

ADVANCING DRUGGED DRIVING DATA AT THE STATE LEVEL: STATE-BY-STATE ASSESSMENT

INTRODUCTION

There is an urgent need for better data on the drugged driving situation at both the state and national levels. This affects our understanding of the extent of the drugged driving problem and how it is changing over time, ways of communicating the risks to the general public, and measuring the effectiveness of efforts to reduce it. In 2015, the AAA Foundation for Traffic Safety conducted a synthesis of scientific literature to identify barriers that impede state efforts to collect and compile drugged driving data, and existing recommendations aimed at addressing these barriers. An expert panel of law enforcement officials, toxicologists and other traffic safety professionals then used that information to formulate recommendations to improve drugged driving data at the state level ([Arnold & Scopatz, 2016](#)). Some of the recommendations in that report were at the national level, such as authorizing federal funds for roadside surveys and developing national model specifications for oral fluid drug test devices. Twelve recommendations were at the state level to improve drugged driving data and were addressed in this project. The objective of this follow-up project was to document laws, policies, and practices related to these recommendations in each state and the District of Columbia (D.C.).

RESULTS

The critical output from this project was a series of summary tables — one for each state plus D.C. — that highlight key information regarding state laws, policies, and practices as they relate to the recommendations from the previous report (Arnold and Scopatz, 2016). Importantly, these vary across states and substantial progress is still needed.

While most law enforcement officers (LEOs) have been trained in the Standardized Field Sobriety Tests (SFST), very few have been trained in the “Advanced Roadside Impaired Driving Enforcement” (ARIDE) course, which is critical. The SFST training was developed for detecting alcohol impairment, while the other two courses are for detecting impairment by drugs other than alcohol.

At the time of the review, 15 states reported they authorize the collection and testing of oral fluid for alcohol and/or other drugs, and 10 states reported having pilot testing programs. Most states authorize the testing of drivers fatally injured in crashes and surviving drivers only when there is probable cause. Most states also reported they have improved the implementation and utilization of the Drug Evaluation and Classification program. The majority of states do not expressly authorize electronic warrants, which reduce delays in collecting specimens from drivers arrested for DUI. Finally, 41 states indicated that LEOs report observed behavioral impairment among surviving drivers in fatal crashes. Detailed results for each state are provided in an appendix to the full project report.

ABOUT

Established in 1947 by AAA, the AAA Foundation for Traffic Safety is a not-for-profit, publicly funded, 501(c)(3) charitable research and educational organization. The AAA Foundation’s mission is to prevent traffic deaths and injuries by conducting research into their causes and by educating the public about strategies to prevent crashes and reduce injuries when they do occur. This research is used to develop educational materials for drivers, pedestrians, bicyclists and other road users. Visit www.AAAFoundation.org for more information.

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METHODOLOGY

Based upon legal research and responses to a survey, state laws, policies, and practices were assessed to determine whether and to what degree they align with recommendations aimed at improving drugged driving data. The legal research was conducted in two steps: (1) a review of existing legal research on drugged driving laws (alcohol-impaired driving laws were also reviewed because these statutes may include references to drugs) and (2) original research using the online legal research service Westlaw. Following the literature and legal research review, key officials from state highway safety offices, departments of transportation, courts, and law enforcement who would be knowledgeable about drugged driving laws and policies were contacted and asked to complete a phone interview or online survey. Data from the survey were coded and analyzed and the results were integrated with the data from the phone interviews.

Findings from the legal research, telephone interviews and online survey results were synthesized and documented. The data were then examined based on the recommendations to assess which states are aligned with the state-level recommendations documented by the AAA Foundation for Traffic Safety drugged driving expert panel and which are not. Key data points from the legal review and completed surveys (interview, email and web responses) were combined and summarized at the state level. Individual summaries were created for each state.

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