  - ◦ Good crash risk studies are difficult; lots of not-so-good studies
- **Needed: crash risk for common drugs (perhaps impossible)**

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Science: Presence vs. Impairment

▸ **Relationship between a drug's presence in the body and its impairing effects is complex and not well understood.**

▸ **Presence of a drug ≠ impairment**
  ◦ Some drugs or metabolites may remain in the body for days or weeks after initial impairment has dissipated.
  ◦ Individuals differ considerably in the rate of absorption, distribution, action, and elimination of drugs.
  ◦ Some people are more sensitive to the effects of drugs, particularly first-time or infrequent users.
  ◦ Wide ranges of drug concentrations in different individuals produce similar levels of impairment in experimental situations.

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Science: Marijuana as an Example

▸ **Marijuana and impairment**
  ◦ Marijuana impairs motor skills and cognitive functions including vigilance, distance perception, coordination, divided attention, and reaction time – in experimental studies.

▸ **Marijuana and crash risk**
  ◦ Studies show increase in crash risk anywhere from 0% to 200%.
  ◦ No scientific consensus.

▸ **Measuring marijuana in the body**
  ◦ THC concentrations drop to 20% of peak 30 minutes after smoking, while impairment lasts for hours.
  ◦ Marijuana metabolites can be detected weeks after smoking.
  ◦ Contrast with alcohol: BAC ≈ impairment ≈ crash risk.

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Laws: Types, Current Status

▸ **Impairment laws (driving under the influence of drugs-DUID)**
  ◦ Illegal to drive while abilities impaired
  ◦ All states
  ◦ To enforce: observe behavior, link to evidence of a drug

▸ *Per se* **laws**
  ◦ Illegal to drive with amounts over the *per se* limit
  ◦ 6 states, for some drugs
  ◦ To enforce: chemical evidence of drug

▸ **Zero tolerance laws**
  ◦ Illegal to drive with any measureable amount (could include metabolites)
  ◦ 15 states, for some drugs
  ◦ To enforce: chemical evidence of drug

▸ **Needed: evaluations of *per se* and zero tolerance laws**

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Enforcement: SFST, DEC, Blood, Oral Fluid

- **At the roadside**
  - Stop driver for traffic violation, observe impairment
  - Screening: SFSTs can screen for some drugs
  - Oral fluid screening kits: 5 minutes, $20
- **At the station**
  - DEC: need trained DRE, exam takes 90 minutes
  - Chemical evidence, usually blood: must draw quickly
- **At the lab**
  - Drug analysis can cost $150-300; labs often backed up
- **Training**
  - Advanced Roadside Impaired Driving Enforcement (ARIDE)
  - Drug Evaluation and Classification (DEC) Program
- **Needed: accurate, quick, cheap roadside screening for common drugs**

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Sanctions and Treatment

- **Drug and alcohol screening**
  - New assessment tools:
    - **CARS: Computerized Assessment and Referral System**
      - Cambridge Health Alliance
    - **IDA**: **Impaired Driving Assessment**
      - American Probation and Parole Association
- **Drug treatment:** used in most states
- **Intensive supervision:** used in many states
- **DWI and Drug Courts**
  - 448 combined DWI/drug (hybrid) courts concentrating on DUID offenders
  - 2,800 drug courts

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Education Challenge: Perceptions of Risk

- **There are many common misperceptions about drugged driving, specifically marijuana-impaired driving. Some people think that:**
  - Drugged driving is not a serious problem.
  - Drug use does not adversely affect driving and may improve it (due to compensation strategies).
  - There are no laws prohibiting drugged driving (i.e., it is not illegal).
  - The likelihood of detection and apprehension for drugged driving is low.
- **Needed: effective drugged driving education campaigns**

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Recommendations for States

1. Planning
2. Education
3. Laws and sanctions
4. Training
5. Testing
6. Prosecution and adjudication
7. Data

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Recommendations for States

1. Planning
- Assess your state's drugged driving issues
- Build broad partnerships
- Create a drugged driving strategic plan

2. Education
- Develop and implement a campaign

3. Laws and sanctions
- Zero tolerance for illegal drugs
- Zero tolerance for drivers under 21 for all drugs
- *Per* se law for marijuana if recreational use is legal
- Examine your DUID laws and revise as needed
  - Screening tests, implied consent, separate DUI and DUID charges, etc.

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Recommendations for States

4. Training
- Law enforcement: ARIDE and DEC
- Prosecutors and judges: through NTLC, TSRPs, NJC, JOLs

5. Testing
- Test all fatally-injured drivers for drugs
- Test all DUID arrestees for drugs
- Ensure that labs will provide timely drug test results

6. Prosecution and adjudication
- Screen and assess all DUID and DUI offenders
- Use drug courts, intensive supervision, and drug treatment

7. Data
- Track DUID and DUI separately in crash, arrest, court data
- Use surveys to track public knowledge and attitudes

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National Needs

▸ **Education**
- A national drug-impaired driving campaign
- Materials for prosecutors, judges, legislators

▸ **Enforcement**
- Accurate, cheap, convenient roadside oral fluid kits
- Evaluate SFST usefulness for drugs

▸ **Data**
- Drug testing best practices: which drugs, what thresholds
- Improved drug reporting in FARS

▸ **Research**
- Evaluate drug law and program effects
- Study impairing effects of most common drugs

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