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

LIFESAVERS CONFERENCE
Technology and Testing: Need for State Level Data

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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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