Enhancing Drugged Driving Data: State-Level Recommendations & Legislative Tools

LIFESAVERS CONFERENCE

Technology and Testing: Need for State Level Data

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April 27, 2021

Background

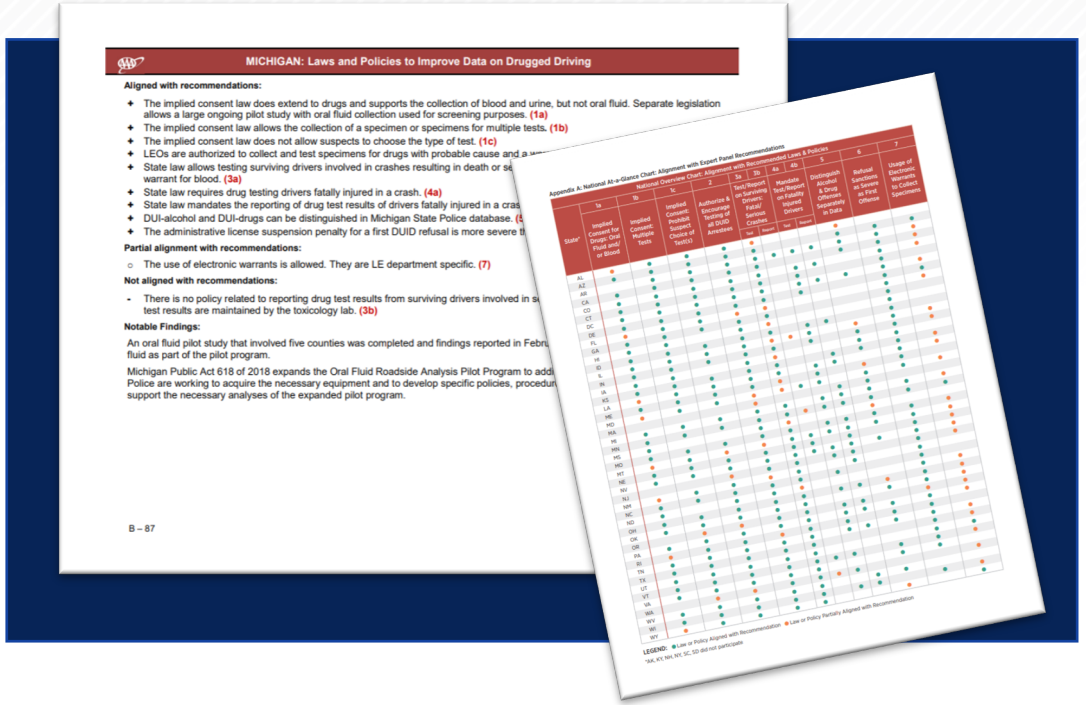
Three AAA Foundation studies quality and availability of drugged driving data:

- Phase I. Advancing Drugged Driving Data at the State Level: Synthesis of Barriers and Expert Panel Recommendations (2016)

- Phases II-III. Enhancing Drugged Driving Data: State-Level Recommendations

  - Features findings from 44 states and the District of Columbia who participated in this project.

  - Provides background information on each recommendation, including relevant literature or resources on the topic.



AAA developed state-by-state legislative tools based on this research to help advocates push for data system improvements on drugged driving.

Methods

Researchers reviewed state statutes and surveyed state-based contacts to:

- Determine whether and how each state complies with seven recommendations related to drugged driving data.
- Determine the specific changes (e.g., legislative, regulatory, resource, etc.) needed in state policies and practices to attain compliance with recommendations.
- Designations by project staff of *aligned*, *partially aligned*, or *not aligned* with the expert panel recommendations were based on the information provided by the respondents.

Study Limitations

- State response rate of 88%
- Variability among the state contact responses in terms of comprehensiveness and completeness
- Variability in the number and type of contributors for each state

Despite Limitations

- *Report can be used by states and other stakeholders to assess a state's needs and potential steps to improve drugged driving data*
- *Stakeholders can learn from experiences described by other states*

Key Findings

Recommendations where MOST states were aligned:

- Implied consent laws extend to drugs and oral fluid specimen.
- Authorize LEOs to collect/test specimens for drugs on all DUI/DUID arrestees (w/ probable cause and a warrant).
- Authorize drug testing for all surviving drivers in fatal and serious injury crashes (w/probable cause that impairment was a factor).
- ALR for a refusal to provide a specimen for drug testing should be at least as severe as for a first DUID offense.

Key Findings

Recommendations where the LEAST number of states were aligned:

- **Enact laws/implement policies mandating drug testing and reporting of the test results for all fatally injured drivers.**
- **Update data collection and reporting systems to distinguish between impaired driving offenses (DUI, DUID, and both) in all relevant data (particularly citation data).**
- **Electronic warrants should be used to reduce delays in collecting specimens when a warrant is necessary.**

Major Barriers

1. Lack of funding
2. Laws and policies must be changed
3. No mandate to drug test and report the results
4. Lack of stakeholder buy-in
5. LEOs are discouraged to drug test once a BAC of .08 is established

Visit: https://aaafoundation.org/enhancing-drugged-driving-data-state-level-recommendations/

Thank You!

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