



## Highlights of September 20th, 2017 RSTF Meeting

### Impaired Driving

All presentations and related meeting handouts are located on the RSTF Website:  
<https://www.dvrpc.org/Committees/RSTF/>

#### **1. Welcome and Introductions**

The meeting was called to order at 9:30 AM by RSTF Co-Chairs Peggy Schmidt, Executive Director of Partnership TMA and Bill Ragozine, Executive Director of Cross County Connection TMA. After welcoming everyone, the co-chairs directed attention to the new RSTF goal. The newly worded goal was approved by the RSTF and will be incorporated into official documents:

*To reduce roadway crashes and eliminate serious injuries and fatalities from crashes in the Delaware Valley.*

Ms. Schmidt requested approval from the RSTF for the April 2017 meeting highlights, and they were approved without comment.

#### **2. Impaired Driving - Presentations**

Two featured speakers addressed the meeting on impaired driving, with a focus on drugged driving. Prior to the speakers Kevin Murphy, Delaware Valley Regional Planning Commission, and Jana Tidwell, AAA-Mid-Atlantic gave presentations introducing the topic. Mr. Murphy presented on overall crash trends noting that in 2016 regional killed and severe injury (KSI) crashes reached a seven-year high: 381 people were killed and 1,230 seriously injured in the 9-county region. Impaired driving is a contributing factor in over 18 percent of KSI crashes on average per year (2013-2015). After opening with an impactful video recounting a drugged driving crash that killed a state trooper, Ms. Tidwell provided an overview of the AAA's recent Drugged Driving Summit and spoke about the rising trend in drugged driving crashes. She noted that drugged driving is now eclipsing drunk driving in Pennsylvania and that 38% of drugged driving in Pennsylvania occurs in DVRPC's five counties. Ms. Tidwell then introduced the featured speakers, Stephen Erni, Executive Director of the PA DUI Association, and Mary Beth Novak, Drug Recognition Expert with the Philadelphia Police Department.

Mr. Erni and Ms. Novak presented jointly. Mr. Erni presented on the work that the PA DUI Association has been involved in to address DUI's in Pennsylvania. Increasing availability of alcohol in Pennsylvania has helped fuel the DUI problem in the state. The PA DUI Association addresses this issue through efforts like a recent fundraiser to purchase breathalyzers for police. Overall, DUI's are down in Pennsylvania thanks to the concerted effort of law enforcement, however the DUI-D (drug-related DUI's) problem is growing. In 2016, DUI arrests totaled 53,578; 32,470 involved drugged driving. Pennsylvania has begun to address this issue with the 2004 adoption of the Drug Recognition Expert (DRE) police training program. Pennsylvania is among 39 states that have a DRE program and there are currently 166 officers trained as part of the DRE program in Pennsylvania. By comparison, the state of New Jersey has over 400 DRE's.

Mr. Erni then introduced Ms. Novak. Ms. Novak is the only DRE in the City of Philadelphia, which has a police force of 6,000 officers. Ms. Novak started out as an accident reconstructionist, but her work now is focused solely on DRE activities.

Ms. Novak explained that DRE's are called in to assess a driver's sobriety anytime the driver is suspected of being impaired and they have already passed a breathalyzer test. A driver might also be subject to the 12-step DRE evaluation even if they have tested positively for DUI. DRE's work at sobriety checkpoints and at the scene of a crash when impairment is suspected. The DRE training program is a rigorous, 30-day training program. DRE's are trained to administer the 12-step evaluation of suspected drug impairment, including an interview of the arresting officer, an eye exam of the subject, a divided attention test, a dark room exam, and a non-mandatory blood test.

#### Questions/Comments:

- Mr. Murphy asked if officers are required to obtain a warrant for a blood test. Ms. Novak affirmed that a warrant is required for a non-consensual blood test, but that most subjects will submit to one when asked, though they reserve the right to refuse without repercussion. Mr. Murphy also asked if the DRE program was used for non-crash traffic stops. Ms. Novak answered that it could be, but this did not happen frequently given the limited availability of DRE's in the city.
- Kelvin MacKavanagh, Delaware Valley Goods Movement Task Force, asked if there are equivalent BAC standards for over the counter and illicit drugs. Such information and standards do exist, but they are typically only available when a blood sample or urine test is performed and a toxicology report is produced, Ms. Novak explained. The scientist then can make a determination if the amount of the identified substance in the blood stream is greater than what is typical for therapeutic use. This is especially useful when addressing prescription medications.
- Warren Strumpfer, Camden County Highway Traffic Safety Task Force, asked what influence the opioid epidemic has had on the drugged driving problem. Ms. Novak responded that in Philadelphia she encounters drugged driving crashes involving all types of drugs.
- Mr. Ragozine inquired as to whether or not a DRE can distinguish between different types of drugs. Ms. Novak explained that the 30 day training course for DRE's is very detailed and is designed to train an officer to be able to distinguish between different kinds of impairment due to different kinds of substances. Mr. Strumpfer inquired about opioid detection by DRE's. Ms. Novak responded that opioid drug recognition is part of the DRE training. Mr. Ragozine also asked if subjects may refuse to submit to the exam. Ms. Novak explained that they can and they're Mirandized, but most people feel confident that they can pass the exam and agree to undergo it.
- Bill Beans, MBO Engineering, inquired if there are studies that show that marijuana impairs driving. Mr. Erni responded that while there has been some limited work in this area, including a recent study by AAA, the fact that marijuana is a controlled substance severely limits researchers' ability to study it. More work is being done in Colorado and Washington, which recently legalized marijuana, to better understand its effect on driving.

At this point, Mr. Erni resumed the presentation. He explained that there are hidden societal costs to the legalization of recreational marijuana which are not typically discussed when talking about the benefits (such as the financial benefits to state budgets). Some of the key reasons that fatalities from DUI crashes are down include changing social norms around drunk driving; public information and

education campaigns; safer vehicles; and high visibility enforcement efforts. But while DUI incidents have been decreasing somewhat, DUI-D's are increasing. The Advanced Roadside Impaired Driving Enforcement (ARIDE) program is a program that offers a compressed version of the DRE training to officers. It can be given to more officers and has helped to increase DUI-D arrests. Some of the key barriers to DUI-D enforcement efforts include the limited research studies in this area and the preponderance of designer drugs which can be changed or morphed into slightly different versions to avoid federal regulations.

Returning to DUI advocacy, Mr. Erni argued that Pennsylvania's 3-tier program for DUI offenses leads to overly lenient sentencing. Under current Pennsylvania law, DUI sentencing guidelines split BAC levels into three categories, which leads to the "baby DUI" for a BAC level between .08 and .1. The law incorrectly suggests that a BAC of .08 is not as serious as higher BAC levels when driving. In addition, introducing longer probationary periods accompanied with rehabilitation services would begin to address the 62% of DUI offenders that self-report alcohol abuse problems.

Questions/Comments:

- Mr. MacKavanagh asked about the experience of states that have recently legalized marijuana, like Colorado. Mr. Erni explained that crashes are up across the board and there is an urgent need for social norming around marijuana. Part of this effort should include more funding from NHTSA in this area.
- Mr. Strumpfer asked about the ankle bracelet program that was used in York County and whether or not it expanded throughout the state as it seems to be a successful program. Mr. Erni said that he is unaware of it being used in other Pennsylvania counties. He reiterated that there is not enough channeling of offenders into treatment and programs that lead to behavioral change.
- Mr. Beans inquired about support services for drivers convicted of a DUI that lose their licenses. Oftentimes losing their license could be the first step toward losing employment, which would compound a DUI offender's problems. Mr. Beans was curious about services which would support these people with transportation to work and related services. Mr. Erni did not have any knowledge of such programs, but acknowledged that there is likely a need.

### **3. Developing Action Items**

The co-chairs then segued from the emphasis area discussion into the next agenda item, developing action items.

**Education Group:** Ms. Schmidt—lead

No specific action items were identified, but the education group discussed a wide range of issues related to education and impaired driving. For instance, they identified how education for drunk driving is working, but there is a lack of understanding at an unprecedented level on marijuana and how it affects driving. People do not understand that the marijuana available today is not the one that was sold in the 1960s. Over time it has been cultivated to be more potent and thus potentially more dangerous, and is sometimes cut with other substances which alter/enhance its effects. There is a need to focus on youth—whether through schools or social media avenues. Students and parents often don't recognize marijuana as a drug—they believe that it is just part of our culture.

Studies are underway now in Colorado and Oregon, two states with legalized marijuana, to determine whether or not DUI-D arrests are up, as well as repeat violations and related measures of impaired driving safety.

To address drugged driving locally, shocking stories, like those employed to combat drunk driving, need to be told. AAA has programs in schools, and something similar is needed driver's education courses. It's also important to support officer training and have this type of training in the police academy.

**Engineering Group:** Mr. Ragozine—lead, Michael Boyer, DVRPC—assist

The engineering group discussed several strategies to address impaired driving crashes in the region. These included the importance of rumble strips, strobing red lights to differentiate between signalized intersections, and portable speed signs. Some raised concerns about strobing lights making people ill and marijuana-impaired drivers being unable to see colors or flashing signs.

The group also discussed new car technologies that might assist with combating impaired driving, like car prompts to pullover if you are impaired and sensor technology that can detect different types of impairment. Roadside variable messages should be employed to educate people about the dangers of impaired driving. Concern was raised about semi-autonomous vehicles giving people a false sense of security.

Mr. Ragozine will follow with NJDOT staff about the potential for implementing more roadside variable messages that cover all forms of impaired driving, as well as several other strategies discussed in the engineering group.

**Enforcement Group:** Marco Gorini, DVRPC—lead, Paul Carafides, DVRPC—assist

The enforcement group focused on the need to better support DRE's in the region. A key strategy for supporting DRE's is to better educate the judicial and enforcement communities about the program and the rising trend of drugged driving. To address this, a key action that the RSTF can take is to compile data on the prevalence of drugged driving in the region and share it—along with information about best practices to address it—to interested parties. Suggested parties include the League of Municipalities and Chiefs of Police Association. Sharang Malaviya, PennDOT, will investigate available data on drugged driving crashes and Marco Gorini, DVRPC, will look into best practices in addressing drugged driving crashes.

The enforcement group also discussed other strategies that have been proven to address drugged driving around the state, such as the York County ankle bracelet program. It was suggested that the RSTF think about ways to build on the program's success.

**Emergency Response/Policy Group:** Mr. Murphy—lead, Natalie Cramer, DVRPC—assist

This group focused predominantly on policy issues and strategies. Among related topics, this group continued a thread begun in the large group discussion about support services for DUI offenders that have lost driving privileges. From this came the following action item: Bill Beans agreed to research existing services and programs that provide support for offenders to help them sustain a livelihood while working toward restoring their driving status, funded privately and/or publicly (report back at next meeting). Kevin Murphy committed to researching the PA and NJ crash databases for information needed to map the incident location versus home addresses of impaired drivers for investigation of

patterns. Amanda Lozinak of the Transportation Management Association of Chester County also volunteered to research educational efforts surrounding marijuana and its effect on driving.

#### **4. Member Updates and Open Forum**

Paul Carafides, Office of Transportation Operations Management at DVRPC, gave an update on the Incident Management Task Forces' (IMTF) activities – the full update was included in the meeting folder. A new Incident Management Plan will soon be underway. IMTF committees have been on hiatus for the summer but are just now becoming more active.

Ms. Tidwell gave an overview of AAA's legislative efforts in Pennsylvania, which include helping the state prepare for possible marijuana legalization and its effect on road safety; Gov. Wolf has indicated that he does not believe the state is ready for legalization right now. Tracy Noble, AAA Mid-Atlantic, New Jersey, gave an overview of AAA's work advocating against marijuana legalization in New Jersey, which appears likely to be up for vote next year. They are planning an Impaired Driving Summit on December 19th, 2017, in Hamilton, NJ, similar to Pennsylvania's spring 2017 Drugged Driving Summit. Both Ms. Tidwell and Ms. Noble provided written updates, which were included in the meeting folder.

At this point, RSTF members were invited to provide any updates that they wished to share with the group. Mr. MacKavanagh reported that planning for TransAction 2018 had begun. No other updates were provided.

#### **5. Additional Updates and Conclusion**

Mr. Gorini delivered updates on action items accomplished during the previous TSAP cycle and the results of the survey distributed online following the July 2017 Special Strategies Session. Both of these updates were provided in detail in the meeting folder.

Mr. Murphy updated the RSTF on the speed study, explaining that a new safety intern was now working on it, and a draft version will be available for review at the November RSTF meeting. Mr. Ragozine asked that RSTF members review the 2018 meeting dates included in the meeting folder and notify DVRPC if any dates present conflicts. The next meeting will be on Tuesday, November 28, 2017 and the topic will be Bicycle and Pedestrian Safety. Mr. Ragozine requested that members consider potential speakers and notify DVRPC of who they would like to see.

#### **September 20<sup>TH</sup>, 2017 RSTF MEETING ATTENDEES LIST**

Beans, Bill	MBO Engineering
Boyer, Michael	DVRPC
Bucci, Vince	Gloucester Township PD
Carafides, Paul	DVRPC
Cramer, Natalie	DVRPC
Diamond, James	Philadelphia Police Department
Erni, Stephen	PA DUI Association

Gorini, Marco	DVRPC
Hillengas, Amory	Philadelphia Department of Public Health
Jahnle, Alexandra	Urban Engineers, Inc.
Lozinak, Amanda	Transportation Management Association of Chester County
Lynch, Michael	Burlington County
MacKavanagh, Kelvin	Delaware Valley Goods Movement Task Force
Malaviya, Sharang	PennDOT
Malik, Akshay	OIT
Martin, Heather	Chester County Planning Commission
Murphy, Kevin	DVRPC
Noble, Tracy	AAA Mid-Atlantic
Norcross, Bryan	Burlington County
Novak, Mary Beth	Philadelphia Police Department
Ozonuwe, Ifeekam	Public Health Management Corporation
Philbin, James	Cherry Hill Township Police Department
Popek, Matthew	Montgomery County
Ragozine, Bill	Cross County Connection TMA
Schmidt, Peggy	The Partnership TMA
Smith, Alyson	Delaware County TMA
Strumpfer, Warren	Camden County Highway Traffic Safety Task Force
Tidwell, Jana	AAA Mid-Atlantic

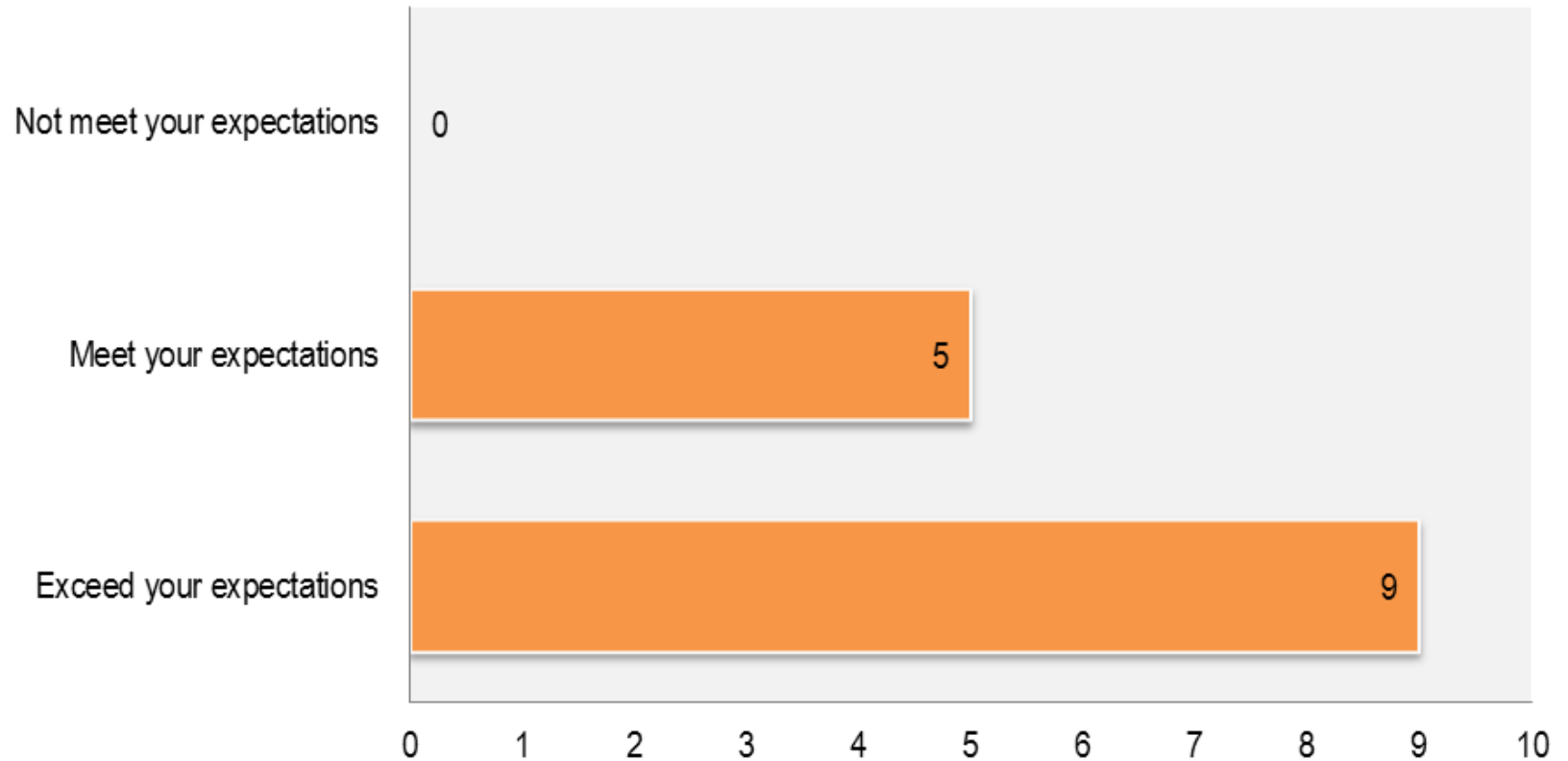


# Survey Results

September 20, 2017 RSTF Meeting:

Impaired Driving

# Question 1: Did this meeting...





# Question 2: What exceeded or didn't meet expectations?

The conversations and questions were great, very informed and insightful

Steve and Mary Beth's presentation

Holistic view of issues surrounding DUI crashes

The speakers were very informative

Great presentation on DRE's

Speakers were excellent

Don't know all the marijuana issues

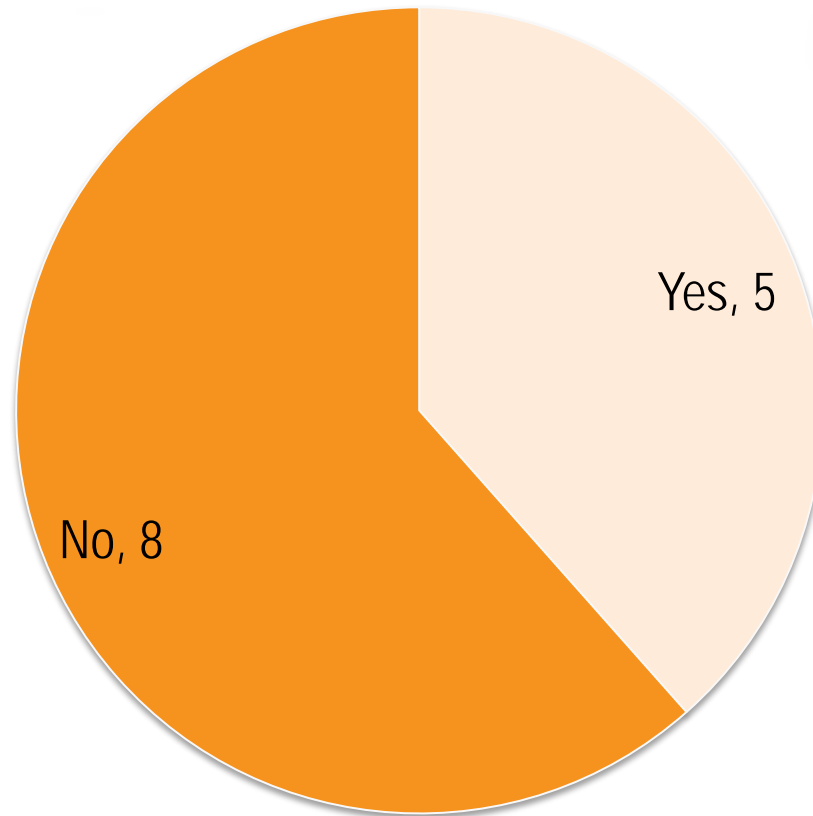
Discussion scratched the surface but would love more conversation

Good information

Learned a lot of new info on impaired driving

Great topic, an issue that requires more attention

# Question 3: Did you develop new partnerships?



# Question 3a: If YES, describe new partnerships

More dialogue

Intend to work with agencies on changes in data collection forms for crashes

But would like to be involved in future meetings

Explore more DRE/ARIDE training sponsorship training opportunities

Work with AAA

# Additional Comments?

The topic was great and the speaker was well-prepared

Excellent, well-focused meeting

Very interesting discussions

As always, great meeting

Have trouble staying after to network because of scheduling, but always good discussions in breakout sessions



For more information, please contact:

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