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# Washington Impaired Driving Strategic Plan

Approved by the Washington Impaired Driving Advisory Council



July 2013

**Chair**

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This plan was developed and approved by the Washington Impaired Driving Advisory Council.  
It covers July 2013 to July 2014.

# Introduction

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## Executive Summary, Vision, Mission

Each year from 2009 to 2011, an average of 469 people died and 2,421 people were seriously injured on Washington’s roadways. The Target Zero vision is to reduce traffic fatalities and serious injuries in Washington to zero by 2030.

Target Zero, the Washington State Strategic Highway Safety Plan, is the roadmap we will follow to achieve this vision. This plan sets statewide traffic safety priorities based on the most frequently cited contributing factors. During 2009 to 2011, the top three factors were:

- Impaired Drivers—contributing to half of all traffic fatalities
- Speeding—involved in 4 out of 10 fatal crashes
- Run-Off-the-Road—indicated in 44 percent of fatal collisions

Overall, 72 percent of traffic fatalities involved at least one of the top three traffic safety priorities, and 17 percent involved all three. See Figure 1, “Most Common Factor Involved in 1,407 Washington Fatalities (2009-2011) on page 4.”

Significantly reducing the incidence of impaired driving is recognized by the Target Zero Plan as the top priority.

To support the Target Zero Plan, WTSC established the Washington Impaired Driving Advisory Council (WIDAC) in 2009. The WIDAC oversees the statewide strategic impaired driving plan. This document contains that plan.

## Executive Summary

Impaired Drivers were a factor in half of all traffic deaths (704 of 1,406) and 21 percent of all of serious injuries (1,519 of 7,264) between 2009 and 2011. Drivers in fatal crashes were as likely to be impaired by drugs as by alcohol, with almost 25 percent impaired by both alcohol and drugs.

Fortunately, Washington is experiencing declines in impaired driving. In 2009-2011, impaired driver involved deaths and serious injuries both decreased by 15 percent when compared to 2006-2008. Washington’s system-wide approach to addressing impaired driving has led to support for prevention initiatives, comprehensive ignition interlock laws; better law enforcement and prosecutor training; more DUI Courts; and innovative, targeted, full time DUI enforcement teams, among other initiatives.

## Most Common Factors Involved in 1,407 Washington Fatalities (2009-2011)

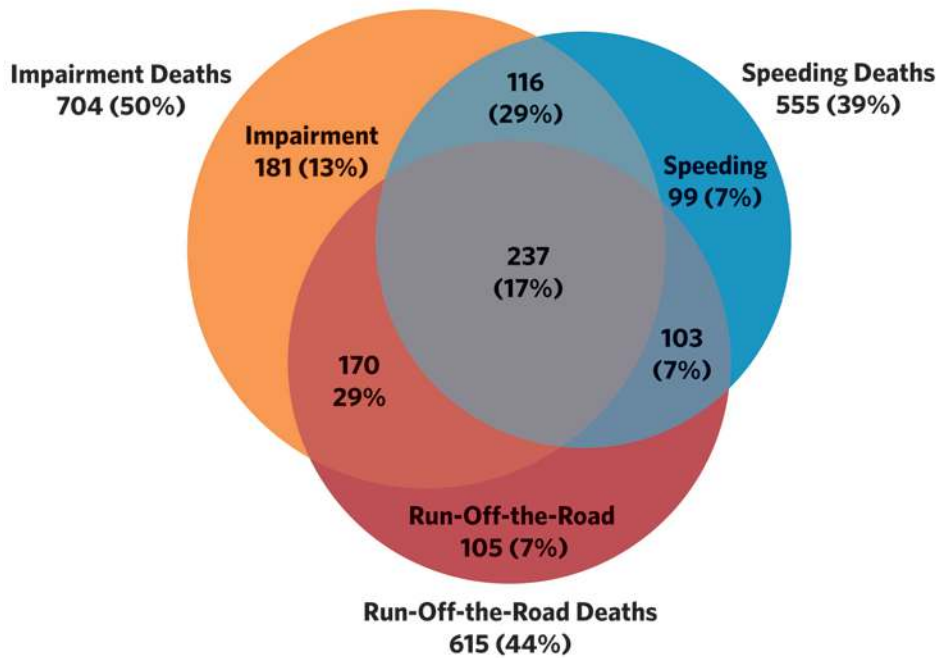


Figure 1: Overlap for the top three contributing factors, 2009-2011. Percentages are based on total traffic fatalities (1,407) during that time period.

*Impaired driving was involved in 50 percent of fatalities between 2009-2011, run-off-the-road in 44 percent and speeding in 39 percent. In 29 percent of fatalities, both impairment and run-off-the-road were factors. In another 29 percent, both impairment and speed were involved. When combined, 17 percent of fatalities involved all three factors. Impairment was the only contributing factor in 13 percent of fatalities. Run-off-the-road and speeding, each by themselves, were the only contributing factor in 7 percent of fatalities. In another 7 percent of fatalities, run-off-the-road and speeding were both involved.*

### WIDAC Vision

Zero impaired driving traffic deaths and serious injuries by 2030.

### WIDAC Mission

In alignment with the Target Zero, the Washington State Strategic Highway Safety Plan, the WIDAC provides a comprehensive strategy for preventing and reducing impaired driving behaviors.

# Washington Impaired Driving Advisory Council (WIDAC)

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## Description

WIDAC was formed by a Memorandum of Understanding in June 2009. The WIDAC is composed of 14 signing agency representatives, an expanding group of advisory members, and staff. WIDAC membership includes all appropriate stakeholders and meets the membership requirements of MAP-21. Stakeholders include representatives from the highway safety office, law enforcement, prosecution, adjudication and probation, driver licensing, treatment/rehabilitation, ignition interlock programs, data and traffic records, public health, and communication. They provide input about:

- adjudication
- administrative sanctions and driver licensing programs
- alcohol and other drug misuse
- criminal justice system (law and policies, DUI enforcement and DUI training, prosecutor training)
- impaired driving program management
- prevention
- program evaluation and data
- other topics as they emerge

Appendix B, *WIDAC Roster*, lists WIDAC members, advisors and staff. Appendix C, *WIDAC Memorandum of Understanding*, shows the operating standards that establish and maintain the WIDAC.

### Washington Impaired Driving Council Membership

- AAA Washington
- American Association of Motor Vehicle Administrators
- Association of Alcohol and Addiction Programs of Washington State
- Department of Licensing, Motorcycle Safety Technical Experts
- Drug Recognition, Evaluation, and Classification Program
- Greater Spokane Substance Abuse Council
- Ignition Interlock Companies
- National Highway Safety Administration (NHTSA)
- NHTSA Region Ten Judicial Outreach Liaison
- Northwest Association of Tribal Enforcement Officers
- Standardize Field Sobriety Test Program
- Target Zero Traffic Safety Taskforces
- Traffic Safety Resource Prosecutor Program
- Washington Association of Prosecuting Attorneys
- Washington Association of Sheriffs and Police Chiefs
- Washington Department of Health
- Washington Judicial Outreach Liaison
- Washington MADD
- Washington Misdemeanant Correction Association

- Washington State Coalition for Reducing Underage Drinking
- Washington State Criminal Justice Training Commission
- Washington State Department of Licensing
- Washington State Department of Social and Health Services/Division of Behavioral Health and Recovery
- Washington State Department of Transportation
- Washington State Liquor Control Board
- Washington State Patrol, Breath Test Program
- Washington State Patrol, Field Operations Bureau
- Washington State Patrol, Ignition Interlock Program
- Washington State Patrol, Impaired Driving Section
- Washington State Toxicology Laboratory
- Washington Traffic Records Committee
- Washington Traffic Safety Commission
- Washington Traffic Safety Commission, Communication Program
- Washington Traffic Safety Commission, Research and Data Division

## Steps to Achieve Stakeholder Input and Plan Approval

The WIDAC developed their first strategic plan on June 25, 2009. It then sponsored a State Impaired Driving Assessment, February 22-26, 2010. WIDAC members helped develop and write the briefing book for the assessors. WIDAC members attended the assessment, answered assessors' questions, and provided recommendations. Between March and June 2010, members reviewed each assessment recommendation and assigned a priority ranking to each one. Members sought projects to address the highest priority recommendations. These projects formed the basis of the WIDAC updated strategic plan developed July 8, 2010.

During the same period, the WIDAC members helped build the 2010 Target Zero, Washington State's Strategic Highway Safety Plan Impaired Driving Section. This plan was signed by Governor Gregoire on August 27, 2010.

Currently, Target Zero, Washington State's Strategic Highway Safety Plan, is undergoing the 2013 update. The Target Zero Plan Project Team and Steering Committee, representing 17 organizations, state agencies, and Indian Nations, are guiding this update. Researchers reviewed each strategy against studies providing a proven, recommended or unknown designation for each. Partner organizations from all over the state have many opportunities to give input. Through a survey, 87 partner organizations identified over 100 Target Zero strategies their organizations are currently employing, and had the chance to suggest more strategies to be included in the updated plan. The Target Zero Plan Partner's Meeting was held March 8, 2013. Over 180 traffic safety professionals attended to learn about current data and potential new strategies. Stakeholders, partners, and citizens will have another chance to affect the plan by

submitting comments on a draft plan in August 2013. The Washington Traffic Safety Commissioners will have the final plan ready for Governor Inslee's approval in October 2013.

The Impaired Driving Section of the Target Zero Plan is the basis for this—the WIDAC Impaired Driving Strategic Plan. The WIDAC Plan takes the planning process forward to the project level. This plan was developed by WIDAC members and advisors into a draft. The draft was reviewed by members and advisors at the July 11, 2013 WIDAC meeting. Much discussion took place during that meeting and the group reached consensus on edits and improvements to the draft. The final plan was approved by WIDAC members on August 27, 2013. Appendix D, *Plan Approval*, contains copies of the final approval emails from WIDAC voting members.

In order to better synchronize these two plans, this impaired driving strategic plan will cover 2013-2014 and will be updated again before the end of 2014 using the final 2013 Target Zero Plan.

To meet MAP-21 requirements for a qualifying impaired driving strategic plan, this plan organizes information according to the general areas in National Highway Traffic Safety Administration's (NHTSA) Uniform Guidelines for State Highway Safety Programs No. 8—Impaired Driving.

## Background

Washington has been combating impaired driving for decades and has made significant progress. While deaths and serious injuries from impaired driving both declined by 15 percent during 2009-2011 compared with 2006-2008, impaired driving continues to be the main factor in fatal collisions in Washington.

Much of the decline can be attributed to aggressive campaigns to change the public perception of the acceptability and consequences of drinking and driving. These are coupled with tougher laws, from the 1968 voter-passed implied consent law to the 1999 law lowering blood alcohol concentration (BAC) *per se* limit from .10 to .08.

The state has imposed ignition interlock requirements on all DUI offenders and applied tougher sanctions for repeat and high BAC offenders. This includes the 2007 felony DUI law that applies to those offenders with four prior DUI convictions within ten years. Strict penalties are also imposed for drivers under age 21 who drink and drive as part of the "Zero Tolerance" statute.

Despite these efforts, impaired driving remains a challenging issue for both Washington and the nation.

Current Washington law has a 0.08 BAC level at which drivers in Washington are guilty *per se* of the crime of DUI. However, a rigorous analysis by Peck *et. al.*, (2009) found that drivers age 21 and above with a BAC of 0.07 are 39 percent more likely to be involved in a traffic crash than drivers with a BAC of 0.00. Also, drivers under age of 21 (who are not legally allowed to drink at all) with a BAC of 0.07 are *five times more likely to crash* than young drivers with a BAC of 0.00. Drivers can be arrested at any BAC level, even those below .08, if alcohol is impairing their ability to drive.

Recently, the National Traffic Safety Board (NTSB) recommended the *per se* BAC limit be lowered to .05 because most drivers begin to have trouble with depth perception and other visual functions at that level. NTSB states that if all 50 states adopt this standard 1,000 lives can be saved nationwide annually.

The impacts of both Initiative 1183 (privatizing sales of hard liquor in Washington) and Initiative 502 (legalizing the growing, distribution, and sale of marijuana in Washington) have presented us with new challenges. The number of stores with hard liquor licenses has gone from 328 to 1,419, and the number of hours during which liquor can be purchased has nearly doubled—from 78 hours per week to 140. Marijuana will become more easily available as well. Many other states are watching what the impacts of these initiatives will be. Updates to this plan will include newly available data about marijuana. All stakeholders will need to formulate new strategies and policies to address these changes that have the potential to slow progress toward zero traffic deaths and serious injuries by 2030.

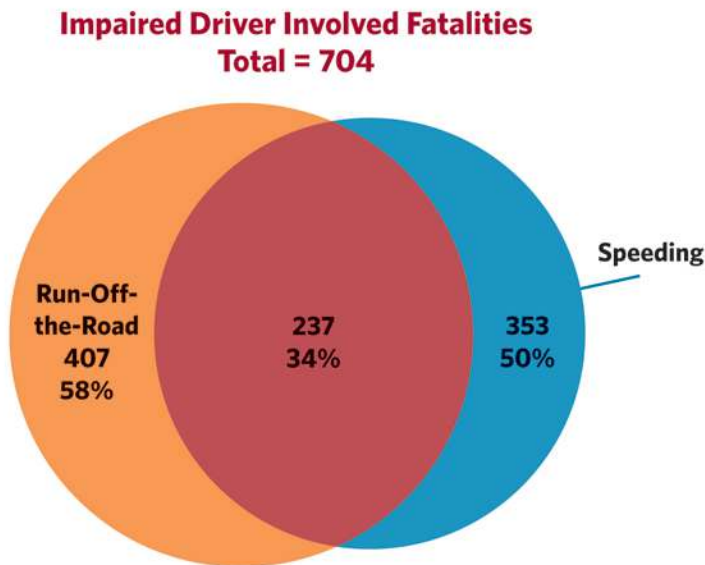
If Washington is going to reach our goal of zero impaired driving fatalities and serious injuries we must continue past successful endeavors while also pursuing new approaches, proven strategies, and best practices.



# Data-Driven Problem Identification

## Washington Impaired Driving Facts 2009-2011

*“Impaired driving crashes killed 704 and seriously injured 1,519 people between 2009 and 2011, making it the leading factor in Washington State traffic deaths.”*



*Of the 704 impaired driver involved fatalities 2009-2011, 58% also involved run-off-the-road and 50% involved speeding. Combined, 34% of these fatalities involved both run-off-the-road and speeding.*

### Age and Gender

- Just over half of those killed in impairment-related crashes, and 56 percent of those seriously injured, were ages 16-34.
- Fifty-three percent of impaired drivers in fatal crashes were ages 16-34.
- Eighty-one percent of impaired drivers in fatal crashes were male.

### Location

- Sixty-one percent of fatalities occurred on rural roads.
- Five counties in Washington account for over 50 percent of impaired driving fatalities: King (16 percent), Pierce (10 percent), Snohomish (9 percent), Yakima (8 percent), and Spokane (8 percent).

### Time, Day, Month

- Nearly 60 percent of deaths occurred at nighttime (7 p.m. - 4:59 a.m.)
- Over half of fatalities occurred on the weekend (between 7 p.m. Friday and 4:59 a.m. Monday).
- The summer months of June through September account for 43 percent of impairment-related deaths.
- The most impaired driving involved deaths occurred in August (13 percent) and the fewest in April (6 percent).

### Other

- Sixty-three percent of those killed died in single-vehicle crashes.
- Forty-four percent of those impaired were the sole occupants in their vehicles.
- Twenty-six percent of impaired drivers were also distracted.
- Motorcyclists are the only person group where drug impairment, involved in 29 percent of fatalities, exceeds alcohol impairment.
- Impaired drivers are 38 percent more likely to disobey traffic signs, signals, officers or laws.

## Impaired Driving and Young Drivers Facts

*Young drivers constituted 30 percent of impaired drivers in 2009-2011 fatal crashes.*

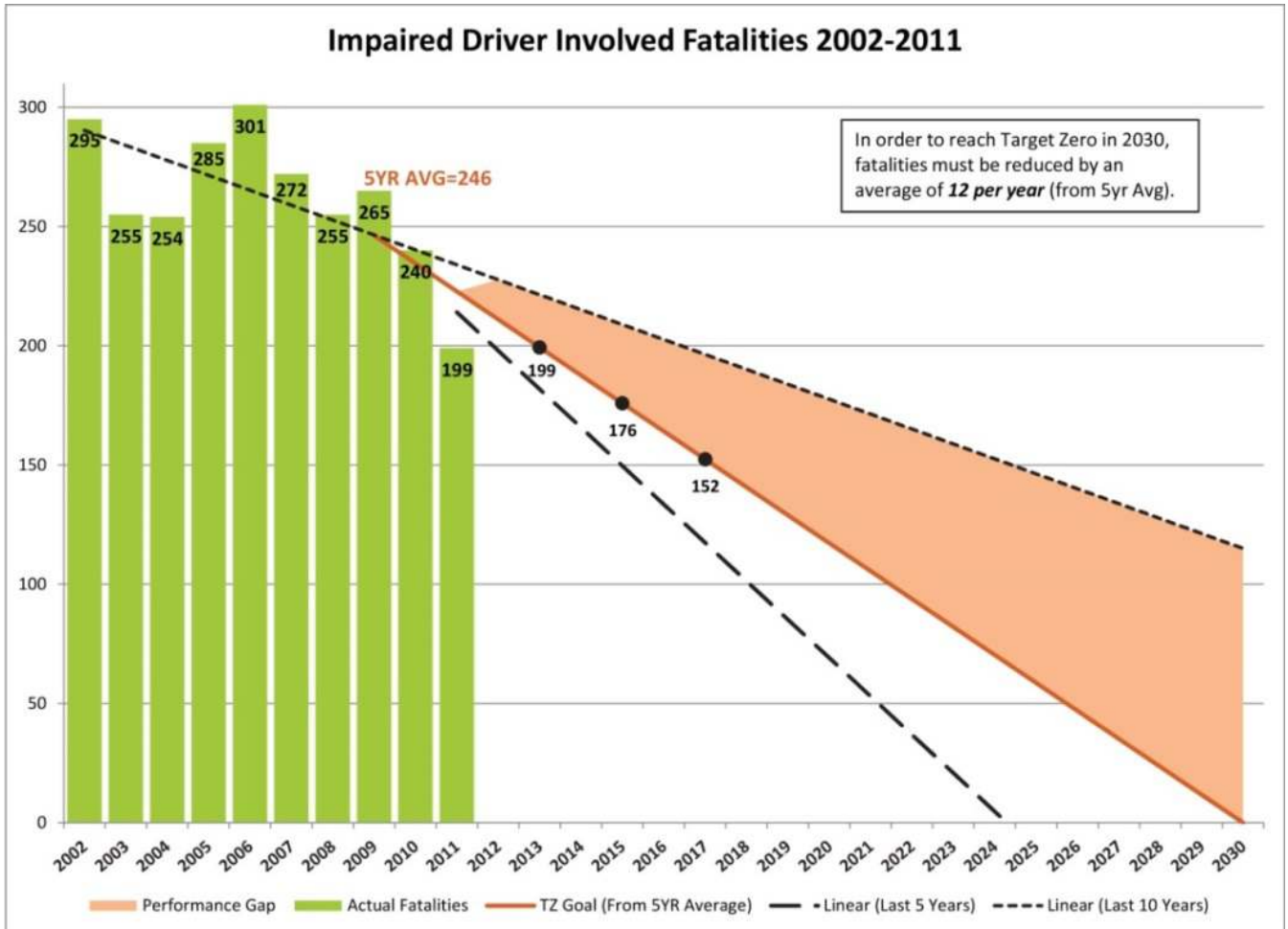
Impairment remains a critical issue for young drivers. During 2009-2011, over 40 percent of 16-25 year-old drivers in fatal collisions were impaired. This represents **the highest a higher** percentage of all age groups.

Male, 16-25 year old drivers in particular are 20 percent more likely to be impaired in fatal crashes than 36-45 year old males. Sixteen and 17-year-old male drivers were twice as likely to be impaired by drugs as by alcohol. Far and away, the drug of choice in this age and gender group was marijuana. Conversely, 21-25-year-old male drivers were twice as likely to be impaired by alcohol as by drugs.

Both 16- and 17-year-old males and 18 to 20-year-old males were over three times more likely to be impaired in fatal crashes as their female counterparts. An even greater disparity exists with 21-25 year-old males, who are over five times more likely to be impaired than their female counterparts. They are also nearly three times more likely to be impaired as male drivers ages 36-45.

# Data-Driven Problem Identification

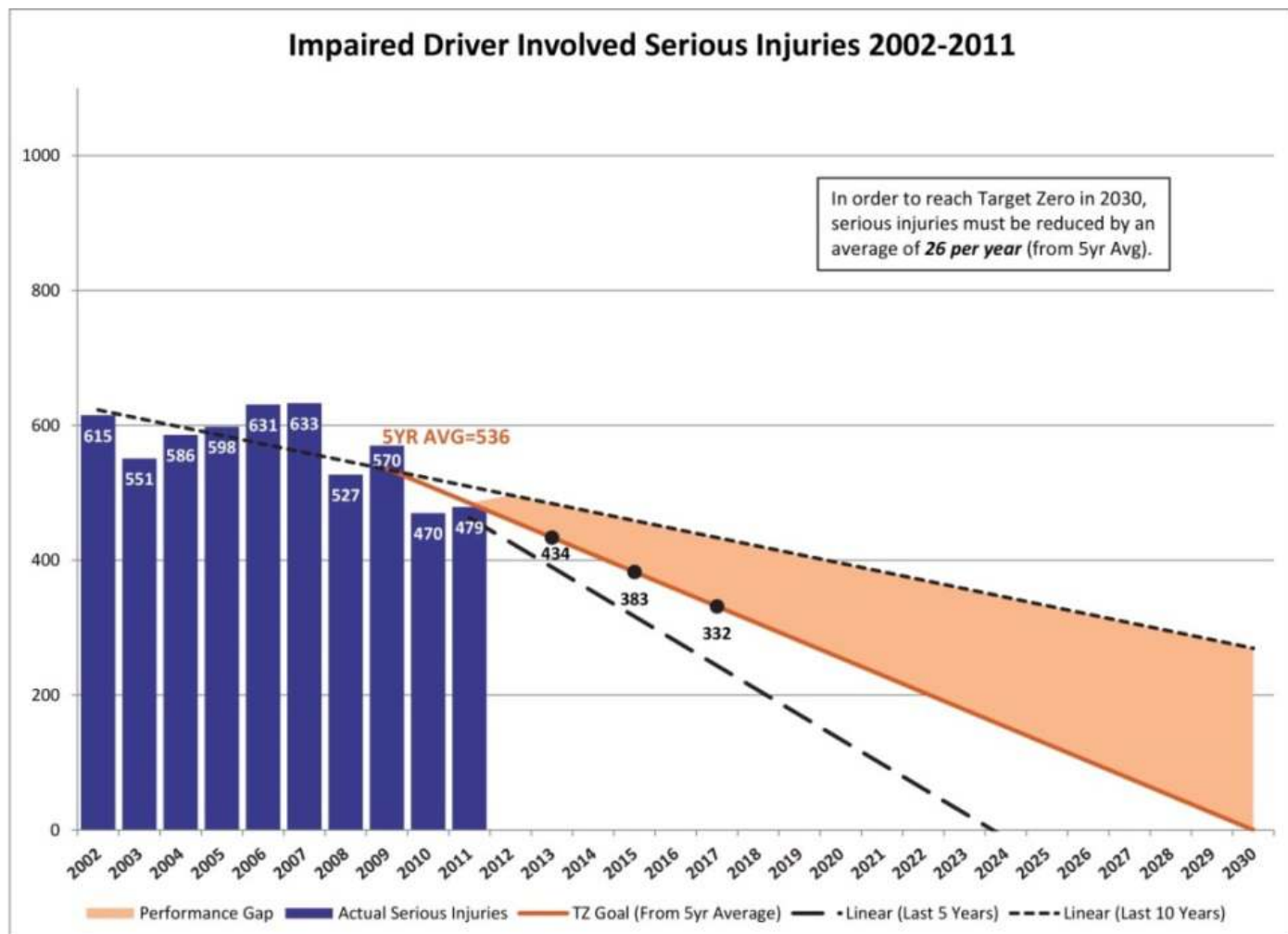
## Target Zero Goal for Impaired Driving Fatalities



The chart above demonstrates the needed reductions in impaired driving traffic deaths to reach zero traffic deaths by 2030—no more than 199 deaths in 2014, 176 in 2016, and 152 in 2018. The small dotted line shows the 10 year average linear trend for impaired driving traffic deaths. The shaded area is the gap between the target zero line and the 10-year trend line. Progress made in reducing traffic fatalities over the last five years is shown by the long dotted line. If Washington State continues to reduce impaired driving deaths at the same rate it has in the last five years, we will reach zero impaired driving deaths even earlier than 2030.

# Data-Driven Problem Identification

## Target Zero Goal for Impaired Driving Serious Injuries



The chart above demonstrates the needed reductions in impaired driving serious injuries to reach zero serious injuries by 2030—no more than 434 serious injuries in 2014, 383 in 2016, and 332 in 2018. The small dotted line shows the 10-year average linear trend for impaired driving serious injuries. The shaded area is the gap between the target zero line and the 10-year trend line. Progress made in reducing serious injuries over the last five years is shown by the long dotted line. If Washington State continues to reduce impaired driving serious injuries at the same rate it has in the last five years, we will reach zero impaired driving serious injuries even earlier than 2030.

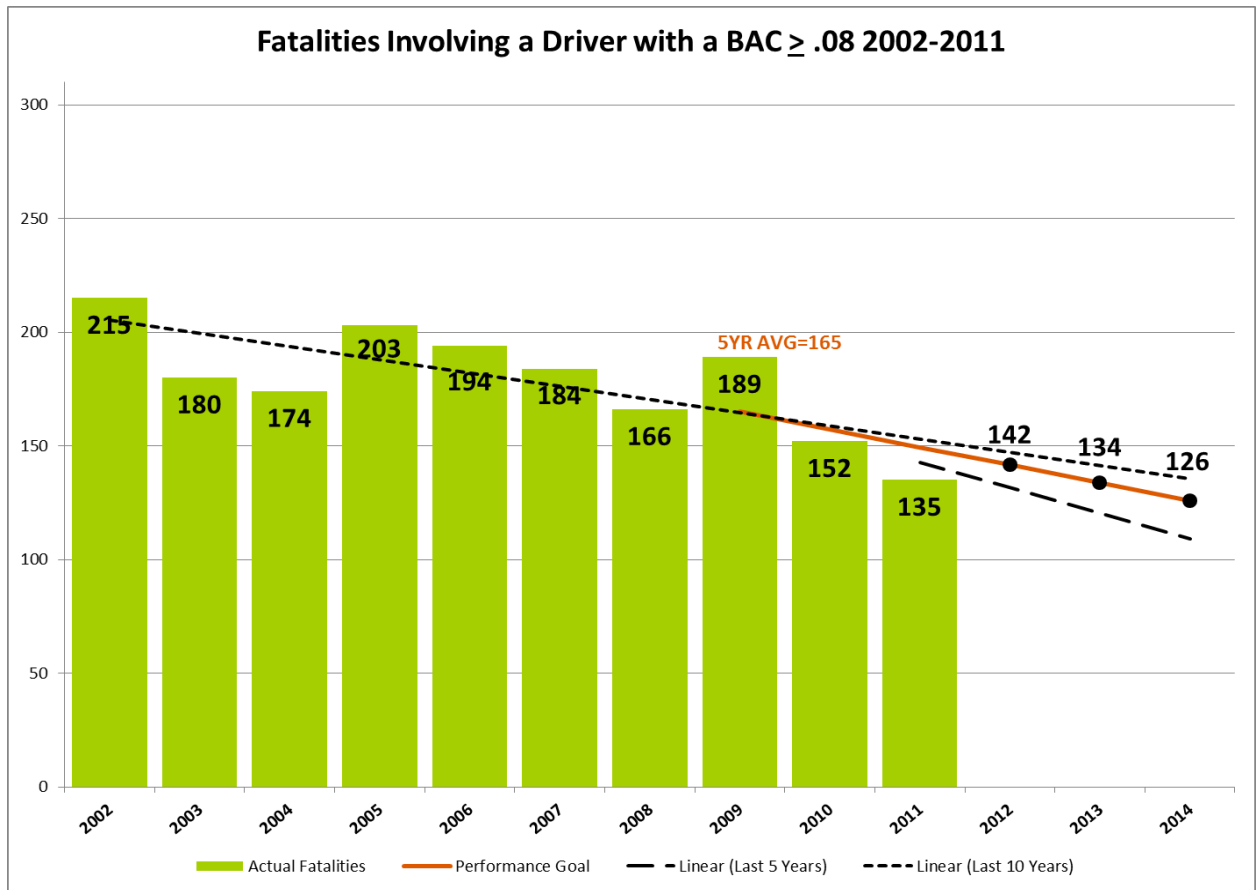
# Benchmarks and Performance Measures

## Alcohol-Involved Fatalities

### Fatalities Involving a Driver or Motorcycle Rider with a BAC $\geq$ .08

**Outcome Measure:** Reduce the number of fatalities involving a driver with a BAC  $\geq$  .08 from the 2007-2011 baseline average of 165 to 126 by December 31, 2014 (-23.6 percent).

**Performance Report:** In 2011, there were 135 fatalities involving a driver with a BAC  $\geq$  .08, achieving the goal of 162 by 20 percent.



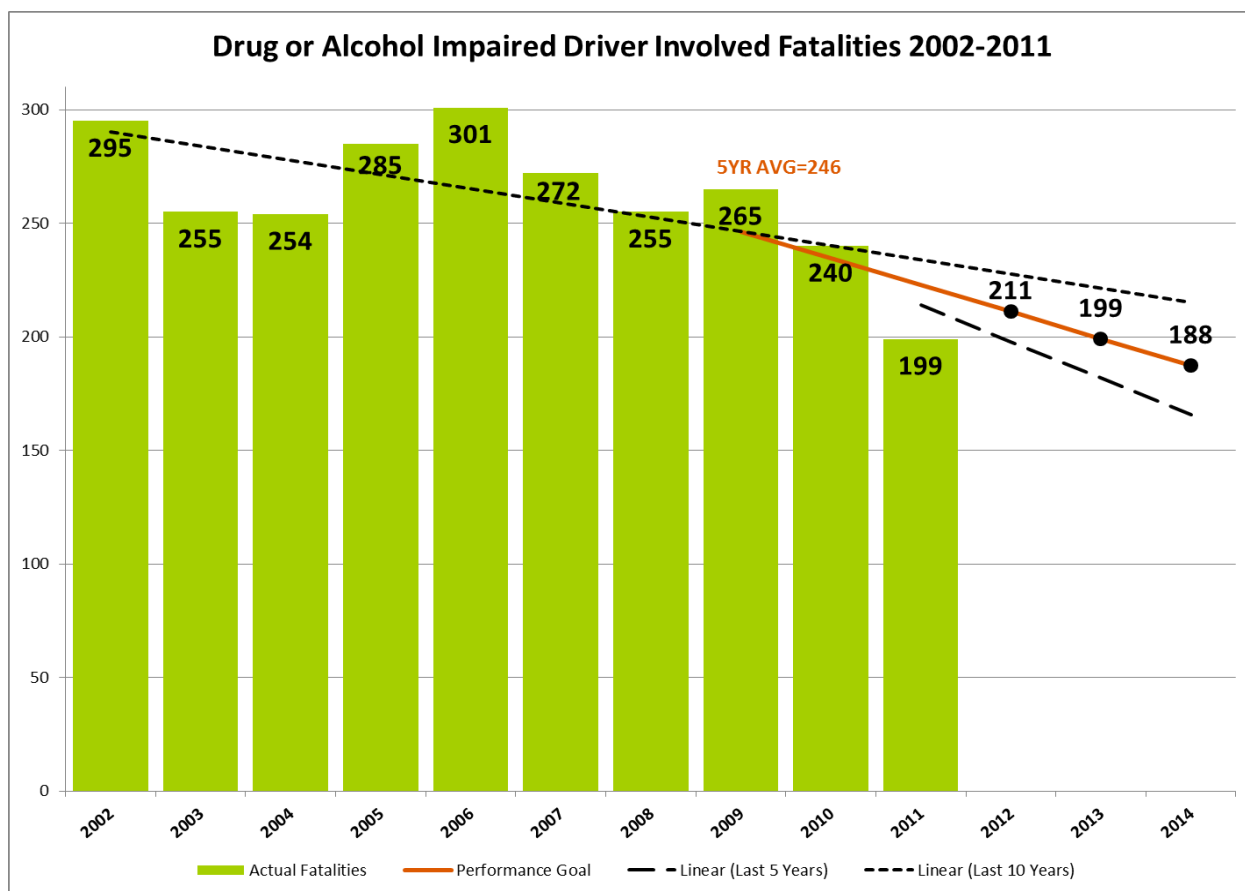
# Benchmarks and Performance Measures

## Impaired-Driver Fatality and Serious Injury

### Fatalities Involving a Drug or Alcohol Impaired Driver

**Outcome Measure:** Reduce the number of fatalities involving a drug or alcohol impaired driver from the 2007-2011 baseline average of 246 to 188 by December 31, 2014 (-23.6 percent).

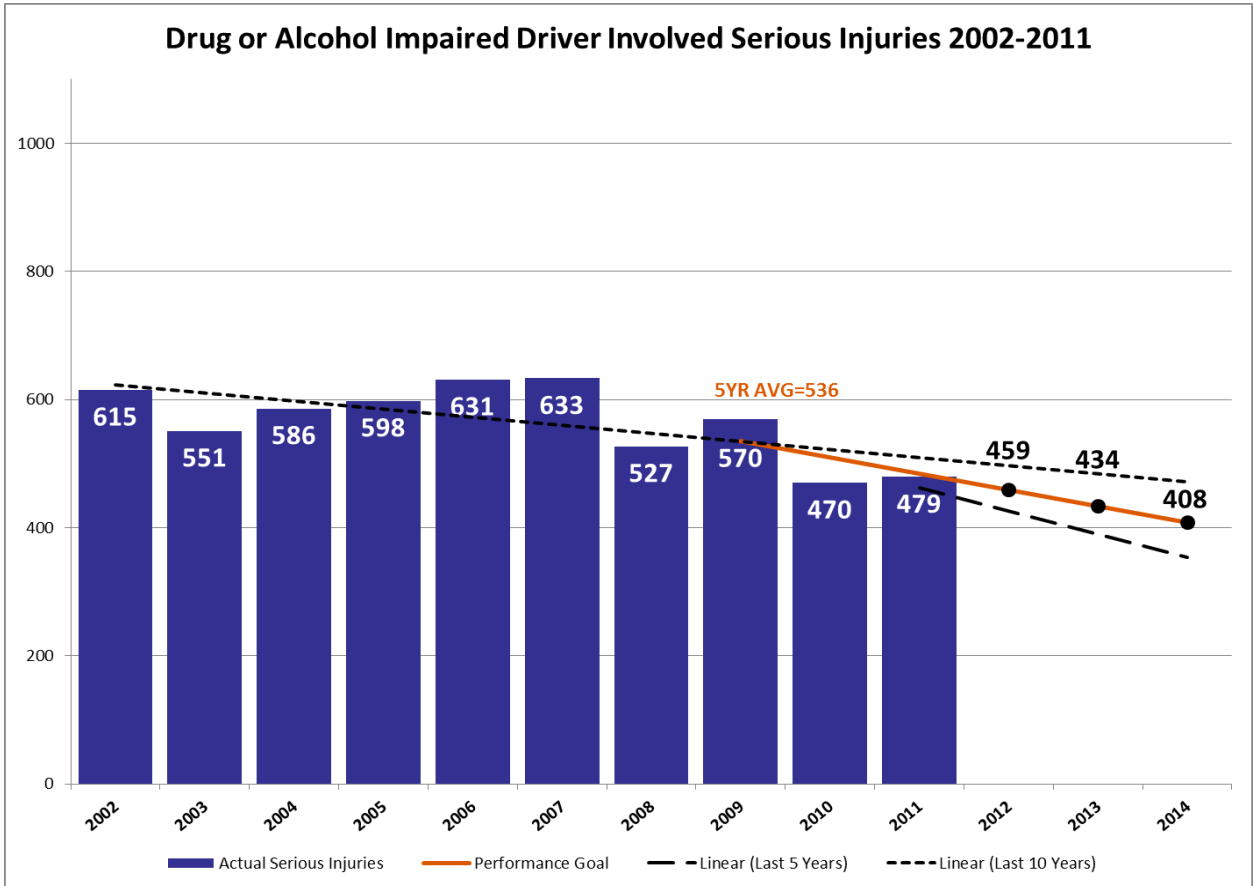
**Performance Report:** In 2011, there were 199 fatalities involving a drug or alcohol impaired driver, achieving the goal of 259 by 30 percent.



## Serious Injuries Involving a Drug or Alcohol Impaired Driver

**Goal:** Reduce the number of serious injuries involving a drug or alcohol impaired driver from the 2007-2011 baseline average of 536 to 408 by December 31, 2014 (-23.9 percent).

**Performance Report:** New performance goal added FY2014.



## Target Zero Strategies

This plan includes specific strategies for further reducing traffic fatalities and serious injuries. These strategies were developed using national-level research, existing pilot programs, and input from many statewide stakeholders. Each of the strategies in Target Zero has been given one of the following effectiveness ratings:

- **(P) Proven** effective through professional evaluation in Washington or in other states or countries.
- **(R) Recommended** based on documented best practices or federal recommendations.
- **(U) Unknown** strategies that are new or with limited evaluations

These effectiveness ratings are indicated by the initial—**P**, **R**, or **U**—at the end of each strategy. The best strategies are **Proven** or **Recommended**, but it is also important to experiment with some **Unknown** strategies. In those cases, it is critical to have a properly designed evaluation component be a part of the project.

When determining effectiveness of the strategies in this document, three main sources were used:

- *Countermeasures that Work, A Highway Safety Countermeasure Guide for State Highway Safety Offices* by the Governors Highway Safety Association for NHTSA and the USDOT
- NCHRP Report 500 , Volumes 1-23
- CMF Clearinghouse



# Objectives, Strategies and Projects

## Impaired Driving Program Management

**Washington Impaired Driving Advisory Council:** The Washington Impaired Driving Advisory Council (WIDAC) serves as an advisory body to the Washington Traffic Safety Commissioners. The WIDAC seeks to enhance traffic safety through coordinated planning, training, programs, and research to reduce the incidence of impaired driving in line with the State Strategic Highway Safety Plan: Target Zero.

**Target Zero Traffic Safety Task Force Network:** The network consists of 23 traffic safety task forces whose mission is to reduce traffic deaths and serious injuries on city, county, and state roads. The task forces serve a total of 26 counties, and their life-saving initiatives and programs reach about 95 percent of the state’s residents. Target Zero priority charts are designed for each county to allow the taskforces to adjust activities to match priorities in their county.

Impaired Driving Program Management			
Objective	Strategy	Project	Description
Foster Leadership to Facilitate Impaired Driving System Improvements	Continue to build partnerships designed to reduce impaired driving. (P) NHTSA Recommendation	Washington Impaired Driving Advisory Council	Provides a comprehensive strategy for preventing and reducing impaired driving behavior in alignment with Target Zero, Washington’s Strategic Highway Safety Plan.
	Implement the corridor safety model in high-crash locations where data suggests a high rate of impaired driving. (P) NCHRP 500 – Volume 21	<ul style="list-style-type: none"> <li>Lake City Way, Seattle Traffic Safety Project</li> <li>Yakima Union Gap Traffic Safety Project</li> <li>US 195, (from I-90 South of Spokane to Hatch Road) Traffic Safety Corridor <a href="http://corridorsafetyprogram.org/">http://corridorsafetyprogram.org/</a></li> </ul>	Uses low-cost, near-term solutions through partnerships with community groups, business, engineering, enforcement, education, and emergency services organizations on sections of roadway with an unusually high number of crashes.
	Utilize Target Zero Managers and community-based traffic safety taskforces to address impaired driving issues. (R) WTSC Best Practice and Recommendation	<ul style="list-style-type: none"> <li>Drive Sober or Get Pulled Over Statewide Campaigns</li> <li>Target Zero DUI Enforcement Teams</li> <li>Community and school-based DUI prevention programs</li> <li>Party Intervention Patrols</li> </ul>	Supports 23 local Target Zero Task Forces, coordinated by Target Zero Managers and 27 Law Enforcement Liaisons reaching over 95 percent of the state’s population.

**P** = Proven      **R** = Recommended      **U** = Unknown  
**NCHRP** = National Cooperative Highway Research Program  
**NHTSA** = National Highway Traffic Safety Administration  
**WTSC** = Washington Traffic Safety Commission

# Objectives, Strategies and Projects

## Prevention

Washington State has many programs in place to promote policies and practices that prevent underage drinking by persons under age 21 and prevent over-service. The Washington State Liquor Control Board (WSLCB) oversees Alcohol Awareness and Education; Alcohol Beverage Control Regulations; and Enforcement of Alcohol Regulations. They co-lead the Reducing Underage Drinking initiative which developed the “Start Talking Now” website to encourage parents to talk with their children about alcohol. Recently, with the passage of Initiative 502 in the fall 2012, the WSLCB became the oversight agency for the growing, distribution, and sale of marijuana.

Department of Social and Health Services, Division of Behavioral Health and Recovery (DBHR) offers many prevention services that are school, employer, and community based. These include programs at the county, tribal, and community level. DBHR has made underage drinking reduction its number one priority, and co-leads the Reducing Underage Drinking initiative with WSLCB.

Community-based coalitions throughout Washington bring together representatives from many sectors of the community to address the prevention of underage drinking. Sectors represented may include schools, local jurisdictions, law enforcement, faith-based organizations, businesses, health care, treatment, and service organizations, to name a few. Based on assessments of their communities, coalitions develop and implement evidence-based strategies and promising approaches that help to build healthy and safe communities, preventing and reducing underage drinking as well as the use of other drugs. Coalitions rely heavily on volunteers and are often supported by local, state, and federal funding as well as private grants.

Prevention			
Objective	Strategy	Project	Description
Prevent excessive drinking, underage drinking, and impaired driving	Conduct well publicized compliance checks of alcohol retailers to reduce sales to underage persons. (R) Countermeasures that Work	Enforcing Underage Drinking Laws (EUDL) project under the Reducing Underage Drinking (RUAD) program	Grant to local communities to conduct shoulder taps, compliance checks.
	Conduct well publicized enforcement aimed at underage drinking parties. (R) Countermeasures that Work	Party Intervention Patrols—Pierce County and Thurston County	Maintain and expand the year-round capacity of law enforcement agencies in two counties to team with volunteers, chemical dependency professionals and prosecutors in arresting, providing brief interventions and prosecuting youth and adult suppliers of alcohol.

Prevention			
Objective	Strategy	Project	Description
Prevent excessive drinking, underage drinking, and impaired driving (continued)	Encourage parents to talk with their children about the risks of alcohol and other drugs. (U)	Power of Parents	Provide train the trainer sessions and Power of Parents materials to encourage the spread of Power of Parents curriculum.
	Continue mandatory alcohol server training, and explore mandating training for people who sell alcohol in the retail environment. (U) Countermeasures that Work	Mandatory Alcohol Server Training	Washington requires Mandatory Alcohol Server Training (MAST) of everyone who serves or sells alcohol for on-premises consumption.
	Support alternative transportation services such as transit (especially at night), designated driver programs, and other alternative ride programs to help eliminate need for impaired individuals to drive. (U) Countermeasures that Work	Home Safe Bar Program Taxi Pierce County	Increase the number of Home Safe Bar programs from five to ten a year and expand the program's current educational focus to include pilot taxi program in Tacoma's nightclub zone to get both the impaired driver and his/her vehicle home. (Project launches in September 2013)

**P** = Proven      **R** = Recommended      **U** = Unknown

# Objectives, Strategies and Projects

## Criminal Justice System—Laws

Links to all of Washington State’s comprehensive DUI Laws are in Appendix C, “WA DUI Laws.”

Criminal Justice System—Laws		
Objective	Strategy	Current Status
Encourage the enactment of laws when research suggests such laws will result in impaired driving fatality and serious injuries reductions.	Encourage laws that will allow the state to utilize sobriety checkpoints. (P) Countermeasures that Work	The Washington State Supreme Court has held that sobriety checkpoints violate the state constitution. Based on more recent decisions of the State Supreme Court, checkpoints based on warrants issued by the court are also likely unconstitutional. A constitutional amendment may be needed to allow either random or warrant-based sobriety checkpoints.
	Evaluate the research and the implications to Washington for lowering the per se BAC limit from .08 to .05 (P) MetaStudy [The Effectiveness of Reducing Illegal BAC Limits for Driving: Evidence for Lowering the Limit to .05 BAC in Canada]	Washington’s current BAC per se limit is .08. During the 2013 session, legislation was introduced to lower the BAC limit to .05. Such a reduction in the per se limit would have far-reaching effects on arrests, prosecutions, and penalties.
	Place limits on plea agreements. (P) Countermeasures that Work	While DUIs in Washington are routinely reduced to lesser charges, recent legislative changes have made reduction less appealing. Original DUI charges that are reduced to negligent driving are subject to license suspension and ignition interlock requirements. Reduced charges still count as prior DUIs.
	Increase the state excise tax on beer. (R) NCHRP Volume 14	A bill was introduced during the 2013 legislative session to extend a tax on (that is set to expire this year), and dedicate that amount to impaired driving programs.
	Encourage laws that use any money collected from DUI fines in excess of \$101 to support impaired driving efforts. (R) Governor’s Highway Safety Association	Washington increased the BAC test fee from \$125 to \$200 and provided \$25 of this fee to the WTSC for grants to support Target Zero Impaired Driving strategies.
	Require ignition interlock installation as condition of pre-trial release. (U) ESSB 5912	ESSB 5912, passed by the 2013 legislature, requires repeat DUI offenders be booked in jail and requires the installation of ignition interlock as a condition of pre-trial release.
	Establish 24/7 sobriety program. (U) NHTSA MAP 21	ESSB 5912, passed by the 2013 legislature, requires the state to establish a 24/7 sobriety pilot program to be used as an option as condition of pre-trial release and/or as part of sentencing for repeat offenders.

<b>Criminal Justice System—Laws</b>		
<b>Objective</b>	<b>Strategy</b>	<b>Current Status</b>
Discourage the enactment of laws when research suggests such laws will result in impaired driving fatality and serious injuries increases.	Discourage expansion of access to alcohol and other drugs.(U) DBHR	In recent years, Washington passed laws to allow greater access to alcohol and other drugs, from allowing sampling at farmers' markets and grocery stores to legalizing marijuana.

**P** = Proven      **R** = Recommended      **U** = Unknown  
**NCHRP** = National Cooperative Highway Research Program  
**NHTSA** = National Highway Traffic Safety Administration  
**ESSB** = Engrossed Substitute Senate Bill

# Objectives, Strategies and Projects

## Criminal Justice System—DUI Enforcement

Law enforcement officers throughout the state participate in 24 Target Zero Traffic Safety Task Forces that represent 75 percent of the counties, and impact 95 percent of the state’s population.

According to the Washington Association of Sheriffs and Police Chiefs (WASPC), there are approximately 10,400 commissioned officers in the law enforcement community in this state. Commissioned officers include members from municipal, county, State, and tribal law enforcement agencies. These agencies work cooperatively on multi-agency saturation patrols, together with highly publicized public awareness campaigns, to combat impaired driving.

The Washington State Patrol (WSP) has over 1,300 commissioned officers, and nearly 1,200 professional staff. The six agency bureaus (Field Operations, Fire Protection, Forensic Laboratory Services, Investigative Services, Technical Services, and Commercial Vehicle Enforcement) are dedicated to providing an essential contribution to the strategic direction of WSP.

The WSLCB Enforcement and Education Division is responsible for enforcing state liquor and tobacco laws and regulations. Liquor and tobacco enforcement officers are currently limited-authority, commissioned law enforcement officers. WSLCB is requesting legislation that will enhance their enforcement authority to include impaired driving laws. While WSLCB officers currently work in partnership with other law enforcement agencies and business owners to reduce impaired driving, the additional authority will give WSLCB officer the ability to stop impaired drivers before they enter traffic. Enforcement operations include premises visits, compliance checks, undercover operations, and complaint investigations, while educational efforts include liquor law briefings, technical assistance visits, and "Responsible Alcohol and Tobacco Sales" classes.

Criminal Justice System—DUI Enforcement			
Objective	Strategy	Project	Description
Enforce and publicize DUI laws	Continue statewide, high-visibility saturation enforcement and media campaigns to reduce impaired driving. (R) Countermeasures that Work	Driver Sober or Get Pulled Over	Conduct four DUI crackdowns statewide —Holiday, Labor Day, St Patrick’s Day, and Summer Kick off. Over 150 law enforcement agencies participate. Each dollar of law enforcement overtime funding is matched with publicity campaigns and paid media to inform the target groups of the increased enforcement.

<b>Criminal Justice System—DUI Enforcement</b>			
<b>Objective</b>	<b>Strategy</b>	<b>Project</b>	<b>Description</b>
Enforce and publicize DUI laws (continued)	Expand full-time DUI squads targeting areas with high numbers of DUI-related crashes. (R) NHTSA Data Driven Approaches to Crime and Traffic Safety	Target Zero Teams in King, Pierce, Snohomish, Spokane, and Yakima Counties	Coalition of state and local agencies provide full-time, multiagency police squads to reduce impaired driving crashes in select counties. They use data to direct them to roads and highways most likely to be used by impaired drivers. Prosecutors partner in the project. Targeted earned and paid media supports the project.
	Enforce and publicize zero tolerance laws for drivers under age 21. (R) Countermeasures that Work	Party Intervention Patrols in Pierce and Thurston Counties	Promote and increase the enforcement of underage driving laws by Target Zero Team and other officers conducting monthly DUI emphasis patrols in Pierce County. In pre- and post- PIP earned media, reference arrest(s) of underage drinkers who drive to and from illegal alcohol parties.

**P** = Proven Administration    **R** = Recommended    **U** = Unknown    **NHTSA** = National Highway Traffic Safety Administration

# Objectives, Strategies and Projects

## Criminal Justice System—DUI Enforcement Training

The WSP Impaired Driving Section, within the Forensic Laboratory Services Bureau, houses the Breath Test Program, the Ignition Interlock Program, the Drug Recognition, Evaluation and Classification Program, the Traffic Safety Resource Program, the Mobile Impaired Driving Unit, and the Standard Field Sobriety Test Program.

Criminal Justice System—DUI Enforcement Training			
Objective	Strategy	Project	Description
Enhance law enforcement training in alcohol and drug detection	Enhance law enforcement DUI training with Standard Field Sobriety Test (SFST) training and refresher training. (P) NHTSA Research Note DOT HS 811 455 (May 2011)	Statewide SFST Program	Washington established the Statewide Standardized Field Sobriety Test program in 2010. The program helped establish a SFST refresher class.
	Enhance law enforcement DUI training with Advance Roadside Impaired Driving Enforcement (ARIDE) training. (P) WSP/NHTSA Recommendation	Statewide DEC Program	In Washington State we conducted over 118 ARIDE classes and trained over 1,807 law enforcement officers statewide since late 2008. ARIDE is now a mandatory class prior to entering the DRE School.
	Expand the Drug Evaluation, Recognition, and Classification Program (DEC) (R) Countermeasures that Work	Statewide DEC Program	Currently, there are 227 Drug Recognition Experts. 86 instructors teach over 1,500 classes a year to over 4,000 students.

- P** = Proven      **R** = Recommended      **U** = Unknown
- ARIDE** = Advance Roadside Impaired Driving Enforcement
- DEC** = Drug Recognition, Evaluation, and Classification Program
- DRE** = Drug Recognition Expert
- NHTSA** = National Highway Traffic Safety Administration
- SFST** = Standardized Field Sobriety Test
- WSP** = Washington State Patrol



# Objectives, Strategies and Projects

## Criminal Justice System—Prosecution

In Washington, prosecuting attorneys are elected in each county. Elected prosecutors are responsible for the prosecution of all felony cases throughout the county, as well as all misdemeanor and traffic cases in the unincorporated areas of the county. Elected prosecutors are also responsible for providing civil legal counsel for the county and its elected officials. Competing demands on the elected prosecutors often overshadow any focus on standard, non-injury DUI cases.

The addition of a felony DUI offense in July 2007 has increased the focus of prosecutors and judges on DUI. DUI violations are prosecuted by deputy prosecuting attorneys in county and district courts, or by city attorneys in municipal courts. Misdemeanor DUIs are typically prosecuted by inexperienced deputy prosecutors. Facing a well-organized and well-funded defense bar, these often undertrained and inexperienced deputy prosecutors and assistant city attorneys, face daunting odds. They are often expected to handle hundreds of cases at a time, and may lack the skills necessary to effectively prosecute a scientifically and legally complex caseload of DUIs. In smaller cities and towns, criminal prosecution may be covered by a part-time assistant city prosecutor. Budgetary concerns, time constraints, and fragmented focus impact the effectiveness and success of DUI prosecutions.

Criminal Justice System—Prosecution			
Objective	Strategy	Current Project	Description
Encourage consistent and vigorous DUI prosecution	Support DUI training for prosecutors and law enforcement officers. (R) NHTSA Recommendation (NHTSA, TSRP Manual)	Traffic Safety Resource Prosecutors (TSRP)	Coordinates and delivers training, technical, and courtroom assistance to prosecutors and law enforcement statewide to increase the vigorous and consistent prosecution of impaired driving cases across Washington.
	Support DUI training for prosecutors and law enforcement officers. (R) NHTSA Recommendation (NHTSA, TSRP Manual)	Traffic Safety Resource Prosecutor Fellows Program	Working with TSRP program, deliver training to prosecutors and law enforcement officers within county.
	Provide prosecution of DUIs as part of the Target Zero Teams. (U) WTSC	Target Zero Prosecutor Spokane County	Supports Target Zero Team project. Trains law enforcement, prosecutors and judges on DUI procedures.
		Target Zero Prosecutor Program Pierce County	Supports the Target Zero Team project.

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**NHTSA** = National Highway Traffic Safety Administration

**TSRP** = Traffic Safety Resource Prosecutor

# Objectives, Strategies and Projects

## Criminal Justice System—Adjudication

Washington does not have a unified court system. The State Supreme Court’s panel of nine judges serves terms of four years. The Court of Appeals is divided into three geographic divisions and these judges serve three or four year terms. Trial courts are divided between felony level crimes and non-felony crimes. The non-felony courts—the courts of limited jurisdiction—try the bulk of DUI cases.

In 2012, the Washington courts of limited jurisdiction handled over 34,700 DUI cases and another 98,500 other traffic misdemeanors. Forty-three percent of these DUI charges resulted in a finding of guilty and 49 percent were reduced or amended.

Criminal Justice System--Adjudication			
Objective	Strategy	Current Project	Description
Promote evidence-based and promising court sentencing and supervision practices	Establish and support the Judicial Outreach Liaison program. (R) NHTSA Recommendation	Judicial Outreach Liaison Program	Collaborates with traffic safety leaders and the judicial community to educate judges about impaired driving issues such as legal updates, promoting DUI Courts, and assuring ignition interlocks.
	Support and establish DUI Courts. (R) Countermeasures that Work	Spokane, Thurston, Yakima, and Clark DUI Courts	These DUI Courts provide intensive treatment and monitoring of DUI offenders. These courts share a common goal of instilling the ten DUI Court principles.
	Establish method for conducting home compliance checks on DUI offenders. (P) Countermeasures that Work	DUI Offender Home Monitoring Pilot	This project develops a partnership between the DUI Courts, probation officers and Ignition Interlock Program to share information regarding clients. Through further education it fosters the expansion of reliable and real-time in home alcohol testing.

Criminal Justice System--Adjudication		
Objective	Strategy	Current Status
Promote evidence-based and promising court, sentencing, and supervision practices (continued)	Conduct alcohol/drug assessments on all DUI offenders, and enhance treatment and probation when warranted (P) Countermeasures that Work	Alcohol and drug assessment required prior to sentencing. Depending on the outcome of the alcohol and drug assessment, the judge may order the defendant to attend alcohol and drug information school or to treatment.
	Incarcerate offenders who fail to comply with court-ordered alternative sanctions (P) NCHRP	Mandatory minimum jail time for DUI convictions is 1 to 364 days. Felony DUIs (four or more prior offenses in ten years) are incarcerated for 13 months to 79 months.
	Encourage attendance at DUI Victim Panels (U) Countermeasures that Work	Many courts require the offender to attend a DUI Victim Impact Panel

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**NHTSA** = National Highway Traffic Safety Administration

## Objectives, Strategies, and Projects

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### Administrative Sanctions and Driver Licensing Programs

Washington suspends or revokes drivers licenses based on an arrest for BAC test refusal, or BAC test results at or greater than .08 for adults or .02 for minors, or blood tests showing THC at or above 5.0 nanograms (ng) for adults or .00 for minors. The suspension or revocation ranges from 90 days to four years depending on BAC levels, test refusal, and prior driver history. Drivers of commercial motor vehicles will have a suspension of their commercial drivers license if the test is at or about .04 for alcohol and/or at or above 5.0 ng of THC.

This process takes place regardless of the outcome of the criminal trial. A DUI offender can request a Department of Licensing (DOL) hearing, and pays \$375 for the hearing. The hearing officer is only allowed to consider a very limited number of facts. More information about DOL DUI hearings can be found on the DOL web site at <http://www.dol.wa.gov/driverslicense/dui.html> and at <http://www.dol.wa.gov/driverslicense/hearings.html>.

Washington allows someone with a suspended license to apply for an ignition interlock drivers license. The person must maintain an interlock and insurance on all vehicles they operate for the length of the suspension. In addition to the administrative sanctions above, ignition interlocks are required for all persons convicted of DUI, and must be installed on all vehicles the person operates. Penalties range from one year the first time someone is required to have an ignition interlock restriction to 10 years for the third time someone is required to have the interlock restriction. Prior to becoming eligible for a non-interlock restricted license, a person must show four months of violation-free interlock use before a non-restricted license may be issued.

Ignition interlock use has more than doubled in the past five years. Washington currently has approximately 18,000 ignition interlock devices installed throughout the state.

New legislation was passed in 2012 which required camera installation in conjunction with the interlock devices. The photographs that accompany the failure reports provide a solid foundation for monitoring of a subject that is required to have an interlock device, and ensures the individual cannot escape the responsibility of providing a sample into the device for safe vehicle operations. The same legislation also provided for fee collections to fund and operate the Ignition Interlock Program which provides statewide oversight of the industry and individual compliance.

Administrative Sanctions and Driver Licensing Programs		
Objective	Strategy	Current Status
Use licensing sanctions shown to be effective at reducing recidivism and protecting the public	Suspend drivers license administratively upon arrest (P) Countermeasures that Work	Washington administratively suspends or revokes driver licenses based on BAC test refusal, or BAC test result greater than .08 for adults or .02 for minors, or blood test showing THC at or above 5ng for adults or above .00 for minors. Drivers of commercial motor vehicles will have a suspension of their Commercial Driver License if the test result is at or above .04 for alcohol and/or at or above 5ng of THC. The suspension or revocation ranges from 90 days to 4 years depending on BAC levels, test refusal, and prior driver history.
	Require ignition interlock as a condition for license reinstatement. (P) NCHRP	Current law requires ignition interlock restriction for all DUI offenders. Four months compliance-based removal required before non-interlock restricted license can be obtained.

Objective	Strategy	Current Project	Description
Expand the use of Ignition Interlocks (P) Countermeasures that Work	Monitor ignition interlock manufactures and installers to ensure a continued viability and validity of program. (P) Countermeasures that Work	Ignition Interlock Program	Monitors all aspects of ignition interlock program.
	Monitor reports from ignition interlock manufacturers on alcohol failures on ignition interlocks and conduct compliance checks. (P) Countermeasures that Work	Ignition Interlock Program	Ignition Interlock Program personnel conduct compliance checks based on failed attempted interlock reports.
	Investigate ignition interlock circumvention attempts. (P) Countermeasures that Work	Ignition Interlock Program	Monitors all reports of circumvention and completes criminal investigations, providing information to courts.

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**NCHRP** = National Cooperative Highway Research Program  
**NHTSA** = National Highway Traffic Safety Administration

# Objectives, Strategies and Projects

## Alcohol and Other Drug Misuse

**Screening and Assessment:** All DUI offenders are assessed (not screened) to determine the needed level of chemical dependency education or treatment. The Department of Social and Health Services (DSHS), Division of Behavioral and Health Recovery (DBHR) certifies 428 agencies in the state to do DUI assessments. These assessments are done by certified chemical dependency professionals (CDP), and CDP trainees (under CDP supervision).

Washington was part of Federal Grant on Screening Brief Intervention and Referral to Treatment (SBIRT) in the initial cohort starting in 2003. Now SBIRT services are routine in numerous hospital emergency rooms, trauma centers, and are expanding to schools, colleges, and other programs. The State Medicaid Authority funds SBIRT for publicly-funded clients. Healthcare reform mandates SBIRT.

**Monitor DUI Offenders Closely:** Many courts do not have probation departments because of insufficient funding and significant liability issues. New legislation now requires probation for all felony DUI offenders.

Alcohol and Other Drug Misuse			
Objective	Strategy	Current Status	
Identify, intervene, and refer individuals for appropriate substance abuse treatment.	Continue and expand use of screening, brief intervention and referral to treatment.(P) Countermeasures that Work	DOH injury prevention staff works with the DOH Trauma Nurse Consultant to train at the Trauma Nurse Trauma Registrar Network (TNTRN) meetings to help those trauma services with SBIRT implementation. A survey of trauma services was done in early 2013 to assess level of SBIRT services and challenges to doing SBIRT.	
Establish and maintain substance abuse treatment program availability	Match treatment and rehabilitation to the diagnosis. (P) NIH	The Wellstone/Dominici Act requires health insurance parity. Almost 90,613 adults and youth in Washington State in SFY 2008 were in need of and qualified for DBHR-Funded Chemical Dependency Treatment but did not receive it.	
Objective	Strategy	Project	Description
Establish programs to facilitate close monitoring of impaired drivers	Monitor DUI offenders closely. (R) Countermeasures that Work	Model DUI Probation Handbook	Develop handbook to share DUI probation best practices
	Support and establish DUI Courts. (R) Countermeasures that Work	DUI Courts	Spokane, Thurston, Yakima, and Clark DUI Courts share a common goal of instilling the ten DUI Court principles.

P = Proven      R = Recommended      U = Unknown  
 CDP = Chemical Dependency Professional  
 NCHRP = National Cooperative Highway Research Program  
 NHTSA = National Highway Traffic Safety Administration  
 NIH = National Institutes of Health  
 SBIRT = Screening Brief Intervention and Referral to Treatment (SBIRT)

# Objectives, Strategies and Projects

## Program Evaluation and Data

**Program Evaluation:** Throughout the WTSC grant process, data is used to identify the most pressing traffic safety issues. Research into proven strategies and best practices are “mined” for those strategies most likely to result in a decrease in impaired driving deaths and injuries. Projects are monitored constantly to ensure compliance and successful progress towards goals. Mid-course corrections are made when needed, and program results are documented using both process and outcome data.

**State’s Traffic Records Committee:** The state’s Traffic Records Committee (TRC) is an advisory and oversight body that guides the state’s traffic records system development, enhancement, and maintenance. TRC provides leadership to coordinate traffic records improvement projects across multiple agencies. This collaborative approach minimizes duplication of work by enabling agencies to leverage one another’s efforts to achieve common goals. An extension of TRC is the eTRIP Governance Team. This team provides policy oversight and program direction as well as business and technical leadership in the implementation, maintenance, update, and enhancements of eTRIP initiatives throughout the state such as the SECTOR field data collection application. Further documentation of Washington’s traffic records system is available <http://www.trafficrecords.wa.gov/>

Program Evaluation and Data			
Objective	Strategy	Current Project	Description
Provide timely, accurate, integrated, and accessible traffic records data	Support efforts to simplify and streamline the DUI arrest process including developing an electronic DUI arrest package, utilizing the mobile impaired driving unit and BAC processors for high-visibility campaigns. (R) NHTSA Recommendation (National Institute of Health – National Library of Medicine Profiles in Science [NHTSA Background Papers – Prosecution, Adjudication, & Sanctioning: A Process Evaluation of Post-1980 Activities])	Electronic DUI Report	Continue efforts to establish an electronic report. The DUI report feasibility study documented the entire DUI report process flow, notes every time a signature is required, and suggests next steps needed to proceed. After exploring all options, the report also recommends making the DUI report a component of SECTOR.
		Timely Reporting of Fatality Collisions	Working with law enforcement agencies to overcome any barriers to timely reporting.
		Electron Search Warrants	Establish an electronic search warrant system and build forms needed to make this system a component of SECTOR.

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## Appendix A

### Abbreviations, Acronyms, Glossary Terms

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#### Abbreviations & Acronyms

**ARIDE** = Advance Roadside Impaired Driving Enforcement

**CDP** = Chemical Dependency Professional

**CTW** = Countermeasures that Work

**DDACTS** = Data Driven Approaches to Crime and Traffic Safety

**DRE** = Drug Recognition Expert

**DUI** = Driving Under the Influence

**DWI** = Driving While Intoxicated (This term is used in some other states, but not in Washington)

**GHSA** = Governor's Highway Safety Association

**META** = Meta Study

**NCHRP** = National Cooperative Highway Research Program

**NHTSA** = National Highway Traffic Safety Administration

**P** = Proven

**R** = Recommended

**SFST** = Standard Field Sobriety Tests

**THC** = Tetrahydrocannabinol

**U** = Unknown

**WTSC** = Washington Traffic Safety Commission

**WSP** = Washington State Patrol

#### Glossary Terms

Washington State has focused on impaired driving for many years and, as a result, there is a great deal of data on impairment. This gives us many ways of looking at the problem. Here is a short list of impairment terms and their definitions as used in this document:

##### **Impaired Driver Involved**

Fatalities: Any driver with a Blood Alcohol Concentration (BAC) of 0.08 or higher or a positive drug result as confirmed by the state Toxicology Laboratory.

Serious Injuries: Any driver where the investigating officer or Drug Recognition Expert (DRE) indicated that the driver was impaired by drugs or alcohol and recorded in contributing circumstances.

##### **Drug Impaired Driver Involved**

Fatalities: Any driver with a positive drug result as confirmed by the state Toxicology Laboratory.

### **Alcohol Impaired Driver Involved**

Fatalities: Any driver with a BAC of 0.08 or higher as confirmed by the state Toxicology Laboratory.

Serious Injuries: Any driver where the investigating officer or DRE indicated that the driver was impaired by alcohol and recorded in contributing circumstances.

### **Drinking Driver Involved**

Fatalities: Any driver with a BAC of any value except zero as confirmed by the state Toxicology Laboratory (also includes alcohol impaired drivers)

Serious Injuries: Any driver where the investigating officer or DRE indicated that the driver was impaired by alcohol and recorded in contributing circumstances or driver sobriety is reported as "Had been drinking."

## **Other Terms and Definitions**

**RCW 46.61.502 -- Driving Under the Influence (legal definition)**: In Washington State a person is guilty of driving while under the influence -- of intoxicating liquor, marijuana, or any drug -- if the person drives a vehicle within this state and:

- The person has, within two hours after driving, an alcohol concentration of 0.08 or higher as shown by analysis of the person's breath or blood made under RCW [46.61.506](#); or
- The person has, within two hours after driving, a THC concentration of 5.00 or higher as shown by analysis of the person's blood made under RCW [46.61.506](#); or
- The person is under the influence of or affected by intoxicating liquor, marijuana, or any drug; or
- The person is under the combined influence of or affected by intoxicating liquor, marijuana, and any drug.

**Drug**: Any substance that, when taken into the human body, can impair the ability of the person to operate a vehicle safely.

**Fatality**: A person who died within 30 days of a collision as a result of injuries sustained in the collision.

**Per se Alcohol and Marijuana Limit**: When a person is found to have within two hours after driving, an alcohol concentration of .08 or higher or a THC concentration of 5.00 nanograms per milliliter of blood or higher as shown by an analysis of the person's breath or blood, that person is guilty "per se" of driving under the influence. No further proof is needed.

**Serious Injury**: Any injury other than a fatal injury that prevents the injured person from walking, driving, or normally continuing the activities the person was capable of performing before the injury occurred. This definition applies to traffic collision data only. This is not the legal definition or medical definition or serious injury.

**Tetrahydrocannabinol (THC):** The principal psychoactive constituent of the cannabis plant. Marijuana consists of the dried flowers and leaves of cannabis plants often selectively bred to produce high levels of THC and other psychoactive cannabinoids.

## Appendix B

### Washington Impaired Driving Advisory Council Roster

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Van Gorkom, Melissa	Washington State Patrol <a href="mailto:Melissa.vangorkom@wsp.wa.gov">Melissa.vangorkom@wsp.wa.gov</a> 360-596-4017

## Appendix C

### Links to Washington's DUI Laws

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#### Chapter 46.61 RCW Rules of the Road

<a href="#">46.61.502</a>	Driving under the influence.
<a href="#">46.61.503</a>	Driver Under 21 Consuming Alcohol.
<a href="#">46.61.504</a>	Physical control vehicle under the influence.
<a href="#">46.61.5054</a>	Alcohol violations – Additional fee – Distribution.
<a href="#">46.61.5055</a>	Alcohol violations – Penalty schedule.
<a href="#">46.61.5056</a>	Alcohol violations – Information school – Evaluation and treatment.
<a href="#">46.61.50571</a>	Alcohol violations – Mandatory appearances.
<a href="#">46.61.5058</a>	Alcohol violations – Vehicle seizure and forfeiture.
<a href="#">46.61.506</a>	Persons under influence of intoxicating liquor or drug – Evidence – Tests– Information concerning tests.
<a href="#">46.61.508</a>	Liability of medical personnel withdrawing blood.
<a href="#">46.61.513</a>	Criminal history and driving record.
<a href="#">46.61.5151</a>	Sentences – Intermittent fulfillment – Restrictions.
<a href="#">46.61.5152</a>	Attendance at program focusing on victims.
<a href="#">46.61.517</a>	Refusal of test – Admissibility as evidence.
<a href="#">46.61.520</a>	Vehicular homicide – Penalty.
<a href="#">46.61.522</a>	Vehicular assault – Penalty.
<a href="#">46.61.524</a>	Vehicular homicide, assault – Evaluation, treatment of drug or alcohol problem.
<a href="#">46.61.5249</a>	Negligent driving – First degree.
<a href="#">46.61.525</a>	Negligent driving – Second degree.
<a href="#">46.61.540</a>	“Drugs,” what is included.

#### Chapter 10.05 RCW Deferred Prosecution – Courts of Limited Jurisdiction

<a href="#">10.05.010</a>	Eligibility – Time for petition.
<a href="#">10.05.015</a>	Statement of availability.
<a href="#">10.05.020</a>	Requirements of petition – Rights of petitioner – Court findings.
<a href="#">10.05.030</a>	Arraignment continued – Treatment referral.
<a href="#">10.05.040</a>	Investigation and examination.
<a href="#">10.05.050</a>	Report to court – Recommended treatment plan – Commitment to provide treatment.
<a href="#">10.05.060</a>	Procedure upon approval of plan.
<a href="#">10.05.070</a>	Arraignment when treatment rejected.
<a href="#">10.05.080</a>	Evidence, uses and admissibility.
<a href="#">10.05.090</a>	Procedure upon breach of treatment plan.
<a href="#">10.05.100</a>	Conviction of similar offense.

<a href="#">10.05.110</a>	Trial delay not grounds for dismissal.
<a href="#">10.05.120</a>	Dismissal of charges.
<a href="#">10.05.130</a>	Services provided for indigent defendants.
<a href="#">10.05.140</a>	Conditions of granting.
<a href="#">10.05.150</a>	Alcoholism program requirements.
<a href="#">10.05.160</a>	Appeal of deferred prosecution order.
<a href="#">10.05.170</a>	Supervision as condition – Levy of assessment.

**Chapter 46.20 RCW**  
**Driver’s Licenses – Identicons**  
**Restricting the Driving Privilege**

<a href="#">46.20.270</a>	Conviction of offense requiring suspension or revocation – Procedures, records, reporting, definition.
<a href="#">46.20.285</a>	Offenses requiring revocation.
<a href="#">46.20.289</a>	Suspension of FTA’s, etc.
<a href="#">46.20.308</a>	Implied consent – Test refusal – Procedures.20
<a href="#">46.20.3101</a>	Implied consent – License sanctions, length of.
<a href="#">46.20.311</a>	Duration of license sanctions – Reissuance or renewal.
<a href="#">46.20.315</a>	Surrender of license.
<a href="#">46.20.329</a>	Formal hearings.
<a href="#">46.20.331</a>	Hearing/decision by director.
<a href="#">46.20.332</a>	Formal hearing – Evidence – Subpoenas – Decision after formal hearing.
<a href="#">46.20.333</a>	Decision after formal hearing.
<a href="#">46.20.334</a>	Appeal to superior court.
<a href="#">46.20.335</a>	Probation in lieu of suspension or revocation.

**Driving or Using License While Suspended or Revoked**

<a href="#">46.20.342</a>	Driving while license invalidated – Penalties – Extension of invalidation.
<a href="#">46.20.355</a>	Alcohol violator – Probationary license.

**Occupational Temporary Restricted Licenses**

<a href="#">46.20.380</a>	Fee.
<a href="#">46.20.391</a>	Application – Eligibility – Restrictions – Cancellation.
<a href="#">46.20.394</a>	Detailed restrictions – Violation.
<a href="#">46.20.400</a>	Obtaining new driver’s license – surrender of order and current license.
<a href="#">46.20.410</a>	Penalty.

## **Alcohol Detection Devices**

- [46.20.710](#) Legislative finding.
- [46.20.720](#) Drivers convicted of alcohol offenses.
- [46.20.740](#) Notation on driving record – Verification of interlock – Penalty.
- [46.20.750](#) Assisting another in starting or operating a vehicle – Penalty.

## **Chapter 46.52 RCW**

### **Accidents – Reports**

- [46.52.020](#) Duty in case of personal injury or death or damage to attended vehicle or other property – Penalties.
- [46.52.030](#) Accident reports.
- [46.52.060](#) Tabulation and analysis of reports – Availability to use.
- [46.52.065](#) Blood samples to state toxicologist – Analysis – Availability, admissibility of reports.
- [46.52.070](#) Police officer’s report.
- [46.52.101](#) Records of traffic charges, dispositions.
- [46.52.120](#) Case record of convictions and infractions – Cross-reference to accident reports.
- [46.52.130](#) Abstract of driving record – Access – Fees – Penalty.

## **Chapter 46.65 RCW**

### **Washington Habitual Traffic Offenders Act**

- [46.65.020](#) Habitual offender defined.
- [46.65.030](#) Transcript or abstract of conviction record certified – As prima facie evidence.
- [46.65.060](#) Department findings – Revocation of license – Stay by department.
- [46.65.065](#) Revocation of habitual offender’s license – Request for hearing, scope – Right to appeal.
- [46.65.070](#) Period during which habitual offender not to be issued license.
- [46.65.080](#) Four-year petition for license restoration – Reinstatement of driving privilege.
- [46.65.100](#) Seven-year petition for license restoration – Reinstatement of driving privilege.

**Chapter 70.96A RCW**  
**Treatment for Alcoholism, Intoxication, and Drug Addiction**

<a href="#">70.96A.010</a>	Declaration of policy.
<a href="#">70.96A.011</a>	Legislative finding and intent – Purpose of chapter.
<a href="#">70.96A.020</a>	Definition.
<a href="#">70.96A.030</a>	Chemical dependency program.
<a href="#">70.96A.035</a>	Integrated comprehensive screening/assessment.
<a href="#">70.96A.040</a>	Program authority.
<a href="#">70.96A.050</a>	Duties of department.
<a href="#">70.96A.055</a>	Drug courts.
<a href="#">70.96A.080</a>	Comprehensive program for treatment – Regional facilities.
<a href="#">70.96A.090</a>	Standards for treatment programs – Enforcement procedures – Penalties –Evaluation of treatment of children.
<a href="#">70.96A.100</a>	Acceptance for approved treatment – Rules.
<a href="#">70.96A.110</a>	Voluntary treatment of alcoholics or other drug addicts.
<a href="#">70.96A.120</a>	Treatment programs and facilities – Admissions – Peace officer duties – Protective custody.
<a href="#">70.96A.320</a>	Alcoholism and other drug addiction programs – Generally.
<a href="#">70.96A.325</a>	Methamphetamine addiction programs.
<a href="#">70.96A.350</a>	Criminal justice treatment account.

**Chapter 448.16 WAC**  
**Administration of Breath Test Program**

<a href="#">448-16-030</a>	Definitions.
<a href="#">448-16-040</a>	Foreign substances, interference, and invalid samples.
<a href="#">448-16-050</a>	Test defined.
<a href="#">448-16-060</a>	Determining agreement of duplicate breath samples.
<a href="#">448-16-070</a>	Review, approval, and authorization of protocols of procedures and methods by the state toxicologist.
<a href="#">448-16-080</a>	Instructors.
<a href="#">448-16-090</a>	Operators.
<a href="#">448-16-100</a>	External standard changers.
<a href="#">448-16-110</a>	Technicians.
<a href="#">448-16-120</a>	Permit cards.
<a href="#">448-16-130</a>	Review, approval, and authorization by the state toxicologist of training courses and outlines.
<a href="#">448-16-140</a>	Information concerning technical aspects of the breath test program.
<a href="#">448-16-150</a>	Address for correspondence.
<a href="#">448-16-160</a>	Severability.

## Chapter 448-14 WAC

### State Toxicologist Standards for Analysis of Blood Samples for Alcohol

- [448-14-010](#) Criteria for approved methods of quantitative analysis of blood samples for alcohol.
- [448-14-020](#) Operational discipline of blood samples for alcohol.
- [448-14-030](#) Qualifications for a blood alcohol analyst.

## Appendix D

### Plan Approval

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#### Record of Approval of Plan by WIDAC Voting Members

This plan was developed by WIDAC members and advisors into a draft. The draft was reviewed by members and advisors at the July 11, 2013 WIDAC meeting. Much discussion took place during that meeting and the group reached consensus on edits and improvements to the draft. The final plan was approved by WIDAC voting members on August 27, 2013. This Appendix contains copies of the final approval emails from WIDAC members.

**From:** Baldwin, Shelly (WTSC)  
**Sent:** Thursday, August 15, 2013 3:57 PM  
**To:** Sheriff Ken Bancroft; Sue Baur; Fiona Couper; Chief Bill Drake ([wdrake@cityoforting.org](mailto:wdrake@cityoforting.org)); Grondel, Darrin (WTSC); [Robert.Sharpe@wsp.wa.gov](mailto:Robert.Sharpe@wsp.wa.gov); Waller, Scott (DSHS/DBHR); Williams, Kathy (DOH)  
**Subject:** Approval of WIDAC Impaired Driving Strategic Plan

As voting members of the Washington Impaired Driving Advisory Council (WIDAC), I need your approval of our final 2013 WIDAC Impaired Driving Strategic Plan (attached).

**Please let me know, by responding to this email if this plan has your approval.**

This draft represents the work of many partners. This plan is based on the work done to develop the 2013 version of Target Zero, the Washington State Strategic Highway Safety Plan. Currently, the Target Zero Plan is undergoing an update. The Target Zero Plan Project Team and Steering Committee, representing 17 organizations, state agencies, and Indian Nations, are guiding this update. Researchers reviewed each strategy against studies providing a proven, recommended or unknown designation for each. Partner organizations from all over the state have many opportunities to give input. Through a survey, 87 partner organizations identified over 100 target zero strategies their organizations are currently employing, and had the chance to suggest more strategies to be included in the updated plan. The Target Zero Plan Partner's Meeting was held March 8, 2013. Over 180 traffic safety professionals attended to learn about current data and potential new strategies. Stakeholders, partners, and citizens will have another chance to affect the plan by submitting comments on a draft plan in August 2013. The Washington Traffic Safety Commissioners will have the final plan ready for Governor Inslee's approval in October 2013.

The Impaired Driving Section of the Target Zero Plan is the basis for the WIDAC Impaired Driving Strategic Plan. The WIDAC Plan takes the planning process forward to the project level. This plan was developed by WIDAC members and advisors into a draft. The draft was reviewed by members and advisors at the July 11, 2013 WIDAC meeting. Much discussion took place during

that meeting and the group reached consensus on edits and improvements to the draft. The attached plan represents the final version.

Once we have approved this plan, it will be sent to National Highway Traffic Safety Administration for their review and approval. This will qualify Washington to receive Federal impaired driving funds.

We are required to update this plan every three years, however, this plan will be effective until July 2014, at which point we will update it. This will allow us to revise the Target Zero plan one year and the WIDAC Strategic Plan the next year instead of trying to build these documents simultaneously.

Please contact me with any questions, otherwise, please indicate your approval of this plan.

Sincerely,  
Shelly

Shelly Baldwin, Impaired Driving Program Manager, (360) 725-9889  
Washington Traffic Safety Commission  
Street: 621 8th Avenue SE, Suite 409, Olympia, WA 98501  
Mailing: P.O. Box 40944, Olympia, WA 98504-0944  
Cell: (206) 419-8038 Fax: (360) 586-6489  
[sbaldwin@wtsc.wa.gov](mailto:sbaldwin@wtsc.wa.gov)

<http://www.wtsc.wa.gov>

<http://targetzero.com/>

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**From:** Grondel, Darrin (WTSC)  
**Sent:** Wednesday, August 21, 2013 1:27 PM  
**To:** Baldwin, Shelly (WTSC)  
**Subject:**

I approve the WIDAC strategic plan.

D

**Director Darrin T. Grondel**  
**Washington Traffic Safety Commission**  
**(360) 725-9899 W**  
**(360) 701-5715 C**





**From:** Robert.Sharpe@wsp.wa.gov [mailto:Robert.Sharpe@wsp.wa.gov]  
**Sent:** Tuesday, August 27, 2013 12:31 PM  
**To:** Baldwin, Shelly (WTSC)  
**Subject:** RE: Approval of WIDAC Impaired Driving Strategic Plan

Hi Shelly,

Sorry about the delay. I was out for the last two weeks on vacation. I've reviewed the plan and approve.

Thanks, Rob

Lieutenant Rob Sharpe  
[Washington State Patrol](#)  
Impaired Driving Section Commander  
811 E. Roanoke St., Seattle, WA 98102  
(206)720-3018 ext. 24105 | VoIP 24105

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**From:** Fiona.Couper@wsp.wa.gov [mailto:Fiona.Couper@wsp.wa.gov]  
**Sent:** Tuesday, August 20, 2013 10:24 AM  
**To:** Baldwin, Shelly (WTSC)  
**Subject:** RE: Approval of WIDAC Impaired Driving Strategic Plan

Shelly,

This plan has my approval – the changes make this a great document!

Thanks, Fiona

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**From:** Newby, Jody [mailto:NewbyJ@co.cowlitz.wa.us]  
**Sent:** Monday, August 19, 2013 1:36 PM  
**To:** Baldwin, Shelly (WTSC)  
**Cc:** Baur, Sue  
**Subject:** RE: Approval of WIDAC Impaired Driving Strategic Plan

Shelly,

Thank you for the clarification. The plan has my approval.

Regards,

Jody Newby  
Deputy Prosecuting Attorney  
Cowlitz County Prosecuting Attorney  
312 SW 1st Ave, Kelso WA 98626  
(360) 577-3080  
(360) 414-9121 fax

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**From:** Williams, Kathy (DOH)  
**Sent:** Monday, August 19, 2013 11:04 AM  
**To:** Baldwin, Shelly (WTSC)  
**Subject:** RE: Approval of WIDAC Impaired Driving Strategic Plan

I approve the WIDAC strategic plan.  
Kathy Williams, Injury Prevention Specialist.  
WA Dept of Health.

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**From:** Waller, Scott (DSHS/DBHR)  
**Sent:** Sunday, August 25, 2013 5:58 PM  
**To:** Baldwin, Shelly (WTSC)  
**Subject:** RE: Approval of WIDAC Impaired Driving Strategic Plan

Shelly,

I've been out of the office a lot lately so I am just now looking at this. I don't have any problem approving the plan overall.

One small hair-splitting detail - under prevention, the strategy relating to parenting education...it is true that research shows this to be an effective strategy and that DBHR encourages use of the strategy. But the way the chart is set up it could appear that DBHR is endorsing Power of Parents as an effective parenting education strategy and I don't know that we could go that far. I'm wondering if it would be okay to actually affix the "U" for Unknown directly to Power of Parents...that way the claim about DBHR endorsing parent education could stand and the current status of Power of Parents could be more accurately portrayed.

This is not a "stop the presses" issue. But we might want to ensure that the presentation on this issue is as accurate as it can be.

Scott