



2019 IMPAIRED TEXAS DRIVING PLAN

DEVELOPED AND APPROVED BY THE TEXAS IMPAIRED DRIVING TASK FORCE





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June 1, 2019

To Whom It May Concern:

We've all heard the saying "Everything's bigger in Texas." From the food we eat, to the pickup trucks we drive, to the number of people who call Texas home (28.7 million!) – in many ways Texas lives up to its reputation.

We can ill afford to live up to our reputation when it comes to impaired driving. The number of people dying on our roadways in impaired driving crashes is unacceptable. According to the Fatality Analysis Reporting System (FARS, May 9th, 2019), in 2017, Texas led the country with the highest number of alcohol-impaired driving fatalities; that year, 1,468 people lost their lives in alcohol-impaired driving crashes, accounting for 39% of all motor vehicle fatalities in the State. We are all too aware that alcohol-impaired driving crashes are only part of the impaired driving problem: drug-impaired driving fatalities and crashes are on the rise as well. When it comes to impaired driving crashes in Texas, we can – and, we must – do better.

The Texas Impaired Driving Task Force (TxIDTF) is dedicated to eliminating injury and death caused by impaired driving in Texas. The TxIDTF serves as a strategic and technical advisor to the Texas Department of Transportation (TxDOT) to not only identify specific challenges associated with impaired driving but implement evidence-based strategies and countermeasures that drive solutions and that make an impact.

In accordance with FAST Act, a qualifying criteria for Section 405(d) Impaired Driving Countermeasure grant funding is for mid- and high-range states to submit an impaired driving plan that has been approved by a statewide impaired driving task force. To that end, the TxIDTF has developed and approved the FY 2019 Texas Impaired Driving Plan for submission to the National Highway Traffic Safety Administration (NHTSA).

TxDOT serves as the Governors Highway Safety Office for the State of Texas, and I fully support the efforts of the TxIDTF. The FY 19 Texas Impaired Driving Plan provides a comprehensive strategy for reducing, and ultimately – eliminating, impaired driving in Texas. By implementing this plan, it is our goal that Texas will be known for achieving the biggest reduction in impaired driving crashes.

Sincerely,

Michael A. Chacon, P.E.,
Director, Traffic Safety Division
Texas Department of Transportation

OUR VALUES: People • Accountability • Trust • Honesty

OUR MISSION: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

An Equal Opportunity Employer

Contents

Figures	v
Tables	v
Introduction	1
FARS Alcohol-Impaired Driving Fatality Data	2
2015 Impaired Driving Technical Assessment	4
Plan Structure	5
I. Program Management and Strategic Planning	6
Task Forces or Commissions.....	6
Strategic Planning.....	9
Program Management.....	12
Resources.....	12
Data and Records.....	12
Communication Program.....	13
Recommendations from the 2015 Impaired Driving Technical Assessment.....	13
II. Prevention	15
Promotion of Responsible Alcohol Service.....	16
Promotion of Risk-Based Enforcement.....	16
Promotion of Priority Inspection.....	17
Promotion of Transportation Alternatives.....	17
Reducing Underage Access to Alcohol in Social Settings.....	18
Recommendations from the 2015 Impaired Driving Technical Assessment.....	21
III. Criminal Justice System	24
Laws.....	24
Enforcement.....	29
Publicizing High Visibility Enforcement.....	30
Prosecution.....	30
Adjudication.....	31
Community Supervision.....	32
Ignition Interlock Program.....	33
Administrative Sanctions and Driver Licensing Programs.....	34
Recommendations from the 2015 Impaired Driving Technical Assessment.....	35
IV. Communication Program	45
Recommendations from the 2015 Impaired Driving Technical Assessment.....	47
V. Alcohol and Other Drug Misuse: Screening, Assessment, Treatment, and Rehabilitation	48
Screening and Assessment.....	48
Screening and Brief Intervention.....	49
Treatment and Rehabilitation.....	49
Monitoring Impaired Drivers.....	50
Recommendations from the 2015 Impaired Driving Technical Assessment.....	50
VI. Program Evaluation and Data	53
Recommendations from the 2015 Impaired Driving Technical Assessment.....	54
Summary	55
Appendix A – TxIDTF Charter	56
Appendix B – TxIDTF Membership	60
Appendix C – TxIDTF Meeting Notes	64
Appendix D – TxIDTF Subcommittee Notes	79
Awards Selection.....	79

Education Subcommittee.....	81
Legislative Subcommittee.....	83
Website Subcommittee.....	85
Appendix E – FY 19 TxDOT Alcohol and Other Drug Countermeasure Funded Programs	87
Appendix F – Approval of the Texas Impaired Driving Plan	90

Figures

Figure 1. Texas Alcohol-Impaired Driving Fatality Rate, Per VMT, 2012-2016	3
Figure 2. Texas Alcohol-Impaired Driving Fatalities, BAC 0.08+, 2013-2017	3
Figure 3. Percent of Alcohol-Impaired Driving Fatalities in Texas, 2012-2016	4

Tables

Table 1. SHSP Strategies and Countermeasures, Impaired Driving	10
Table 2. TxDOT Alcohol and Other Drug Countermeasures Program Area Fiscal Summary, FY 2018-2020	12
Table 3. NHTSA recommended Laws, Provisions for Law Enforcement, and Penalties for Impaired Driving.....	25
Table 4. ALR Sanctions for Adults	34
Table 5. ALR Sanctions for Minors	35
Table 6. Impaired Driving Communication Projects and Campaigns	45



Introduction

Impaired driving continues to be a significant issue in Texas. Each year since 2010, nearly 1 in 3 roadway fatalities in Texas has involved impaired driving. Texas experiences more fatalities from impaired driving crashes in a single year than most states experience fatalities from all motor vehicle crashes. While the percentage of motor vehicle fatalities that result from impaired driving has declined over the last 10 years, Texas continues to seek innovative and evidence-based solutions. Despite the implementation of proven strategies and countermeasures, the number of impaired driving fatalities and injuries in Texas continue to be unacceptable. Texas remains dedicated to reducing all incidences of impaired driving.

The Texas Department of Transportation Traffic Safety Division – Behavioral Traffic Safety Section (TxDOT TRF-BTS) develops traffic safety initiatives aimed at reducing fatalities and serious injuries from motor vehicle crashes. Specifically, the TxDOT Alcohol and Other Drug Countermeasures Program area supports the development and implementation of programs aimed at reducing fatalities and injuries involving impaired driving.

The Texas Impaired Driving Task Force (TxIDTF) was established to support and inform the TxDOT Alcohol and Other Drug Countermeasures Program. The TxIDTF is a strategic partnership between key impaired driving stakeholders. Together, the TxIDTF identifies trends and challenges associated with impaired driving in the State, reviews and implements proven strategies and countermeasures, and maintains a strategic plan for impacting impaired driving, known as the Texas Impaired Driving Plan.

The Texas Impaired Driving Plan is a roadmap for reducing – and ultimately, eliminating – impaired driving fatalities and injuries in the State. The Texas Impaired Driving Plan is based on the requirements of the FAST Act, Section 405(d) and the National Highway Traffic Safety Administration’s (NHTSA) *Uniform Guidelines for State Highway Safety Programs – No. 8*.

The Texas Impaired Driving Plan includes each of the components a state’s impaired driving program should include and meet. These program components are:

- Program Management and Strategic Planning
- Prevention
- Criminal Justice System
- Laws, Enforcement, Publicizing High Visibility Enforcement, Prosecution, Adjudication, Administrative Sanctions and Driver Licensing Programs
- Communication Program
- Alcohol and Other Drug Misuse: Screening, Assessment, Treatment and Rehabilitation
- Program Evaluation and Data

The TxIDTF has reviewed and approved the Texas Impaired Driving Plan for submission to NHTSA through TxDOT.

The Texas Impaired Driving Plan also includes information concerning the 2015 Texas Impaired Driving Assessment. At the conclusion of the Assessment, Texas was provided with a set of recommendations for improving the State’s impaired driving program. Texas has been successful in implementing several of the recommendations and continues to work toward the completion of others.

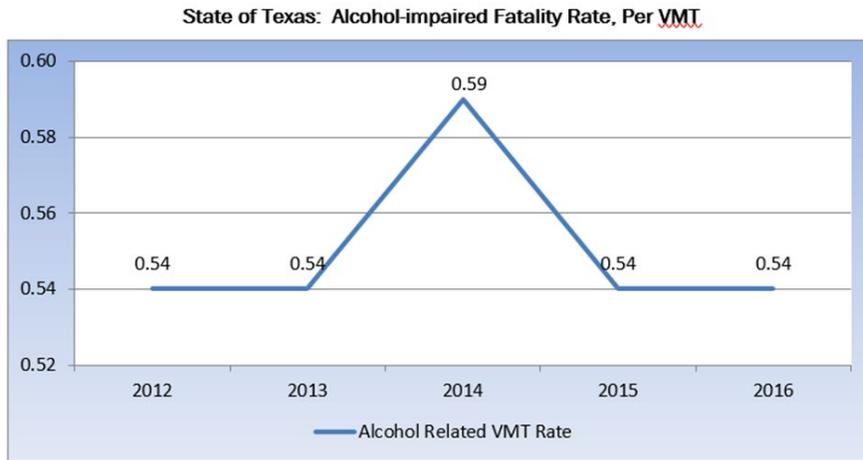
The TxIDTF has reviewed and approved the Texas Impaired Driving Plan for submission to NHTSA through TxDOT.

FARS Alcohol-Impaired Driving Fatality Data

TxDOT’s submission of the Texas Impaired Driving Plan to NHTSA is based upon the State’s *average impaired driving fatality rate*. As defined by the Code of Federal Regulations Title 23 § 1200.23, the *average impaired driving fatality rate* is the number of fatalities in motor vehicle crashes involving a driver with a blood alcohol concentration (BAC) of at least 0.08 percent for every 100 million vehicle miles traveled (VMT) and is based on the most recently reported three calendar years of final data from the Fatality Analysis Reporting System (FARS). However, because this rate is inclusive of only alcohol-impaired driving fatalities, it is referred hereafter in this plan as the *alcohol-impaired driving fatality rate*.

Texas is considered a mid-range state for FY 2019 because its alcohol-impaired driving fatality rate is 0.55 based on FARS data from 2014-2016. Figure 1 illustrates the alcohol-impaired driving fatality rate, per vehicle miles traveled (VMT) from 2012–2016 in Texas. Texas ranks in the top 10

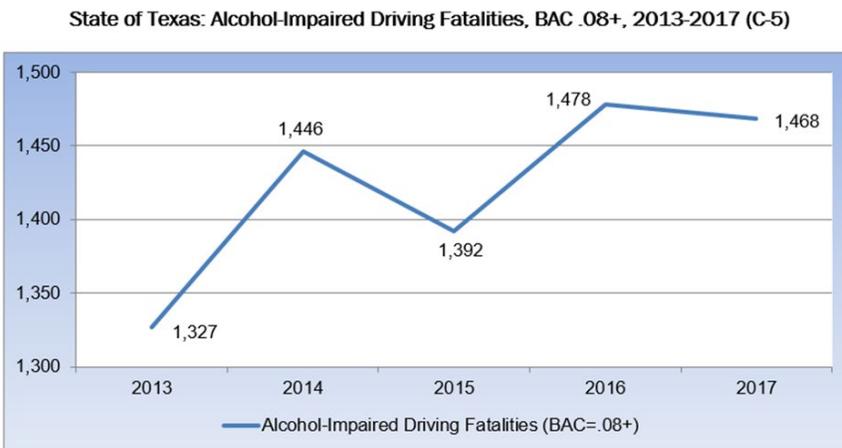
states nationally for alcohol-related fatalities per 100 million VMT for 2016 (the most current year for which data is available). Preliminary data indicates Texas will also be in the top 10 for 2017.



Source: Fatality Analysis Reporting System (FARS May 9th, 2019).

Figure 1. Texas Alcohol-Impaired Driving Fatality Rate, Per VMT, 2012-2016

As shown in Figure 2, there were 1,468 alcohol-impaired driving fatalities in 2017 in Texas. Current FARS data suggests that alcohol-impaired driving fatalities are trending downward.

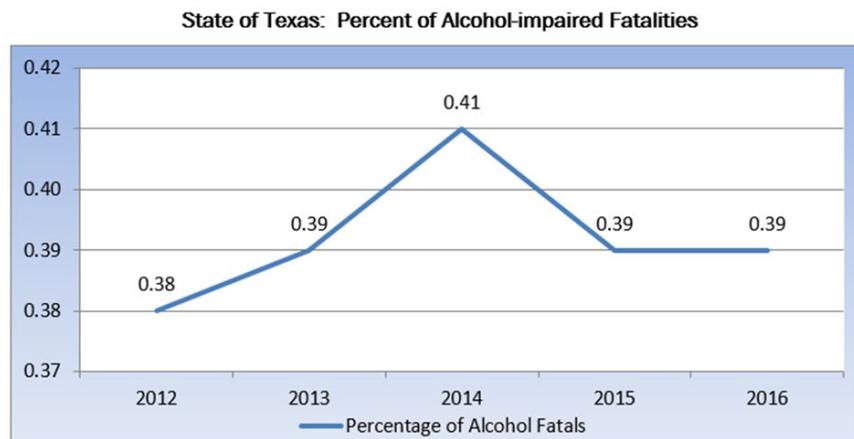


Source: Fatality Analysis Reporting System (FARS, May 9th, 2019).

Figure 2. Texas Alcohol-Impaired Driving Fatalities, BAC 0.08+, 2013-2017

Figure 3 illustrates the alcohol-impaired driving fatality rate, per vehicle miles traveled from 2012–2016 in Texas. In 2016, 39% of traffic fatalities were alcohol-impaired fatalities.

There were 1,468 alcohol-impaired driving fatalities in Texas in 2017.



Source: Fatality Analysis Reporting System (FARS, May 9th, 2019).

Figure 3. Percent of Alcohol-Impaired Driving Fatalities in Texas, 2012-2016

Alcohol-impaired driving crashes where a driver had a BAC of 0.08 g/dL or more are only part of the impaired driving problem: impairment has been shown at BACs lower than 0.08 g/dL and drug-impaired driving is increasingly becoming a factor in motor vehicle crashes. Texas must continue to seek innovative solutions that reduce all impaired driving fatalities and injuries.

2015 Impaired Driving Technical Assessment

In 2015, Texas underwent a technical assessment for its impaired driving program. NHTSA developed the assessment process to give states an opportunity to review their efforts to reduce impaired driving by an outside team of nationally recognized experts. NHTSA convenes the assessment team and facilitates the process. As part of the process, the technical assessment team hears testimony from impaired driving stakeholders concerning the strengths and weaknesses of a state's impaired driving program. At the end of the process, the technical assessment team develops a report containing recommendations – some of which are designated priority – concerning ways the state can improve or enhance its impaired driving program. Texas is scheduled to complete another technical assessment for its impaired driving program in FY 2020.

Since 2015, the TxIDTF has reviewed the assessment recommendations each year to identify and prioritize implementation. During review, pathways and challenges to implementation were considered and weighed. For each recommendation, the TxIDTF assigned a “status” toward implementation and provided context concerning how the recommendation was being furthered pursued or why it was not. The implementation statuses are as follows:

- **Ongoing** – The TxIDTF or via a member organization is actively planning and/or working to complete the recommendation. If a recommendation has been achieved but requires any level of maintenance, the recommendation has been designated *ongoing* (as opposed to *complete*).
- **Complete** – The TxIDTF or via a member organization has achieved the recommendation and no level of maintenance is required.
- **Not Currently Being Addressed** – The TxIDTF has either completed actions that resulted in no forward progress or is not currently pursuing action.
- **Requires Legislative Action** – The TxIDTF is unable to pursue, promote, or lobby legislative activity at any level. Recommendations designated with this status are beyond the scope of the TxIDTF, require additional laws be passed, or require a different interpretation of current laws. The TxIDTF views its role as an educator and informer of objective information surrounding impaired driving issues. The TxIDTF works to ensure that those stakeholders who can engage in legislative activity have data-driven, evidence-based information to base their decisions.
- **Jurisdictional Condition** – The TxIDTF or via a member organization educates and informs impaired driving stakeholders, including judges and prosecutors. Regular trainings with judges and prosecutors take place throughout the State so that they better understand current impaired driving laws and processes; however, the TxIDTF recognizes how imperative judicial and prosecutorial discretion are.

Plan Structure

The subsequent sections of the Texas Impaired Driving Plan adhere to the components a state’s impaired driving program should include and meet, as recommended by NHTSA’s *Uniform Guidelines for State Highway Safety Programs – No. 8*. Additionally, recommendations from the 2015 Impaired Driving Technical Assessment have been included and can be found at the end of each respective section of the plan. As mentioned above, the TxIDTF has assigned each recommendation a status and provided a description of progress toward implementation.

The Texas Impaired Driving Plan adheres to the components a state’s impaired driving program should include and meet.



The mission of the TxIDTF is to eliminate injury and death caused by impaired driving in Texas.

I. Program Management and Strategic Planning

Task Forces or Commissions

The TxIDTF is a partnership of impaired driving stakeholders from across the State who are committed to eliminating deaths and injuries caused by impaired driving. The TxIDTF is used as a forum for strategic planning and coordination of programs and projects that target impaired driving.

Authority and Basis for Operation

As stated in the Code of Federal Regulations Title 23 § 1200.23, to continue to qualify for impaired driving federal funding, *mid-range* states must submit a copy of an impaired driving plan that has been approved by a statewide impaired driving task force. Texas meets the definition of a mid-range state because its average alcohol-impaired driving fatality rate was 0.55 from 2014-2016 (the most recent years for which data are available).

The TxIDTF is funded through a TxDOT traffic safety grant that is administered by the Texas A&M Transportation Institute (TTI).

Mission

The mission of the TxIDTF is to eliminate injury and death caused by impaired driving in Texas.

Charter

The TxIDTF has existed in some capacity for nearly 15 years, operating mostly under an informal set of policies and procedures. As the TxIDTF has evolved over the years, it became necessary to develop a formal charter that clearly communicated expectations and responsibilities. In February 2018, the TxIDTF voted to approve a formal charter which is available in Appendix A.

Membership

The TxIDTF has evolved into a multifaceted representation of individuals and organizations. Currently, the TxIDTF consists of 44 members, representing the:

- State Highway Safety Office (SHSO)
- Breath alcohol and toxicology
- Communication
- Data and traffic records
- Driver licensing
- Education
- Enforcement
- Ignition interlock programs
- Judiciary
- Probation and treatment
- Prosecution

The TxIDTF has evolved over the last 15 years into a multifaceted representation of individuals and organizations.

The TxIDTF continually assesses weaknesses and gaps in membership expertise. If an area of the impaired driving safety problem is not reflected through current membership, then the TxIDTF has reached out to leaders in the community with an invitation to join. The TxIDTF membership is comprised of knowledgeable impaired driving stakeholders and subject matter experts whose backgrounds and expertise represent nearly every facet of the impaired driving spectrum. The TxIDTF membership meets the requirements of the FAST Act and includes all appropriate stakeholders.

Members voluntarily serve on the TxIDTF and can do so for as long as they are capable. Appendix B contains the names, titles, and organizations of all TxIDTF members.

Meetings

Due to its large membership and the State's geography, the TxIDTF meets in person biannually. In the past 12 months, the TxIDTF met on:

- February 7, 2019
- October 11, 2018

Notes from these meetings are in Appendix C and are made available online at the [TxIDTF website](#). Email correspondence and webinar meetings, as necessary, supplement the in-person meetings.

Subcommittees

The TxIDTF is supported by four subcommittees: Education, Legislative, Website, and Awards Selection. Each subcommittee has arisen out of a need identified. Subcommittees drill down into specific areas that time does not afford during in-person meetings. Subcommittees can include representatives from any relevant organization that has an interest or knowledge in the impaired driving issue; however, the subcommittee chair or co-chair must be a member of the TxIDTF. Each subcommittee meets as often as is needed via webinar and email correspondence.

As new areas for support are identified and goals are achieved, subcommittees will convene or disband. Below is a brief description of subcommittee work. Appendix D contains notes from each of the subcommittee meetings that further detail scope and progress.

Awards Selection

To recognize the efforts of individuals and organizations who are impacting impaired driving in Texas and to encourage others to do the same, the TxIDTF established the Awards Selection Subcommittee. The Subcommittee calls for nominations of individuals and organizations who are going “above and beyond” normal duties to truly affect impaired driving change. In FY 2019, the Subcommittee reviewed a competitive pool of nominations and selected three candidates to bring forward to the TxIDTF for a blind vote. The vote was to select one candidate as the *Texas Impaired Driving Safety Champion* and name the two other candidates as *Texas Impaired Driving Difference Makers*. The inaugural award recipients were recognized and honored at the 2019 Texas Impaired Driving Forum in Pflugerville, TX.

Education

One of the recommendations from the State’s 2015 Impaired Driving Program Technical Assessment was to “coordinate school-based impaired driving activities with evidence-based alcohol and substance abuse prevention programs.” Since that time, the Subcommittee has been working to compile a reference book that includes a program snapshot of evidence-based alcohol and drug prevention programs available for implementation in schools. The Subcommittee advocated for the inclusion of Texas Essential Knowledge and Skills (TEKS) which are State standards for what students should know and be able to do. Additionally, the Subcommittee felt strongly about including promising TxDOT-sponsored programs that weren’t necessarily evidence-based.

The development of the reference book has proven to be an impressive undertaking as programmatic information has continuously changed (i.e., existing programs disbanded as new ones emerged). The Subcommittee appears poised to finalize and distribute the reference book in the summer of FY 2019 to schools administrators and others who make programmatic decisions.

Legislative

The Subcommittee is comprised of current and retired members of the judiciary and prosecution, advocates, and others with a strong working knowledge of State Legislature operations. The TxIDTF is unable to pursue, promote, or lobby legislative activity at any level. However, some member organizations are able to engage in lobbying activities as a part of work with their individual organizations. Because of these parameters, the TxIDTF views its role as an educator and informer of objective impaired driving, transportation safety, and public health data and information.

The purpose of the Legislative Subcommittee is to educate and inform members of the TxIDTF about legislation that has the potential to affect impaired driving in State. The Subcommittee continuously tracks the status of and provides summaries for proposed impaired driving bills while the Legislature is in session. For any bills that are approved and become law, the Subcommittee provides further detail about anticipated outcomes and consequences.

At the time of this writing, the State Legislature was still in session. A summary of any relevant bills that are passed and signed into law in 2019 will be included in a future iteration of this plan.

Website

The TxIDTF online footprint has the potential to reach and educate a broader audience than traditional outreach methods. A broader audience is inclusive of regional traffic safety and public health coalitions as well as coalitions and task forces that exist in other states. The TxIDTF established two social media accounts (i.e., Facebook and Twitter) in FY 2019 in order to further engage and educate audiences about the impaired driving problem in Texas. During this time, it became apparent that the existing website would benefit from redirection. The Website Subcommittee was established to provide guidance on existing and new content, resource organization, and website functionality.

Strategic Planning

Impacting decision-making is a key part of improving the impaired driving challenge and overall traffic safety. Incorporating elements of engineering, education, enforcement, and evaluation is imperative to further achieve and progress reductions in impaired driving injuries and deaths.

The most recent strategic planning session for TxDOT TRF-BTS addressed FY 2017-2022. In cooperation with local, state, federal, and other public and private safety sector stakeholders, the State has developed a comprehensive [Texas Strategic Highway Safety Plan](#) (SHSP). The Texas SHSP is a major component and requirement of the Highway Safety Improvement Program (23 U.S.C. § 148).

The most recent strategic planning session for TxDOT TRF-BTS addressed FY 2017 – 2022.

The Texas SHSP is a coordinated safety plan that provides a comprehensive framework for reducing highway fatalities and serious injuries on all public roads through seven emphasis areas; impaired driving is considered an emphasis area. Numerous members of the TxIDTF serve on the Impaired Driving Emphasis Area Team and contributed to the SHSP’s development. The Texas SHSP identifies the State’s key safety needs and guides investment decisions towards strategies and countermeasures with the most potential to save lives and prevent injuries.

The TxIDTF is in the process of reviewing the strategies, countermeasures, and action plans developed as part of the Texas SHSP. This review process will allow the TxIDTF to identify overlapping initiatives and how best action plans can be transitioned into implementation. Further progress has not been achieved due to previous incongruous timelines for the development and submission of both plans. Table I lists the SHSP strategies and countermeasures for which action plans were developed.

Table I. SHSP Strategies and Countermeasures, Impaired Driving

Strategy 1: Use data systems to identify alcohol licensed and permitted locations within a community and Alcoholic Beverage Code violation history at these locations to determine any correlation with alcohol-related crashes	
Data Analysis	Develop and maintain data to identify correlations between impaired driving crashes and citations, road type, corridor, region, county and community, and Texas Alcoholic Beverage Commission licensing data
Strategy 2: Increase education for all road users on the impact of impaired driving and its prevention	
Impact of Impairment	Demonstrate to all road users the magnitude of the impact of impaired driving crashes on fatality rates by making comparisons with other causes of death (e.g., murder rate)
Strategy 3: Increase officer contacts with impaired drivers through regular traffic enforcement	
Traffic Enforcement	Educate the police, community leaders, the public, and traffic safety partners on the role of regular traffic enforcement stops as a primary tool in detecting impaired drivers, and encourage their use to reduce impaired driving crashes. Identify trends in driving under the influence (DUI) arrests, and compare the data to trends in citations and crashes for use in education
Data-Driven Approach	Use a data-driven approach to optimize areas and times for enforcement

Law Enforcement Training	Identify training gaps for police on locations with a high probability for alcohol and drug use that lead to impaired driving (e.g., breaking up/preventing underage-drinking parties)
Sobriety Checkpoints	Conduct surveys to assess public support for sobriety checkpoints and enhanced impaired-driving penalties; document practices, short- and long-term results, and acceptance of checkpoints across the nation; develop a report on the survey results and impaired-driving countermeasure effectiveness; and share the reports with lawmakers and the public
Strategy 4: Improve mobility options for impaired road users	
Public Education	Educate the public and community leaders on methods for identifying mobility options at the community level in both urban and rural areas
Trip Planning	Promote trip planning, including designated drivers, public transportation, taxis, and alternate transportation service companies
Strategy 5: Increase data, training, and resources for prosecutors and officers in the area of drugged driving	
Standardized Field Sobriety Testing, Drug Recognition Expert Training, and Roadside Drug Testing	<p>Continue and increase Standardized Field Sobriety Testing (SFST), Advanced Roadside Impaired Driving Enforcement (ARIDE) training, and Drug Recognition Expert (DRE) training. Continue to monitor the development of roadside drug testing instruments, and as appropriate, investigate deploying them into the field as an additional tool to detect impaired driving.</p> <p>Continue and increase SFST trainings Continue and increase ARIDE trainings Continue and increase DRE trainings, DRE recertification, and DRE Instructors</p>
Resources – DUI Identification	<p>Identify methodologies and resources for improving the identification of drugged driving as a contributing factor in impaired driving crashes</p> <p>Improve robustness of data related to possible drug impairment on crash reports</p> <p>Use supplemental crash reports to add missing drug impairment data to crash reports</p> <p>Analyze policies and possible legislation advancing decriminalization and legalization of marijuana</p> <p>Optimize resources available in the gathering and processing of evidence related to drug-impaired driving</p> <p>Assess law enforcement resources (number of DREs, ARIDE Officers, etc.) and Resources for Prosecutors in Drug-Elevated Crash Counties</p> <p>Use the SFST, ARIDE, and DRE Tracking System to identify common factors associated with impaired driving</p>

	Determine whether drug testing equipment is accessible and robust enough to quantify blood drug results
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Program Management

The SHSO is managed by the TxDOT TRF-BTS. The program staff is located at the headquarters in Austin and in all 25 TxDOT districts.

The TxDOT Alcohol and Other Drug Countermeasures Program has developed strong relationships with individuals and organizations affiliated and not affiliated with the TxDOT program. This network not only addresses the goals and strategies associated with the program, but it also provides expert resources for the program in an ad hoc capacity. This network is strengthened and reinforced by the TxIDTF, which works with TxDOT to create a multifaceted, cohesive impaired driving program, as opposed to a group of disjointed projects and organizations.

Resources

In FY 2019, TxDOT awarded 311 traffic safety grants to state and local governmental agencies, colleges and universities, and non-profit agencies across Texas. Of these, 80 Alcohol and Other Drugs Countermeasures projects were awarded; Appendix E is a listing of projects funded in FY 2019. Funded projects are based on thorough problem identification that utilize State and federal crash data, as well as other data related to geographic and demographic aspects of traffic safety and driver behavior. Table 2 provides a fiscal summary for FY 2018-2020.

In FY 2019, TxDOT awarded 80 Alcohol and Other Drugs Countermeasures projects.

Table 2. TxDOT Alcohol and Other Drug Countermeasures Program Area Fiscal Summary, FY 2018-2020

	FY 2018 Awarded	FY 2019 Awarded	FY 2020 Planned
Federal Funds	\$15,458,734.71	\$16,891,555.37	\$13,657,575.01
State Match	\$374,950.00	\$150,000.00	\$150,000.00
Local Match	\$26,515,044.43	\$27,583,597.34	\$25,755,278.16
Program Income	\$6,000.00	\$12,500.00	\$12,000.00
Total	\$42,444,729.14	\$44,637,652.71	\$39,574,853.17

Data and Records

The primary source of data used for traffic safety programs originates from reportable information collected by law enforcement officers (via Form CR-3) at a crash site. Officers input the crash information into a statewide crash database, known as CRIS (which stands for Crash Records Information System). Reportable motor vehicle crashes are crashes involving a motor vehicle in transport that occur or originate on a traffic way, result in injury

to or death of any person, or damage to the property of any one person to the apparent extent of \$1,000.

Texas has spent significant time and resources upgrading its crash records system so that local- and state-level stakeholders have accurate and complete data. This ranges from fixed-format compilations of crash and injury information to special, customized analyses and evaluations directed at identifying and quantifying targeted local and statewide traffic safety problems. Because of minor differences in coding rules and data certification, FARS data reported at the national level are not always in sync with CRIS data.

CRIS data are combined with other data sources including the U.S. Census, FARS, and other localized databases to ensure that the State's impaired driving program is fully supported in regards to data analysis and evaluation. These data and the subsequent analyses inform engineering, enforcement, education, emergency response, and evaluation activities throughout the State.

This part of the impaired driving program also satisfies the need for integration with the Traffic Records Coordinating Committee (TRCC). The TRCC is comprised of designees from TxDOT, TTI, the Department of State Health Services (DSHS), the Texas Department of Public Safety (TxDPS), and the Office of the Court Administration (OCA), many of whom are also members of the TxIDTF.

Communication Program

Further discussion of the state's communication program can be found on page 45.

Recommendations from the 2015 Impaired Driving Technical Assessment

A. State and Tribal DWI Task Forces and Commissions

Priority Recommendation: Create and convene a Governor's Executive Committee of the Impaired Driving Task Force chaired by a Texas Department of Transportation Commissioner (appointed by the Governor) with a membership consisting of the Attorney General, six State Senate members (appointed by the Lt. Governor), and six House members (appointed by the Speaker of the House) meeting in even numbered years to discuss legislative recommendations provided by the full administrative support from the Traffic Safety Division-Behavioral Traffic Safety Section

Status: Not Currently Being Addressed

Background: The TxIDTF developed and submitted a letter of support for the creation of the Governor's Executive Committee on Impaired Driving. The letter was submitted to the Texas Transportation Commission in February 2016 and again in November 2018. There is no forward motion for the creation of the executive committee at this time.

B. Strategic Planning

Recommendation: Develop and fund a driving under the influence/driving while intoxicated (DUI/DWI) tracking system that would link Texas criminal justice agencies databases in order to create a network containing offenders criminal history, arrests, warrants, photographs, and fingerprints, to ensure access to offenders previous and/or current DUI/DWI history

Status: Not Currently Being Addressed

Background: TTI received a traffic safety grant in FY 2017 to determine the feasibility of developing a DWI tracking system in Texas. Developing such a database is a tremendous undertaking, and many of processes that would streamline its creation are not in place. Due to limited funds and prioritization, further progress of developing a DWI tracking database is not being pursued through the end of FY 2019. However, this continues to be a priority need for TxDOT, and TxDOT continues to seek request for proposals to address this need.

C. Program Management

Recommendation: Conduct a study to determine the Texas Highway Safety Office's needs for better and more accurate impaired driving data

Status: Not Currently Being Addressed

Background: A call for a formal study has not been made by TxDOT to pursue this recommendation. However, as part of ongoing program efforts, TxDOT subgrantees are performing annual statewide impaired driving crash analyses that pertain to the State's need for identifying impaired driving data. TxDOT is also conducting various analyses of impaired driving data.

D. Resources

Recommendation: Evaluate impaired driving programs to determine if resources are being allocated in the most effective manner

Status: Ongoing

Background: This activity is performed at the state level by TxDOT. The TxDITF does not participate at this level unless directed to do so by TxDOT. This does not preclude an independent investigation of resources and effectiveness as part of a larger project-related effort.

Recommendation: Establish private/public partnerships to increase funding for the impaired driving program

Status: Ongoing

Background: Partnerships between the public and private sector continue to grow. The DWI March for Change event highlights the partnership between AAA Texas, MADD Texas, and the Travis County Attorney's Underage Drinking Prevention Program. While this event does not directly increase funding for impaired driving, it does serve to keep the issue of impaired driving at the forefront of traffic safety and public health needs. Additionally, AAA Texas began providing funding to train local law enforcement to become DREs by donating money to pay

for instructional materials, food, lodging, and time off so officers can be trained to recognize impaired driving.

Recommendation: Support initiatives that will encourage the Governor and legislature to enact legislation that increases driving while intoxicated fines to generate funding for the impaired driving program

Status: Requires Legislative Action

Background: The TxIDTF is unable to pursue, promote, or lobby legislative activity at any level. However, some members are able to engage in lobbying activities as a part of the work of their individual organizations.



II. Prevention

NHTSA recommends that impaired driving prevention programs include public health approaches, such as interventions that alter social norms, change the occurrence of risky behaviors, and create safer environments. Texas encourages prevention through a diverse and culturally responsive set of approaches including public health, advocacy, communication campaigns, alcohol service restrictions, employer programs, safe community initiatives, driver education, and educational outreach. These prevention approaches are achieved through local, state, and national partnerships that utilize evidence-based strategies and best practices.

One organization which works to promote responsible alcohol service is the Texas Alcoholic Beverage Commission.

Promotion of Responsible Alcohol Service

The TxIDTF works with other local and state organizations to promote policies and best practices to prevent drinking and driving, drinking by underage individuals, alcohol service to minors, and over service. Education is promoted and provided by the TxIDTF, TxDOT, and other organizations to ensure voluntary compliance with the Texas Alcoholic Beverage Code and promote responsible alcohol service.

One organization which works to promote responsible alcohol service is the Texas Alcoholic Beverage Commission (TABC). TABC regulates third party seller-server schools available throughout Texas and online. The program covers underage and over service laws, and prevention strategies. TABC-approved seller server schools train about 350,000 people each year and certification is valid for two years. Currently, Texas law does not require seller/servers to be certified, but administrative sanctions are offered to licensed locations that require the certification and meet other minimum standards.

Each time employees stop service to a minor or intoxicated person, they are protecting themselves, the business, and the community from serious consequences. The Retailer Education and Awareness Program (REAP) was designed by TABC staff to provide education for all staffing levels of alcoholic beverage retailers. This program provides owners, managers, and general employees of retail establishments the opportunity to REAP the benefits of continued education and compliance with the State's alcoholic beverage laws. Hosted by TABC, the two-hour program addresses common issues related to minors and intoxicated patrons. The course covers both on- and off-premise scenarios in one training environment and is easily customizable to individual training needs.

The program is designed to create a dialogue between TABC and all levels of alcoholic beverage retail staff while in an educational environment. TABC agents and auditors will cover topics to retrain even the most seasoned employees while also asking for feedback and questions, so those involved leave with a better understanding of possible problem areas and solutions. The goal of the REAP is to help all alcoholic beverage retailers promote responsible alcoholic beverage sales and service.

Promotion of Risk-Based Enforcement

TABC has developed a risk-based program to focus on at-risk behavior that may indicate a pattern of bad business practices that could lead to serious violations. This process includes looking for pre-determined factors in the application, examining administrative violation history, and gathering intelligence from other law enforcement and governmental agencies.

The key elements of the risk-based enforcement program are: increased inspection frequency for retailers with past histories of public safety violations, a greater emphasis on "after hours" establishments that illegally sell or permit consumption of alcoholic beverages during prohibited hours,

and prioritization of its complaint investigations to give investigations involving allegations of public safety offenses first priority in terms of time and resources.

Promotion of Priority Inspection

TABC identifies retailers whose premises have been the scene of an offense with public safety implications, or that have been the subject of multiple complaints alleging such violations. Once identified, these retailers are assigned to one of five priority levels, which determine the frequency of TABC inspections. Priority levels are assigned based on the severity and number of past violations or complaints, and the length of time since the most recent violation or complaint. At the highest level, locations are inspected bi-weekly. As time passes and no new violations are observed, retailers will progress downward through the priority tiers with inspections becoming less frequent at each tiered level. At the end of the 12-month period, retailers are subject only to an annual inspection.

Public safety violations have been given priority status due to their correlation with patrons' level of intoxication when they are leaving licensed premises. These public safety violations are alcohol age-law offenses, intoxication offenses, prohibited hours offenses, drug-related offenses, disturbances of the peace, and human trafficking. Vice offenses such as prostitution are also considered when assigning priority status. Violations indicative of retailer financial stress are also reviewed because such offenses have been found to occur concurrently with or as a precursor to actual public safety offenses.

As part of this program, TABC also provides free training opportunities to retail managers and employees in an attempt to prevent future violations. Field offices are required to offer these opportunities to all retailers qualifying for the two highest tiers but routinely make them available to all other retailers as well. As a result of training initiatives, some 20,000 retail managers and employees were trained on illegal sales recognition and prevention "best practices" techniques.

During FY 2018, 13,765 retailers qualified for priority status. TABC enforcement agents conducted over 37,775 inspections of these priority status retailers as the year progressed. These inspections produced 514 criminal and 828 administrative cases, mostly involving additional public safety offenses. Due to this model of compliance, the percent of inspections of priority locations resulting in the discovery of public safety violations has steadily declined, falling from 7.4% in FY 2008 to 2.7% by the end of FY 2018.

Promotion of Transportation Alternatives

TxDOT supports several projects related to responsible transportation choices including media campaigns and programs that directly support

TABC identifies retailers whose premises have been the scene of an offense with public safety implications, or that have been the subject of multiple complaints alleging such violations.

alternatives to driving after drinking. TxDOT has implemented the following media campaigns aimed to prevent impaired driving: Football Season Campaign, Christmas/New Year Holiday Campaign, Labor Day Campaign, College and Young Adult Campaign, Spring Holidays Campaign, and Faces of Drunk Driving Campaign.

Additionally, TTI's university peer-to-peer programs such as U in the Driver Seat Program and its associated Designated Unimpaired Driver Extraordinaire (D.U.D.E.) outreach messaging platform promote transportation alternatives.

Reducing Underage Access to Alcohol in Social Settings

Social hosts are individuals who provide a setting, whether a home or private property, where underage drinking occurs. Such parties can result in various negative consequences such as vandalism, impaired driving, alcohol poisoning, and sexual assault. Responding to these parties places a costly burden on police, fire, and emergency services.

Coalitions across the State educate communities on the dangers of underage drinking parties and the importance of holding social hosts accountable for the costs these parties impose on communities. Coalitions educate communities on current laws regarding providing alcohol to minors as well as the importance of youth abstention until 21 to reduce the likelihood of alcohol addiction.

Organizations such as Texans Standing Tall (TST) train law enforcement on controlled party dispersal, so law enforcement can respond to parties and ensure the safety of the youth attendees and the surrounding community. And, where social host ordinances have been passed, TST provides support to law enforcement and communities to develop standard operating procedures for enforcing those laws. Similarly, the Texas Municipal Courts Education Center (TMCEC) offers judicial education on topics related to social hosting.

Conduct of Community-Based Programs

TxDOT supports utilizing community-based programs that reach target audiences in diverse settings, including:

- Advocacy Groups
- Coalitions
- Community and Professional Organizations
- Driver Education Programs – Public and Private
- Employers and Employer Networks
- Faith-Based Organizations
- Local and State Safety Programs
- Parents and Caregivers
- Public Health Institutions
- Schools – Public and Private (inclusive of K-12 and Institutions of Higher Education)
- Statewide Organizations

Schools and Education

In educational environments, community-based programs use public information, education simulators, and training initiatives to engage students, parents and caregivers, school staff and support personnel, and employers and employees to change social norms by reducing alcohol misuse and abuse and impaired driving.

Texas driver education schools licensed or certified by the Texas Department of Licensing and Regulation (TDLR) provide Texas' young drivers alcohol awareness instruction. This early education is designed to prevent young drivers from getting behind the wheel while impaired.

In addition, Texas provides a variety of programs to address impaired driving needs in schools at the grassroots level. For example, TTI has been widely deploying a peer-to-peer program at the high school level for over a decade. Identified for the last several years as a national best practice, the Teens in the Driver Seat® program is designed to engage, empower, and activate students to become young traffic safety advocates. The program has reached over 750 high schools in Texas.

Similarly, the National Safety Council's (NSC) Alive at 25 program has been incorporated into some municipal courts, and teens may be required to participate in the program. Alive at 25 has also been utilized with employers that employ those under 25 years in age as well as in the employer arena for employees who have teens.

Finally, the Texas Association Family, Community, Career, Leaders of America's FACTS (Families Acting for Community Traffic Safety) program puts the brakes on impaired driving and traffic crashes through peer education that encourages friends and family to drive safely and lowers the number one cause of deaths for young people in America.

Other community-based programs have included public outreach efforts by various social service entities and organizations as a part of their core public health and safety mission. This includes activities launched by municipal courts, hospitals, regional education service centers, social advocacy groups, institutions of higher education, and private companies. An example is how municipal court programs utilize judges and court staff as resources on impaired driving issues in schools and communities. In addition, hospitals such as Baylor Scott and White Hillcrest employ programs such as the Texas Reality Education for Drivers (RED) Program which is designed to impact risky teen driving behavior. RED educates on driving secure by wearing a seatbelt, driving silent by being free of distractions like cellphones, and driving sober by refraining from using alcohol or other drugs.

The workplace is an important area for prevention outreach since the impact of impaired driving not only affects the individual worker and co-workers but also the employer through lost work time, productivity, poor performance, re-hiring and training costs, and potential legal liability.

Employers

Building an on-going traffic safety culture of preventing impaired driving is also achieved through employers. Transportation is the leading cause of workplace fatalities and incidents. As 80% of Texans are employed or live with someone who is employed, and employees drive to and from work and may drive as a part of their job, utilizing the employer is critical to addressing impairment. The Network of Employers for Traffic Safety (NETS) reported that employers paid \$6 billion dollars due to alcohol-impaired driving. Annually, employers pay significantly as a result of lawsuits and fines that may be imposed.

The workplace is an important area for prevention outreach since the impact of impaired driving not only affects the individual worker and co-workers but also the employer through lost work time, productivity, poor performance, re-hiring and training costs, and potential legal liability. Employers are driven to make changes as a result of exposure to liability, costs and what impacts their bottom line. Impaired driving has a significant impact to the employer; whether it occurs on or off the job. In fact, 81% of an employer's fringe costs are a result of off-the-job behaviors. Impaired driving that occurs within someone's family can also impact the worker, co-workers, and employer. Therefore, employer training, on-going education in a multifaceted approach and messaging, employee assistance programs, and employee health fairs are important opportunities which are used to address driver behavior in the area of impairment. The NSC's Our Driving Concern: Texas Employer Traffic Safety Program speaks to these issues and more.

Community Coalitions and Traffic Safety Programs

In order to capitalize on the potential impact that community outreach can make on the impaired driving problem, Texas utilizes a variety of organizations to raise awareness and, purposefully, impact behavior. These organizations include those groups that both have and have not historically addressed traffic safety.

TxDOT has worked to create and facilitate the continuation of local coalitions. The local nature and membership diversity of these coalitions allow for effective dissemination of information as well as provide for input at the state level for strategic and operational initiatives.

Many of the 25 TxDOT districts support local traffic safety coalitions, which include focusing on impaired driving. The TxIDTF participates in these and other local community coalitions to educate stakeholders about the impaired driving problem and serve as an conduit of information between the State and local stakeholders.

Additionally, TST hosts regional forums and trainings based on initiatives that start at the community level to address impaired driving. Additionally, TST is currently assessing community coalitions and has built [an online, searchable tool](#) that allows organizations to connect with coalitions in order

to identify areas of potential collaboration. This provides organizations opportunities to leverage efforts and resources to reduce underage alcohol use and impaired driving.

Recommendations from the 2015 Impaired Driving Technical Assessment

A. Responsible Alcohol Service

Priority Recommendation: Enact a \$.10 per drink excise tax increase and dedicate a portion of new revenues to alcohol abuse and impaired driving prevention and treatment

Status: Requires Legislative Action

Background: While use of fees to support project self-sufficiency is a priority, there is concern that taxes, fees, and charges will have opposition. The excise tax is not calculated according to a percentage of the price of the alcohol but rather by the gallon. The “dime a drink” idiom is used to simplify the discussion of the strategy. There is no discussion of changing the methodology of the tax but to raise the tax per gallon.

In 2015, TST developed a report on the Effects of Alcohol Excise Tax Increases on Public Health and Safety in Texas.” In 2016, TST commissioned Baseline & Associates to conduct a statewide public opinion survey on report content as it related to increasing alcohol excise taxes. Results showed that 65% of registered voters support increasing the alcohol excise tax to improve public health and safety.

Recommendation: Implement high visibility underage drinking enforcement, including party patrols and compliance checks, supported by media campaigns

Status: Ongoing

Background: TxDOT and the TxIDTF address underage drinking enforcement through different projects that utilize alcohol retail stings, media campaigns, and high visibility enforcement projects.

Recommendation: Enact a strict social host liability statute holding all individuals liable for damages resulting from over service of alcohol to guests

Status: Requires Legislative Action

Background: TABC regulates this issue which allows the State or a private citizen to hold accountable those individuals or establishments that overserve alcohol to individual guests or patrons. Administrative and criminal actions can be levied against individual servers or establishments that over sell or overserve.

TST provides education to local communities on how to address social access and social hosting through local, civil social host ordinances. In addition, TST trains law enforcement on controlled party dispersal techniques to ensure the safety of the youth attendees and the surrounding community. Research indicates local civil social host

ordinances are a more effective means to address youth social access to alcohol and underage drinking parties, and several cities in Texas have adopted such ordinances. In addition, TMCEC offers judicial education on topics related to social hosting.

B. Community Based Programs

1. Schools

Recommendation: Provide schools with current, Texas-specific impaired driving information for inclusion in health and other curricula

Status: Ongoing

Background: TxIDTF member organizations provide a variety of impaired driving information and educational programs at secondary schools statewide. Much of this effort is led by the Texas Education Agency and TDLR through TxDOT-sponsored and other non-sponsored projects, such as Teens in the Driver Seat, U-in-the-Driver Seat, Education Service Center (ESC)-Region 6, Travis County Underage Drinking Prevention Program, Watch UR BAC, TABC, and the Texas Association Family, Community, Career, Leaders of America's FACTS and Driver Education Schools.

Recommendation: Coordinate school-based impaired driving activities with evidence-based alcohol and substance abuse prevention programs

Status: Ongoing

Background: The TxIDTF Education Subcommittee is currently developing a "reference book" of evidence based alcohol and/or drug awareness programs and TxDOT-sponsored programs that can be implemented in schools. As part of the development of the reference book, the Education Subcommittee has identified and aligned TEKS to each of the identified programs. TEKS are State standards for what students should know and be able to do, and their inclusion in the reference book will lead to a greater likelihood of schools implementing the identified programs. The reference book is expected to be completed in FY 2019 and will be distributed to schools.

2. Employers

Recommendation: Continue and expand the Our Driving Concern: Texas Employer Traffic Safety Program

Status: Ongoing

Background: TxDOT continues to support and fund the National Safety Council's Our Driving Concern Program that addresses impaired driving within occupational settings, as well as Sam Houston State University's (SHSU) Drug Impairment for Texas Educational Professionals Program. The State also supports other TxIDTF members for their effort in educating organizations about impairment as it relates to occupational settings.

3. Community Coalitions and Traffic Safety Partners

Recommendation: Conduct an assessment of community-based coalitions that address alcohol and substance use to determine the extent and nature of impaired driving prevention strategies and areas for potential collaboration with the traffic safety community

Status: Ongoing

Background: In FY 2017 and FY 2018, TST received grants to conduct an assessment of community-based coalitions and their prevention work in Texas. Results demonstrated that coalitions and the traffic safety community could benefit from extra training and support to identify and enhance collaborative opportunities. Assessment results are available via [an online searchable tool](#) for public use. The tool helps connect individuals and groups so they can collaborate to reduce underage drinking and impaired driving in Texas. TST also developed a report of the assessment findings with recommendations to increase collaboration between coalitions and the traffic safety community. In FY 2019, TST received funding to act upon the assessment results as indicated in the status section.

4. Transportation Alternatives

Recommendation: Coordinate highway safety plans and programs with substance abuse prevention plans and programs

Status: Not Currently Being Addressed

Background: The TxIDTF has been unable to identify appropriate individuals or organizations to progress this recommendation. The TxIDTF has worked to encourage employers, educators, community supervision/probation officers, juvenile case managers, and health care professionals to implement policies and procedures that assist them in screening and assessing individuals so that they might be referred for treatment.

Recommendation: Ensure that all designated driver programs stress “no use of alcohol” messages for the designated driver

Status: Ongoing

Background: Through a competitive bidding process, GDC Marketing and Ideation was selected as the vendor for the statewide impaired driving campaign and tasked with building a year-long integrated marketing and communications effort.

Recommendation: Ensure alternative transportation programs do not encourage or enable excessive drinking

Status: Ongoing

Background: Through a competitive bidding process, GDC Marketing and Ideation was selected as the vendor for the statewide impaired driving campaign and tasked with building a year-long integrated marketing and communications effort.

Recommendation: Ensure that both designated driver and safe ride programs prohibit consumption of alcohol by underage individuals and do not unintentionally promote over-consumption

Status: Ongoing

Background: Through a competitive bidding process, GDC Marketing and Ideation was selected as the vendor for the statewide impaired driving campaign and tasked with building a year-long integrated marketing and communications effort.



III. Criminal Justice System

The impaired driving program in Texas must engage all facets of the criminal justice system including law enforcement, prosecution, judiciary, and community supervision correction departments (CSCDs, or probation). The following sections detail how Texas addresses the engagement of the criminal justice system into the State's impaired driving program.

Laws

According to NHTSA guidelines, each state is expected to enact impaired driving laws that are sound, rigorous, and easy to enforce and administer. These laws should clearly define the offenses, contain provisions that facilitate effective enforcement, and establish effective consequences. Details related to these guidelines and how Texas laws address each one are included in Table 3.

The Texas statute information is detailed according to the following:

- Penal Code (PC) – A body of laws relating to crimes and offenses and the penalties associated with their commission
- Transportation Code (TC) – Provides definition of rules, offenses and penalties for activities related to the transportation system
- Alcoholic Beverage Code (ABC) – Comprised of statutes related to the sale and consumption of alcoholic beverages
- Code of Criminal Procedure (CCP) – The main legislation related to the procedure for the administration of criminal law
- Health and Safety Code (HSC) – Comprised of statutes and regulations related to controlled substance laws and individuals and organizations providing health care records associated with these activities

Table 3. NHTSA recommended Laws, Provisions for Law Enforcement, and Penalties for Impaired Driving

NHTSA Recommendations	Texas Statutes and/or Commentary
Driving while impaired by alcohol or other drugs (whether illegal, prescription or over-the counter) and treating both offenses similarly;	PC 49.01(2) defines intoxication as caused by “alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, or any other substance into the body.” This definition allows DWI and related offense prosecution by impairment caused by anything. Yes, anything, perhaps the most inclusive statute in the nation.
Driving with a blood alcohol concentration (BAC) limit of .08 grams per deciliter, making it illegal “per se” to operate a vehicle at or above this level without having to prove impairment;	PC 49.01 (1) and (2) B Definitions TC 724.001 (9) Definitions
Driving with a high BAC (i.e., .15 BAC or greater) with enhanced sanctions above the standard impaired driving offense;	PC 49.04(D) DWI First time offenders with a BAC over .15 are subject to the highest misdemeanor punishment under the law.
Zero Tolerance for underage drivers, making it illegal “per se” for people under age 21 to drive with any measurable amount of alcohol in their system (i.e., .02 BAC or greater);	ABC 106.041 Driving or Operating Watercraft Under the Influence of Alcohol by a Minor Texas statute provides for a provision of any detectable amount of alcohol a person is < 21 years of age. Can be prosecuted for higher offense of DWI when the BAC is .08 or above, or for

NHTSA Recommendations	Texas Statutes and/or Commentary
	the loss of normal use of mental or physical faculties due to the introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, or any other substance into the body.
Repeat offender with increasing sanctions for each subsequent offense;	PC 49.09 Enhanced Offenses and Penalties ABC 106.041 Driving or Operating Watercraft Under the Influence of Alcohol by a Minor Texas frequently sentences its worst repeat DWI offenders with life sentences.
BAC test refusal with sanctions at least as strict or stricter than a high BAC offense;	TC 524.022 Period of Suspension
Driving with a license suspended or revoked for impaired driving, with vehicular homicide or causing personal injury while driving impaired as separate offenses with additional sanctions;	TC 521.202 Ineligibility for License Based on Certain Convictions TC 521.292 Department's Determination for License Suspension TC 521.457 Driving While License Invalid
Open container laws, prohibiting possession or consumption of any open alcoholic beverage in the passenger area of a motor vehicle located on a public highway or right-of-way (limited exceptions are permitted under 23 U.S.C. 154 and its implementing regulations, 23 CFR Part 1270);	PC 49.04(c) Driving While Intoxicated PC 49.031 Possession of Alcoholic Beverage in a Motor Vehicle
Primary seat belt provisions that do not require that officers observe or cite a driver for a separate offense other than a seat belt violation.	TC 545.413 Safety Belts; Offense TC 545.412 Child Passenger Safety Seat Systems; Offense
Authorize law enforcement to conduct sobriety checkpoints, (i.e., stop vehicles on a nondiscriminatory basis to determine whether operators are driving while impaired by alcohol or other drugs);	Texas does not have a statute allowing sobriety checkpoints to be conducted in the State. Texas courts have ruled sobriety checkpoints cannot be established without legislative enactment. Repeated attempts to pass such a law have failed.

NHTSA Recommendations	Texas Statutes and/or Commentary
Authorize law enforcement to use passive alcohol sensors to improve the detection of alcohol in drivers;	TC 724.012(a) Taking of Specimen An officer may obtain one or more samples of breath and/or blood.
Authorize law enforcement to obtain more than one chemical test from an operator suspected of impaired driving, including preliminary breath tests, evidential breath tests, and screening and confirmatory tests for alcohol or other impairing drugs;	TC 724.012(a) Taking of Specimen An officer may obtain one or more samples of breath and/or blood.
Require law enforcement to conduct mandatory BAC testing of drivers involved in fatal crashes.	TC 724.012(b) Taking of a Specimen Texas still has requirements for a mandatory specimen for certain offenses. The original law allowed officers to take a specimen without a warrant, including if the defendant refused to voluntarily provide one. While Missouri v. McNeely no longer allows involuntary blood draws to occur without either exigent circumstances or a warrant, the Texas law itself still requires that a specimen be taken for those certain offenses. For that reason, law enforcement frequently applies for a blood search warrant.
Administrative license suspension or revocation for failing or refusing to submit to a BAC or other drug test;	TC 524 Administrative Suspension of Driver's License for Failure to Pass Test for Intoxication TC 724 Implied Consent
Prompt and certain administrative license suspension of at least 90 days for first-time offenders determined by chemical test(s) to have a BAC at or above the State's "per se" level or of at least 15 days followed immediately by a restricted, provisional or conditional license for at least 75 days, if such license restricts the offender to operating only vehicles equipped with an ignition interlock;	TC 724.032 Officer Duties for License Suspension; Written Refusal Report TC 724.033 Issuance by Department of Notice of Suspension or Denial of License TC 724.035 Suspension or Denial of License TC 524.022 Period of Suspension TC 521.2465 Restricted License

NHTSA Recommendations	Texas Statutes and/or Commentary
<p>Enhanced penalties for BAC test refusals, high BAC, repeat offenders, driving with a suspended or revoked license, driving impaired with a minor in the vehicle, vehicular homicide, or causing personal injury while driving impaired, including longer license suspension or revocation; installation of ignition interlock devices; license plate confiscation; vehicle impoundment, immobilization or forfeiture; intensive supervision and electronic monitoring; and threat of imprisonment;</p>	<p>PC 49.09 Enhanced Offenses & Penalties TC 521.246 Ignition Interlock Device Requirements TC 521.248 Order Requirements TC 521.342 Person Under 21 Years of Age TC 521.344 Suspensions for Offenses Involving Intoxication TC 521.345 Suspension Under Juvenile Court or Under of Court Based on Alcoholic Beverage Violation by Minor TC 521.372 Automatic Suspension, License Denial CCP 42.12 § 13 DWI Community Supervision CCP 17.441 Conditions Requiring Motor Vehicle Ignition Interlock TC 524 Administrative Suspension of Driver’s License for Failure to Pass Test for Intoxication TC 521.457 Driving While License Invalid TC 521.2465 Restricted License</p>
<p>Assessment for alcohol or other drug abuse problems for all impaired driving offenders and, as appropriate, treatment, abstention from use of alcohol and other drugs, and frequent monitoring;</p>	<p>Texas does not have a statute that requires assessment for alcohol or other drug abuse problems for all impaired driving offenders. But, for probation cases, CCP 42A.257 and 42A.402 mandates evaluations for alcohol and drug rehabilitation.</p>
<p>Driver license suspension for people under age 21 for any violation of law involving the use or possession of alcohol or illicit drugs.</p>	<p>ABC 106.02 Purchase of Alcohol by Minor ABC 106.071 Punishment for Alcohol Related Offense by Minor ABC 106.04 Consumption of Alcohol by Minor ABC 106.05 Possession of Alcohol by Minor ABC 106.07 Misrepresentation of Age by a Minor ABC 106.115 Attendance at Alcohol Awareness Course; License Suspension</p>

NHTSA Recommendations	Texas Statutes and/or Commentary
	PC 49.02 Public Intoxication

Enforcement

Texas law enforcement includes officers from TxDPS, police agencies (municipalities, university, school districts, etc.), sheriff's offices, constables, and agents with TABC and Texas Parks and Wildlife. One of the primary goals of the 2015 Impaired Driving Technical Assessment was to increase training provided to Texas law enforcement officers in the area driving while intoxicated/driving under the influence (DWI/DUI) of drugs. For a statewide program to be effective, law enforcement officers must be educated and, subsequently, motivated, to see driving while intoxicated as an important component of their enforcement activities.

Texas has provided a long-standing program on updated case law; enforcement techniques such as in-car mobile video and/or officer body worn camera recording of DWI, boating while intoxicated (BWI), drugged driving offenses, SFST, and blood search warrant procedures on a statewide basis. Texas also provides the Drug Evaluation Classification Program (DECP), which trains officers to become DREs and provides ARIDE education.

Texas has developed integrated professional relationships between law enforcement, prosecutors, judicial educators, advocacy groups, and prevention that have helped to usher in initiatives that have a positive impact on impaired driving-related fatalities. One of the tools the criminal justice system uses is the Law Enforcement Advanced DUI/DWI Reporting System (LEADRS). LEADRS was designed by prosecutors, law enforcement officers and judges to assist law enforcement officers in DWI report writing.

Additionally, TABC has implemented a new program called Target Responsibility for Alcohol Connected Emergencies (TRACE). TRACE is a law enforcement operation that investigates the source of DWIs resulting in serious bodily injury and/or death and other alcohol-related emergencies resulting in serious bodily injury and/or death. All local law enforcement and first responders may contact TABC for assistance when investigating an alcohol-related incident resulting in serious bodily injury or death, which involves a minor or someone suspected of being sold or served at a TABC-licensed location. To facilitate incident reporting, TABC has established a hotline for emergency responders and law enforcement personnel. Any Texas Emergency Responder or Law Enforcement personnel may use the number to contact TABC regardless of location. Calls will be dispatched to TABC Law Enforcement personnel located throughout the State of Texas. TABC agents will determine where the alcoholic beverages were acquired, purchased, or served.

Texas has developed integrated professional relationships between law enforcement, prosecutors, judicial educators, advocacy groups, and prevention that have helped to usher in initiatives that have a positive impact on impaired driving-related fatalities.

Publicizing High Visibility Enforcement

Texas has an integrated approach that combines enforcement initiatives with targeted public information and education campaigns. TxDOT works closely with local and state law enforcement agencies to roll out media campaigns in the form of events, distributed materials, as well as earned and purchased media.

One example of implementing high visibility enforcement are No-Refusal initiatives. No-Refusal is a high-profile, organized enforcement strategy designed to combat intoxicated driving. This strategy generally brings law enforcement, prosecutors, magistrates, and medical personnel together in a concerted effort to successfully arrest, prosecute, and convict intoxicated drivers. Through this strategy, law enforcement is able to quickly obtain search warrants from “on call” magistrates in order to take blood samples from suspected intoxicated drivers who refuse voluntary breath or blood tests. No-Refusal initiatives thus take away the driver’s ability to refuse to provide scientific evidence of intoxication.

These initiatives are publicized at the local level consistent with when they are deployed (i.e., full-time, holidays, or weekends). The statewide media campaigns that address impaired driving in general augment the local marketing of these initiatives. Currently operating in a number of jurisdictions, including in Austin, Dallas, San Antonio, and Montgomery County, No-Refusal initiatives are a good example of how high visibility enforcement is publicized using local and statewide media. Texas conducts analyses of biological (breath and blood) specimens collected as evidence in criminal cases through the TxDPS Laboratory system, the Texas Breath Alcohol Testing program, and other private- or publicly-funded laboratories recognized as accredited by the Texas Forensic Science Commission.

Prosecution

Texas has strong support at the state and local level in regards to prosecuting DWI and DUI offenders. The Texas District and County Attorneys Association (TDCAA) supports the Traffic Safety Resource Prosecutor (TSRP). This association provides technical assistance, training, education, and case resources for prosecutors processing impaired driving cases. The TSRP has been a long-standing, critical member of the TxIDTF and is instrumental in integrating representatives from law enforcement through adjudication to improve DWI processing. The TSRP has been a significant champion of No-Refusal initiatives by providing training and technical assistance throughout the State.

At the local level, many prosecutors have joined in implementing integrated approaches to address their jurisdiction’s impaired driving problem. An overwhelming majority of Texas elected prosecutors hold DWI prosecution to be a priority of their offices. Several local prosecutors are members of the TxIDTF and provide a practical perspective related to processing DWI cases through the criminal justice system – many of whom are responsible

for implementing No-Refusal programs in their jurisdictions. Many of these prosecutors also spend time and resources to develop localized DWI task forces and work to train law enforcement on DWI procedures and enforcement strategies. Additionally, TMCEC trains and provides technical assistance to prosecutors, judges, and court support personnel on the adjudication of juvenile DUI cases. The combination of the TSRP and local prosecutors offers the benefit of diverse perspectives in regards to prosecuting DWI cases.

Adjudication

Different types of courts have specific roles in dealing with the impaired driving problem in the State. The TxDOT Alcohol and Other Drug Countermeasures Program has worked to improve communication between each of these courts.

The Texas court system typically becomes involved in a DWI case within 48 hours of arrest, when the offender appears before a magistrate who sets bond and appropriates conditions of bond, including mandatory controlled substance testing and/or the installation of an ignition interlock device.

Bond conditions are important in DWI cases because those conditions restrict and monitor the defendant's behavior until the case is finalized. Courts are encouraged as a best practice, and in some cases, mandated by statute, to order ignition interlock devices and other alternatives as a condition of bond to keep the community safe while the case is being prosecuted.

After a charging instrument is filed with a trial court, that court oversees the disposition of the case. Impaired driving defendants have the right to a trial by jury for both the guilt/innocence and punishment phases of a trial. However, the majority of DWI cases will be disposed via plea bargain. Trial courts include specialized DWI/drug courts where criminogenic risk factors and substance abuse issues are addressed with daily supervision from a specialized staff with the goal of addressing the root cause of impaired driving: alcohol and other drugs of abuse.

Other courts, without the DWI/drug court approach, may use more traditional approaches to DWI cases, but they are encouraged to enhance the close monitoring of DWI offenders through the use of ignition interlocks and other transdermal alcohol detection devices.

Each of the different courts has a statewide association that is funded to provide technical assistance and provide education specifically related to impaired driving. These different associations come together once a year to provide education to all of the courts on issues impacting adjudication of impaired driving cases. This integration of the judiciary and the practical continuing education has proven to be a critical element in addressing the problem of impaired driving as well as traffic records and other traffic safety

The TxDOT Alcohol and Other Drug Countermeasures Program has worked to improve communication between various Texas courts.

Members of the TxIDTF train judges in smaller jurisdictions to employ the precepts of a DWI/drug court to create hybrid approaches.

issues. The associations also independently provide education on impaired driving to their constituencies.

Texas has instituted specialty courts that are able to address the adjudication and treatment aspects of the impaired driving problem. Members of the TxIDTF have also trained judges in smaller jurisdictions to employ the precepts of a DWI/drug court to create hybrid approaches.

The courts that deal with underage alcohol offenses or public intoxication have the opportunity to impact offenders prior to them driving impaired while other courts deal directly with DWI cases. The TMCEC trains courts on implementing “teen court,” a system of being judged by one’s peers that has proven effective in reducing recidivism by the power of peer influence. Recidivism refers to a person’s relapse into criminal behavior often after a person receives sanctions or undergoes intervention for a previous crime. Recidivism is measured by criminal acts that resulted in rearrests, reconviction, or return to prison with or without a new sentence within a three-year period following the individual’s release.

Community Supervision

Offenders who have been convicted of an impaired driving offense have two sentencing options: jail time or community supervision, also known as probation. In most impaired driving cases, the offender is placed on community supervision for a period of 6-24 months. During this time, the offender will likely be required to:

- Report to CSCD or assigned CSCD officer monthly
- Pay any fines, court costs, CSCD fees, and treatment costs ordered
- Complete community service (no less than 24 hours, no more than 100 hours)
- Attend a state-approved DWI education course within the first six months of supervision
- Attend a victim impact panel
- Complete an alcohol and drug evaluation to determine any substance abuse issues, and/or
- Complete random substance testing (usually urinalysis and/or breathalyzer)

These general community supervision conditions can be amended by the court or prosecution (prior to disposition) to allow for the unique needs of each offender to be met.

Additionally, post-disposition, the court may amend these conditions at its discretion. The most common addition to the aforementioned community supervision conditions is the installation of an ignition interlock device in the offender’s vehicle. Depending on the case, a court has the discretion to order an ignition interlock as a condition of community supervision. However, there are some situations where an ignition interlock is mandated by law.

An offender cannot receive deferred adjudication for an impaired driving offense in Texas. As a result, many prosecutors have developed Pre-Trial Diversion programs. These programs function the same way a deferred adjudication would: requiring the offender to complete a period of supervision successfully in exchange for the charge to be dismissed. This condition typically comes with the understanding that if the person is arrested a second time for an impaired driving offense they will be treated as a repeat offender. Pre-Trial Diversion programs vary in length and requirements vary from county to county. Each is run at the discretion of the prosecutor's office in that county.

The 2019 Legislature has passed a bill that would allow deferred adjudication for first time DWI offenses that don't involve a BAC of .15 g/dL or above if the defendant installs an ignition interlock.

Ignition Interlock Program

An ignition interlock is an alcohol-specific device that is wired into the ignition of a vehicle to prevent the driver from starting the vehicle after consuming alcohol. The device requires the driver to provide an alcohol-free breath sample in order for the vehicle to start. Once the vehicle is started, the device requires the driver to provide additional breath samples at randomly occurring intervals.

Ignition interlock is a mandated condition for certain impaired driving offenders. For those offenders on bond, an ignition interlock should be ordered when the offense is intoxication assault or intoxication manslaughter. Additionally, ignition interlock is required if this is a subsequent impaired driving offense for the offender.

For offenders placed on community supervision for intoxication assault or intoxication manslaughter, ignition interlock is mandated. Subsequent impaired driving offenders must also be ordered an ignition interlock. Effective September 1, 2015, an offender is allowed to operate a vehicle during a period of suspension if the offender installs an ignition interlock on all vehicles owned or operated by the offender. The ignition interlock must remain on all vehicles owned or operated by the offender until the suspension period is over. However, first offenders with a BAC of 0.15 g/dL or more, or who are under the age of 21 at the time of arrest must be ordered an ignition interlock when placed on probation.

Typically, an offender who is ordered an ignition interlock will be required to have the device installed within 30 days of judgment or as a condition of bond. Offenders are usually required to keep the device installed for half of their ordered supervision period, assuming no violations occur.

While many circumstances require an ignition interlock be ordered, courts have the judicial discretion to order a device in other cases as they see fit. Courts also have the discretion to waive the ignition interlock requirement.

Ignition interlock is an alcohol-specific device that is wired into the ignition of a vehicle to prevent the driver from starting the vehicle after consuming alcohol.

TTI, TMCEC, TCJ, Texas Justice Court Training Center (TJCTC), and Texas Association of Counties (TAC) train judges and/or court staff on ignition interlock laws.

Administrative Sanctions and Driver Licensing Programs

Texas utilizes administrative sanctions related to impaired driving offenses for both adult and underage individuals. The license sanctions are intended to serve as both general and specific deterrence tactics to prevent impaired driving. Texas provides information related to the consequences of impaired driving in statewide media campaigns. The information on graduated driver licensing (GDL), zero-tolerance laws, and the requirements related to ignition interlock devices are integrated into the administrative sanctions and driver licensing program in Texas. This information is also part of the driver education curriculum.

Administrative License Revocation (ALR) is a traffic safety countermeasure that authorizes law enforcement to confiscate the driver’s license of an individual arrested on suspicion of DWI/DUI and who either refuses to submit to a chemical test (breath or blood) or whose test results indicate a BAC above the per se limit of 0.08 g/dL. Drivers are given a notice of suspension that allows them to drive temporarily, and during such time the suspension may be challenged through an administrative hearing. If the suspension is either not challenged through the hearing process or the suspension is upheld during the hearing, then the driver may have their license suspended for an extended period of time and/or receive an occupational license that allows them to transport themselves to and from work. Table 4 lists the ALR sanctions for adults and Table 5 lists the ALR sanctions for minors.

In addition to these administrative initiatives, Texas is working with prosecution, judiciary, and community supervision professionals to maximize the use of ignition interlock devices to reduce recidivism associated with impaired driving.

Table 4. ALR Sanctions for Adults

Refused to provide a specimen following an arrest for DWI/BWI	180 days	First Offense
Provided a specimen with an alcohol concentration of 0.08 or greater, following an arrest DWI/BWI	2 years	If previously suspended for failing or refusing a specimen test or previously suspended for a DWI, Intoxication Assault or Intoxication Manslaughter conviction during the

		10 years preceding the date of arrest
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Table 5. ALR Sanctions for Minors

Refused to provide a specimen following an arrest for DWI/BWI	180 days	First Offense
	2 years	If previously suspended for failing or refusing a specimen test or previously suspended for a DWI, Intoxication Assault or Intoxication Manslaughter conviction during the 10 years preceding the date of arrest
Provided a specimen with an alcohol concentration of 0.08 or greater (or any detectable amount), following an arrest DWI/BWI or was not requested to provide a specimen following an arrest for an offense	60 days	First Offense
	120 days	If previously convicted of an offense under Section 106.041, Alcoholic Beverage Code or Sections 49.04, 49.07, or 49.08 Penal Code, involving the operation of a motor vehicle
	180 days	If previously convicted twice or more of an offense under Section 106.041, Alcoholic Beverage Code or Sections 49.04, 49.07, or 49.08 Penal Code, involving the operation of a motor vehicle

Recommendations from the 2015 Impaired Driving Technical Assessment

A. Laws

Priority Recommendation: Enact reasonable constitutional guidelines through one or more politically accountable governing bodies regarding driving while intoxicated (DWI)/sobriety checkpoints

Status: Requires Legislative Action

Background: Bills related to sobriety checkpoints have been introduced to the legislature during the last several sessions without success. Texas has taken an alternative approach to address the problem of impaired driving with No-Refusal programs in multiple counties throughout the state. In FY 2019, TxDOT provided grant

funding for No-Refusal programs in Bexar, Harris, Montgomery, and Tarrant Counties.

No-Refusal initiatives are a high-profile, organized enforcement strategy designed to combat intoxicated driving. This strategy generally brings law enforcement, prosecutors, magistrates, and medical personnel together in a concerted effort to successfully arrest, prosecute, and convict intoxicated drivers. Through this strategy, law enforcement can quickly obtain search warrants from “on call” magistrates to take blood samples from suspected intoxicated drivers who refuse voluntary breath or blood tests. No-Refusal initiatives thus take away the driver’s ability to refuse to provide scientific evidence of intoxication. These initiatives are publicized at the local level consistent with when they are deployed (i.e., full-time, holidays, or weekends). The statewide media campaigns that address impaired driving in general augment the local marketing of these initiatives.

Recommendation: Utilize driver license checkpoints, pursuant to Texas Transportation Code 521.025, to monitor compliance with motor vehicle statutes related to safe operation on Texas streets and highways in the absence of legislation authorizing sobriety checkpoints

Status: Requires Legislative Action

Background: At present, sobriety checkpoints are not supported in Texas and as such using a license checkpoint as a pretext for impaired driving is not legal nor is it ethical.

Priority Recommendation: Codify driving while intoxicated deferral, diversion, and pretrial intervention programs so as to provide uniform statewide guidelines, requirements, and procedures that regulate the implementation, operation, and applicability of such programs

Status: Requires Legislative Action

Background: Standards and policy for driving the practice are being explored, however, there does not appear to be a clear path toward standardizing the practice yet.

Priority Recommendation: Enact a statute that establishes a uniform statewide driving while intoxicated case tracking system in which all DWI charges are required to be charge on specifically numbered uniform traffic citations, the disposition of which must be reported to a central record keeping system regardless of whether the offense is refiled as an information, indictment, or results in a dismissal, deferral, diversion, amendment, or reduction of the original citation to a non-alcohol related offense

Status: Requires Legislative Action

Background: TTI received a traffic safety grant in FY 2017 to determine the feasibility of developing a DWI tracking system in Texas. Developing such a database is a tremendous undertaking, and many of processes that would streamline its creation are not in place. Due to limited funds and prioritization, further progress of developing a DWI

tracking database is not being pursued through the end of FY 2019. However, this continues to be a priority need for TxDOT, and TxDOT continues to seek request for proposals to address this need.

B. Enforcement

Recommendation: Expand development and deployment of the driving under the influence (DUI) report writing programs to reduce processing time

Status: Ongoing

Background: As part of the Law Enforcement Advanced DUI/DWI Reporting System (LEADRS) expansion, the program will continue to focus on the report writing process. LEADRS now features electronic signing for warrants. Officers using LEADRS have reported over a 50% reduction in processing time. Processing a DWI paperwork with LEADRS typically takes an officer 60-90 minutes. LEADRS can be accessed from any computer, tablet, etc. with internet and offers free 24-hour technical support.

Recommendation: Enact a statute that allows well-planned and fairly executed sobriety checkpoints

Status: Requires Legislative Action

Background: Bills related to sobriety checkpoints have been introduced to the legislature during the last several sessions without success. Texas has taken an alternative approach to address the problem of impaired driving with No-Refusal programs in multiple counties throughout the state. In FY 2019, TxDOT provided grant funding for No-Refusal programs in Bexar, Harris, Montgomery, and Tarrant Counties.

Recommendation: Continue Standardized Field Sobriety Tests (SFST) refresher training programs for patrol officers

Status: Ongoing

Background: The statewide effort for SFST update training is continued through several TxDOT-sponsored grants. In FY 2019, the Texas Municipal Police Association – SFST, and the Texas DPS Troopers Foundation provided this training.

Recommendation: Expand utilization of Drug Recognition Expert (DRE) officers in driving while intoxicated (DWI) mobilizations and fatal collision investigations

Status: Ongoing

Background: DREs are incorporated into mobilizations, No-Refusal enforcement activities, and fatal crash investigations (when available).

Recommendation: Increase the use of Texas Alcoholic Beverage Commission agents in Selective Traffic Enforcement Program activities

Status: Not Currently Being Addressed

Background: TxDOT sponsors many selective traffic enforcement programs (STEP) that address impaired driving. TABC is not one of the agencies that participate in STEP activities as a subgrantee. There could

be better coordination between TxDOT and TABC to communicate which communities receive STEP funding, enabling TABC to use the information for coordinating their operations. Growth in this area could allow for TABC to provide assistance in licensed premises investigations when serious injury crashes are investigated as part of a local police STEP grant or for individual or ride along support for STEP activities. However, TABC has increased the number of undercover operations that are funded through TxDOT grants (which include minor sting and over-service operations).

Recommendation: Continue regular Advanced Roadside Impaired Driving Enforcement (ARIDE) training classes that incorporate a refresher of the SFST and Introduction to Drugs that Impair Driving

Status: Ongoing

Background: The statewide effort for ARIDE is provided through a TxDOT grant administered by SHSU. ARIDE is intended to bridge the gap between the SFST and DECP/DRE programs by providing officers with general knowledge related to drug impairment and by promoting the use of DREs in states that have a DEC Program. The ARIDE course can be used as an SFST update. This course is designed to build on the SFST practitioner course. In order for the participant to effectively utilize the information presented in this course, NHTSA has set a prerequisite of SFST proficiency. The participant will receive a short review and update. All participants are required to pass an SFST proficiency evaluation. Failure to successfully complete the SFST proficiency evaluation will result in dismissal from class.

Priority Recommendation: Conduct additional Drug Recognition Expert (DRE) training classes to achieve and maintain an adequate contingent of DREs statewide

Status: Ongoing

Background: In addition to DRE training classes, the statewide effort for ARIDE and SFST update training is provided through TxDOT grants administered by SHSU, DPS State Troopers Association, and TMPA.

Priority Recommendation: Expand statewide partners for DRE training through regional training teams

Status: Ongoing

Background: SHSU continues to expand the DRE program and its partnership with other criminal justice constituents. Although not a formal role, SHSU has used “DRE regional coordinators” – who represent certain regions and assist in the delivery and coordination of information.

Recommendation: Update Drug Recognition Expert (DRE) protocols to require a copy of the face sheet be provided with the blood sample submitted for testing

Status: Ongoing

Background: The DECP Coordinator currently works with TxDPS to remind all the DREs to submit face sheets.

Recommendation: Provide regular, ongoing, training for prosecutors and members of the judiciary on the principles, effectiveness, and accuracy of SFSTs, the DRE program, and approved breath testing instrumentation

Status: Ongoing

Background: Training and seminars are being conducted through TxDOT at the local district and statewide levels. Through TxDOT-sponsored grants, TCJ, TDCAA, TJCTC, and TMCEC provide training for prosecutors and members of the judiciary. Prosecutors are encouraged and invited to attend the SFST update, ARIDE, and DRE courses.

Recommendation: Enact a statute establishing per se levels for controlled substances

Status: Requires Legislative Action

Background: The TxIDTF has discussed the benefits and drawbacks of establishing per se levels for controlled substances. Colorado, which has established per se levels for controlled substances, has advised other states against doing so. This is due to the inability to tie a per se level to a specific level of impairment. Colorado has advised other states to pursue focusing on demonstrating driver impairment through increased law enforcement and prosecutor training, such as ARIDE and DRE.

Recommendation: Provide training to law enforcement officers to enable them to properly enforce the Texas ignition interlock device statute

Status: Ongoing

Background: In FY 2017-2019, TTI received a grant to provide training to law enforcement and other stakeholders on ignition interlock devices and related statutes. For law enforcement officers, the training focuses on when an ignition interlock is required, how to recognize a driver's license with an ignition interlock requirement, and how to determine roadside if the device is functioning properly.

C. Prosecution

Recommendation: Review the organization, operation, and budget of the Office of the Traffic Safety Resource Prosecutor (TSRP) to determine if additional TSRPs should be funded for purposes including on-site assistance to prosecutors, particularly in rural jurisdictions, in the trial of complex DWI felonies and assistance in argument of motions with significant statewide implications

Status: Ongoing

Background: TDCAA and TxDOT provide ongoing internal and external assessment with regard to potential for expanding the TSRP program and staff. TDCAA provides ongoing technical assistance through e-mail and outreach to prosecutor offices, law enforcement officers, and other traffic safety professionals. However, there is potential for growth in the area of preparation and assistance at trial.

Recommendation: Encourage prosecutors and county attorneys to request judges not to permit DWI pleas for jail time in lieu of probation and to urge judges to place convicted DWI defendants on probation with supervision requirements of undergoing drug/alcohol assessment and treatment where indicated

Status: Jurisdictional Condition

Background: This is currently performed on a case-by-case basis by prosecutors who can request more punitive sanctions upon conviction. Prosecutorial discretion should be strongly considered, but it should be recognized that acceptable plea bargains depend upon the culture of the community.

Recommendation: Convene a meeting of the prosecutors and county attorneys to develop and recommend specific uniform statewide guidelines, standards, and requirements for the operation of DWI Pre-Trial Intervention programs

Status: Ongoing

Background: TDCAA program partners continue to work with their internal task force and state attorney's offices regarding standards for pre-trial diversion programs.

Recommendation: Adopt statutory guidelines for the operations of pre-trial deferral, diversion, and intervention programs

Status: Requires Legislative Action

Background: In Texas, a DWI offender cannot receive deferred adjudication for an impaired driving offense. As a result, many prosecutors have developed Pre-Trial Diversion programs. These programs largely function the same way deferred adjudication programs work. Most Pre-Trial Diversion programs require the offender to complete a period of supervision successfully in exchange for the charge against them to be dismissed. Dismissals are typically made with the understanding that if they are arrested a second time for an impaired driving offense they will be treated as a repeat offender. Pre-Trial Diversion programs vary in length and requirements, varying from county to county. Each program is administered at the discretion of the county prosecutor's office. The 2019 Texas Legislature has passed a bill that would allow deferred adjudication for first time DWI offenses that don't involve a BAC of .15 or above if the defendant installs an ignition interlock.

Recommendation: Educate law enforcement and other criminal justice stakeholders on how driver license checkpoints can be constitutionally operated and utilized

Status: Not Currently Being Addressed

Background: At present, sobriety checkpoints are not supported and as such using a license checkpoint as a pretext for impaired driving is not legal nor is it ethical.

Recommendation: Enact rules of professional conduct and disciplinary rules that either totally prohibit assistant prosecutors from engaging in civil law practice or that limit such civil practice to matters that do not involve issues related to pending criminal matters

Status: Requires Legislative Action

Background: To the TxIDTF's knowledge, there is only one attorney in Texas who is serving in this capacity. Because of the narrow nature of this problem as well as the inability of the TxIDTF to lobby or engage in legislative efforts, this has not been a recommendation the TxIDTF has pursued.

D. Adjudication

Recommendation: Convene a task force to investigate and report to the Governor and legislature the current deficient state of DWI record keeping and DWI case disposition practices so that appropriate remedies, statutory or otherwise, can be fashioned to address and cure such deficiencies

Status: Not Currently Being Addressed

Background: The TxIDTF developed and submitted a letter of support for the creation of the Governor's Executive Committee on Impaired Driving. The letter was submitted to the Texas Transportation Commission in February 2016 and again in November 2018. To date, the TxIDTF has received no response, and there is no forward motion for the creation of the Executive Committee at this time.

Recommendation: Continue funding for the further establishment and expansion of DWI/Drug Courts and for the training of judges, prosecutors, and other personnel needed to operate such courts

Status: Ongoing

Background: Many jurisdictions across the state of Texas have established DWI/Drug courts where criminogenic risk factors and substance abuse issues are addressed with daily supervision from a specialized staff with the goal of addressing the root cause of impaired driving: alcohol and other drugs of abuse. Specialty courts have the option to register with the Office of the Texas Governor. Currently, there are 21 active DWI courts listed with the Office of the Governor, however, more could exist which have not registered. TCJ provides training for new and continued education for existing DWI courts.

There is room for growth in this area specifically for creating drug courts and for establishing additional DWI and Drug courts at the statewide level.

Recommendation: Encourage judges to not permit DWI defendants to avoid probation where the best interest of the defendant and the public would be served by requiring the defendant to be supervised to complete assessment for alcohol and/or drug addiction and possible referral for treatment

Status: Jurisdictional Condition

Background: Currently, TxIDTF program partners such as TMCEC, TCJ, TCJTC, TAC, and TDCAA provide education to judges and prosecutors related to appropriate sentencing, but it is left up to the individual judge to determine appropriate sentencing.

Recommendation: Monitor pending caseloads in those jurisdictions in which there are delays exceeding 24-months in the disposition of DWI cases

Status: Ongoing

Background: Mothers Against Drunk Driving (MADD) participates in the Take-The-Wheel Program which provides training for court monitoring and assessment of trial outcomes. Participants monitor court cases in multiple jurisdictions around the state, including Bexar, Cameron, Dallas, El Paso, Gregg, Harris, Hidalgo, Montgomery, Smith, and Travis.

Recommendation: Enact a driving while intoxicated statute that would enable DWI/Drug Court judges, upon motion from the prosecutor, reward those who successfully complete a DWI/Drug court program of one year or longer in duration, by waiving surcharges/fines

Status: Requires Legislative Action

Background: TxDPS is responsible for the surcharge program which is part of the Driver Responsibility Program. Surcharges are administered post-conviction and sanctions are mandated under Chapter 708 Transportation Code. However, the presiding judge can waive surcharges if finding of indigence is made. Currently, there is no precedent for judges to waive surcharges as a reward for successful completion of a DWI/Drug court program. The 2019 Texas Legislature has passed a bill to do away with the surcharges.

E. Administrative Sanctions and Drivers Licensing Programs

1. Administrative License Revocation and Vehicle Sanctions

Recommendation: Ensure that ignition interlock monitoring is effective and that information about violations has some impact on the non-compliant user

Status: Ongoing

Background: In 2019, TTI received a grant from TxDOT to evaluate ignition interlock devices impact on recidivism of offenders. This evaluation will seek to understand the effect ignition interlock devices have on offenders and recidivism rates. To conduct this evaluation, TTI will work with one county with a high number of fatal alcohol related crashes. While this evaluation does not specifically look at sanctions applied to non-compliant users, it does seek to understand the penetration and impact of ignition interlock devices on users.

Recommendation: Notify and/or train law enforcement officers about the ignition interlock program and license so that they are able to recognize an interlock-restricted license and take appropriate action for noncompliance

Status: Ongoing

Background: In FY 2017-2019, TTI received a grant to provide training to law enforcement and other stakeholders on ignition interlock devices and related statutes. For law enforcement officers, the training focuses on when an ignition interlock is required, how to recognize a driver's license with an ignition interlock requirement, and how to determine roadside if the device is functioning properly.

Recommendation: Resolve the continued concern about the administrative hearings' negative impact on criminal cases based on a study the interaction of administrative and criminal proceedings

Status: Not Currently Being Addressed

Background: In Texas, ALR law authorizes police to confiscate the driver's license of an individual arrested on the suspicion of driving under the influence and/or driving while intoxicated who either refuse to submit to a chemical test (breath or blood) or whose test results indicate a BAC above the per se limit of 0.08 g/dL. At the time of license confiscation, drivers are given a notice of suspension that allows them to drive temporarily for a period of time until their license is suspended. During this temporary driving period, the suspension may be challenged through an administrative hearing. If the suspension is not challenged through the hearing process or the suspension is upheld during the hearing, then the driver may have their license suspended for an extended period and/or receive an occupational license that allows them to transport themselves to and from work.

At this time, no evaluation has been conducted to determine the impact of the ALR process on the criminal cases. A study of this magnitude would be difficult to complete in Texas due to the record retention policies of ALR courts and the length of time which often passes between the ALR hearing and disposition of the criminal case.

Recommendation: Conduct a study of the effect of the Responsible Driver Act surcharge on subsequent compliance and re-licensure of drivers to determine if alternative source of revenue should be sought

Status: Not Currently Being Addressed

Background: The Responsible Driver Act, which established the Driver Responsibility Program, authorizes TxDPS to assess surcharges to individuals who have been convicted of certain offenses. Under the Driver Responsibility Program, drivers who have been convicted of DWI will pay an annual surcharge for a period of three years from the date of conviction. The surcharges are as follows:

- 1st DWI - \$1,000
- 2nd DWI - \$1,500
- DWI with a BAC of 0.16 or more - \$2,000

At this time, no comprehensive study has been undertaken to evaluate the impacts of the Driver Responsibility Program on compliance, re-licensure or recidivism. The 2019 Texas Legislature has passed a bill to do away with the surcharges.

Recommendation: Provide accountability for the ignition interlock program by specifying in law or policy to whom responsibility for review of driver behavior and sanction of non-compliance belongs

Status: Requires Legislative Action

Background: Currently, no central agency has authority to monitor and ensure ignition interlock program compliance of offenders. At this time, each jurisdiction is entitled to establish monitoring policies and procedures within the jurisdiction. As a result, the ignition interlock program in Texas is not applied consistently or uniformly. Presently, compliance should fall to the court that ordered the ignition interlock. Notification of the court should come from CSCD personnel or other personnel responsible for the oversight of the convicted violator in cases where ignition interlock was a condition of supervision.

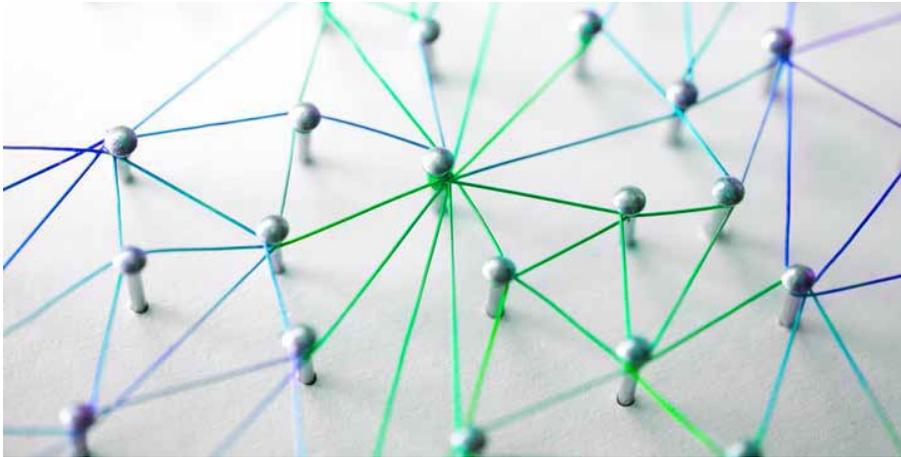
Recommendation: Enact a law that allows vehicle sanctions to be used for DWI convictions

Status: Requires Legislative Action

Background: Presently, Texas does not employ vehicle sanctions such as license plate impoundment or vehicle forfeiture as a sanction for DWI convictions. To implement these sanctions, the Texas Code of Criminal Procedure would need to be modified to allow it. The TxIDTF is unable to lobby for these changes.

2. Driver Licensing Programs

None



IV. Communication Program

Texas has developed and deployed a comprehensive, integrated communications program that addresses demographic, geographic, cultural, and statutory considerations. The approaches are audience-specific and innovative in concept and delivery. In addition to developing multi-lingual materials, care has been taken to ensure that messages are culturally appropriate and relevant.

Specific projects and campaigns have been included in Table 6. These efforts represent event-specific, holiday, and year-long efforts. The State’s communications plan involves multiple creative agencies to encourage a high level of ingenuity and integrates the efforts with other impaired driving projects to ensure a comprehensive, consistent message is sent to the intended audience.

Table 6. Impaired Driving Communication Projects and Campaigns

Project Title	Organization	FY 2018	FY 2019	Planned FY 2020
Statewide Impaired Driving Campaign*	Texas Department of Transportation	X	X	X
Impaired Driving Mobilization STEP Grant Program	Texas Department of Transportation	X	X	X
Project Celebration	Texas Department of Transportation	X	X	X

**Football Season, Christmas/New Year Holiday, Labor Day, College and Youth Adult, Spring Holidays, and Faces of Drunk Driving. These communication campaigns existed as separate impaired driving campaigns until their consolidation in FY 2016.

TxDOT in conjunction with its creative agency partners have developed strong relationships with the following types of organizations and have worked with them in the past to maximize the impact of all communications:

- Corporations – Texas Association of Broadcasters, NCC Media, Fox Sports Southwest, iHeart, Punchdrunk Digital, IMG, All Over Media and Billups
- Business and Professional Associations - Representing restaurants, convenience stores, colleges, business alliances, chambers of commerce, etc.
- Youth and College Groups - Teens/U in the Driver Seat and other young driver programs, Texas Association Family, Community, Career, Leaders of America's FACTS
- Festival and Event Groups - San Antonio's Fiesta Oyster Bake, Lockheed Martin Armed Forces Bowl, WBCA Jalapeno Festival, Corpus Christi Brewery Festival, Brady Goat Cook-off, West Texas State Fair, Bison Music Festival, and college football tailgating and game time
- Alternative Transportation Opportunities – Public transportation, ride share, cabs
- Distributor's Campaign and Education Programs
- Community Outreach Activities – National Night Out, Health Fairs, Coalitions, Sporting Events, etc.
- National Safety Council's Employer Network, Safe Communities & Teen Coalitions
- Judicial Networks (Teen Courts, TCCA, Judges/Clerks, etc.)

TxDOT, in partnership with its creative agency partners, focuses on educating Texans about the important issue of impaired driving by reaching the public through a variety of means.

TxDOT in partnership with its creative agency partners focuses on educating Texans about the important issue of impaired driving by reaching the public through a variety of means. These include but are not limited to:

- TV – Public Service Announcements (PSAs) and Paid Advertising
- Radio – PSAs and Paid Advertising
- Billboards
- Gas Station Pump Topper Advertisements
- Convenience Store Point of Purchase Reminders
- Posters and Public Information Cards
- Press Releases and Media Events
- News Interviews (Print, TV, Online)
- Online Advertising
- Social Media (YouTube, Facebook, Twitter, and Instagram)
- Mobile Advertising
- Sports Sponsorships
- Websites

In addition to these mass media tactics, the communications program includes a serious grassroots campaign to educate the public through word-of-mouth. The 25 TxDOT districts are staffed with TSSs who personally speak to their communities about the issue of impaired driving. They set up information centers at local events, give speeches at high-schools and colleges, sponsor parade floats, and distribute educational materials to local employers. Many of the TSSs have organized their own local safety

coalitions which are comprised of law enforcement, business leaders, and concerned citizens.

For the Statewide Impaired Driving Campaign, the creative ad agency tours with the “Plan to Win” virtual reality trivia game. These tours travel to major metropolitan areas, college campuses, festivals and fairs throughout the year to spread the message about the dangers of drinking alcohol and encouraging people to make a plan before they drink alcohol. These tours frequently include a drawing for a prize for anyone who wins the trivia game. These prizes are secured through partnerships and are donated to the campaign.

Communication materials on impaired driving are also distributed to driver education classes and driving safety classes statewide. TxDOT and its ad partners regularly provide content that is made available for download from the website showing the consequences of drinking and driving. In the past, these have included documentary-style videos telling the stories of the victims of intoxicated driving and their families. They have also included interviews of real people who have been charged with DWI, telling others about the adverse consequences.

TxDOT and ad agency partners regularly perform market research to determine what messages and tactics will best reach target audiences. This is important because Texans live in a fast-changing social environment, and thousands of new people move to Texas every month. Based on this important research, subtle changes to campaigns have been made. One example is are messages that incorporate “planning ahead” instead of waiting until the drinking begins to decide how to get home. Another example is replacing the term “designated driver” with “sober driver” since it has been discovered that frequently the “designated driver” is determined by who perceives themselves to be the least intoxicated of the group.

TxDOT and ad agency partners regularly perform market research to determine what messages and tactics will best reach target audiences.

Recommendations from the 2015 Impaired Driving Technical Assessment

Recommendation: Develop a communications plan that includes a well thought out plan to deliver life-saving highway safety messages to the intended audiences and traffic safety partners

Status: Ongoing

Background: Texas has developed and launched a comprehensive communications program. Campaigns educate about both the dangers and the consequences of impaired driving. Special care has been taken to develop multi-lingual materials to ensure that messages are culturally appropriate and relevant.

Priority Recommendation: Evaluate the highway safety office marketing to ensure its messages are reaching target audiences

Status: Ongoing

Background: TxDOT and GDC Marketing & Ideation regularly perform market research to determine what messages and tactics will best reach target audiences.

V. Alcohol and Other Drug Misuse: Screening, Assessment, Treatment, and Rehabilitation

Screening, assessment, treatment, and rehabilitation help prevent crashes and fatalities by addressing alcohol misuse as the root cause of a large portion of the impaired driving problem.

Based on research related to substance abuse in general, and impaired driving in particular, a number of offenders have alcohol and/or other drug dependency problems that require complex solutions and approaches for effective intervention. Screening, assessment, treatment, and rehabilitation help prevent crashes and fatalities by addressing alcohol misuse as the root cause of a large portion of the impaired driving problem. Primary prevention uses a public health model to address alcohol misuse in general medical (primary care and emergency medicine) or educational (particularly collegiate) settings. Secondary prevention delivers screening and treatment after detection of impaired driving in traffic safety systems.

This area has been a challenge for the State to affect. It has been difficult to identify and maintain the appropriate individuals or organizations to serve on the TxIDTF since their primary focus is not specifically tied to traffic safety. The TxIDTF continues to identify potential representatives in order to better integrate these disciplines into the regular functions of the TxIDTF. In addition to incorporating effective representation into the operations of the TxIDTF, Texas has worked to encourage employers, educators, community supervision/probation officers, juvenile case managers, and health care professionals to implement policies and procedures that assist them in screening and assessing individuals so that they might be referred for treatment.

Screening and Assessment

The primary manner in which Texas encourages employers, educators, community supervision officers, and health care professionals to identify and intervene with individuals who they deem in need of appropriate treatment is through education on the signs of impairment or substance abuse. From the point of identification, organizations are encouraged to develop processes to refer people to treatment opportunities.

This identification and assessment is not required by law, but the basis of this encouragement is general safety, liability, loss of resources, and costs related to absences or criminal processing. For example, CSCDs throughout the State handle screening of DWI offenders differently. Some CSCDs screen offenders in-house while others refer offenders to licensed providers within the community. Each CSCD follows the policies and procedures established by the courts in their jurisdiction and departments. Additionally,

Texas provides for DWI or Drug Courts that incorporate screening, assessment, and treatment into its process.

Screening and Brief Intervention

One evidence-based intervention for reducing alcohol misuse that has been implemented is Screening and Brief Intervention Referral to Treatment (SBIRT) or Screening and Brief Intervention (SBI). SBIRT involves a short, standardized screening designed to identify the severity of both real and potential problem alcohol use. This screening severity rating indicates the type and intensity of brief intervention or referral to treatment.

Interventions range from alcohol education, simple advice, a brief intervention aimed at motivating reduced alcohol use, and referral to specialty care for treatment of alcohol dependence.

Only a minority of impaired drivers are alcohol dependent and the typical impaired driver perceives themselves to be “moderate drinkers.” They underestimate the amount of alcohol consumed in the setting prior to driving and/or how intoxicated they are. As the majority of the population of impaired drivers, research indicates this group would be most broadly impacted by a brief intervention aimed at motivating reduced alcohol use; relatively few impaired drivers require referral to specialty alcohol treatment. As such, research indicates SBI can reduce recidivism of impaired driving incidents as well as other injury and mortality sustained under the influence of alcohol.

Current statewide grants that are utilizing SBIRT or SBI are: TST’s Brief Intervention for Risky Alcohol Use and Related Behavior Among College Students, Texas A&M AgriLife Extension Service’s Watch UR BAC, TTI’s Alcohol and Ignition Interlock Training for Adult Probation Officers, and TMCEC’s Motivational Interviewing Program for Juvenile Case Managers.

The target audience of most of these programs is younger drivers. The TxIDTF strongly considers SBIRT and SBI to be effective countermeasures against impaired driving. The TxIDTF would like to see additional SBI and SBIRT programming that provides for universal screening and record keeping, training additional professionals in brief interventions to motivate reduced alcohol use, and identifying linkages with other institutions where SBI or SBIRT are routinely used.

Treatment and Rehabilitation

With the exception of DWI/Drug Courts, the TxIDTF is not directly engaged in treatment and rehabilitation activities. However, the TxIDTF works with health care and other professionals related to treatment and rehabilitation. Rural judges are being educated on how to employ innovative approaches to assess and treat offenders in areas where treatment options are limited by engaging community-based options. Local courts are using minor in possession and public intoxication citations as a means to employ

One evidence-based intervention for reducing alcohol misuse that has been implemented is Screening and Brief Intervention Referral to Treatment (SBIRT) or Screening and Brief Intervention (SBI).

early intervention. Self-assessment and treatment referral are part of alcohol education courses required for a wide range of alcohol and drug-related offenses.

While there are no federal funds related to traffic safety available in this area, the TxIDTF still considers evidence-based treatment and rehabilitation to be an effective countermeasure and will continue to pursue other available funding and collaborative opportunities.

Monitoring Impaired Drivers

In Texas, DWI offenders can be ordered to submit to alcohol monitoring through court-ordered probation or as a pretrial bond condition. Alcohol monitoring may include: ignition interlock, transdermal alcohol monitoring, portable breathalyzer, chemical assessment, and any combination of these approaches. Orders for alcohol monitoring and sanctions for alcohol infractions are typically applied on a case-by-case basis. More systematic procedures for determining who receives which type of monitoring and how alcohol infractions are responded to will increase effectiveness in curbing alcohol use.

Texas does not have a statewide system that tracks impaired drivers through the criminal justice system. However, OCA does track the number of felony DWI and DWI misdemeanor cases that are active and inactive as well as how cases are adjudicated. In addition, OCA tracks the number of ignition interlock devices that are issued as a condition of bond in justice and municipal courts.

One way to enhance monitoring of offenders is to make information regarding mandatory ignition interlock easily available to law enforcement during routine traffic stops. This will enable an officer to know if an individual should not be operating a motor vehicle without an ignition interlock installed. Further access to this information will aid in the enforcement of the ignition interlock component of supervision.

Texas has established funding for DWI/Drug Courts, which integrate screening and assessment, treatment and rehabilitation while monitoring impaired drivers. This integrated monitoring process helps to improve compliance among offenders and is aimed at reducing recidivism.

Recommendations from the 2015 Impaired Driving Technical Assessment

A. Screening and Assessment

1. Criminal Justice System

Recommendation: Develop and implement a DWI tracking system

Status: Not Currently Being Addressed

Background: TTI received a traffic safety grant in FY 2017 to determine the feasibility of developing a DWI tracking system in Texas. Developing such a database is a tremendous undertaking, and many of

processes that would streamline its creation are not in place. Due to limited funds and prioritization, further progress of developing a DWI tracking database is not being pursued through the end of FY 2019. However, this continues to be a priority need for TxDOT, and TxDOT continues to seek request for proposals to address this need.

Recommendation: Require the use of uniform and standardized screening protocols in community supervision (probation)

Status: Not Currently Being Addressed

Background: Currently, each CSCD sets its own policies and procedures related to substance abuse screening and evaluation for their probationers. This system means that each department in Texas may use a different screening instrument based on preference and training of staff. To implement this change, input from community supervision leadership is necessary to ensure there is no adverse impact on their ability to perform their functional role.

Recommendation: Require the use of uniform and standardized screening protocols in all driving while intoxicated education programs

Status: Not Currently Being Addressed

Background: Currently, all offender education programs in Texas are regulated by the Texas Department of Licensing and Regulation (TDLR). To implement this recommendation, input from TDLR leadership is necessary to ensure there is no adverse impact on their ability to perform their functional role.

2. Medical or Healthcare

Recommendation: Implement screening, brief intervention, referral to treatment procedures in healthcare settings throughout Texas

Status: Not Currently Being Addressed

Background: Research indicates Screening, Brief Intervention, and Referral to Treatment (SBIRT) in hospital settings is a highly effective way to reduce impaired driving. For that reason, among others, Level I Trauma Centers are required by federal law to implement an SBIRT process. However, the law does not provide universal requirements for implementing an SBIRT program, so programs and implementation vary across hospital/trauma rooms. Additionally, few hospitals appear to be aware of the Medicaid and Medicare codes they can activate related to covering SBIRT expenses in an emergency room setting. If funding is available, it would be beneficial to educate hospitals on the most effective ways to 1) implement SBIRT in a hospital setting, and 2) utilize Medicaid and Medicare codes to cover related expenses. Additionally, research indicates that SBIRT programs administered in criminal justice settings increases likelihood of DWI offenders receiving this intervention. Therefore, it would also be beneficial to support SBIRT programs in a criminal/judicial setting.

However, input from administrators from systems delivering SBIRT is necessary to ensure there is no adverse impact on their ability to perform their functional role.

Recommendation: Implement screening, brief intervention, referral to treatment procedures on college campuses throughout Texas

Status: Ongoing

Background: TST has provided campuses with training and support for implementing SBI on their campuses since 2010, starting with a grant from the Department of Education. TST is currently funded through TxDOT to provide this service. Multiple campuses have been professionally trained by an SBIRT expert to utilize a standardized screening tool and perform a motivational interview. TST provides support for identifying ways to implement SBI in a low cost scenario on their campuses. TST has evaluated this primary prevention approach through a CSAP Service to Science Evaluation Enhancement award and subsequent evaluations from an external professional evaluator. Results have shown the program is effective at reducing risky alcohol use.

B. Treatment and Rehabilitation

Recommendation: Expand the availability of DWI courts in Texas

Status: Ongoing

Background: Many jurisdictions across the state of Texas have established DWI/Drug courts where criminogenic risk factors and substance abuse issues are addressed with daily supervision from a specialized staff with the goal of addressing the root cause of impaired driving: alcohol and other drugs of abuse. Specialty courts have the option to register with the Office of the Texas Governor. Currently, there are 21 active DWI courts listed with the Office of the Governor, however, more could exist which have not registered. The Texas Center for the Judiciary is compiling a comprehensive list of existing DWI Courts in Texas for FY 2019. The Texas Center for the Judiciary provides training for new courts and continued education for existing DWI courts.

There is room for growth in this area specifically for creating drug courts and for establishing additional DWI and Drug courts at the statewide level.

Recommendation: Require the use of uniform and standardized screening protocols in all DWI education programs

Status: Not Currently Being Addressed

Background: Currently, all offender education programs in Texas are run through the Texas Department of Licensing and Regulation (TDLR). To implement this change, input from TDLR leadership is necessary to ensure there is no adverse impact on their ability to perform their functional role.



VI. Program Evaluation and Data

Texas continues to improve its use of a diverse set of data to analyze different aspects of the impaired driving problem in the State. The TxIDTF and the TxDOT Alcohol and Other Drug Countermeasures Program rely primarily on crash data from CRIS and FARS. Additionally, the State utilizes various forms of demographic databases such as the U.S. Census. As projects and programs develop, program partners initiate surveys that explore attitudes and reactions to laws, educational campaigns, and cultural issues related to impaired driving.

When programs or processes are evaluated in relation to impaired driving, researchers use data from criminal histories, drivers licensing, vehicle registration, focus groups, interviews, and surveys (observational, educational, and attitudinal).

Texas does not have an impaired driving database that provides for a continuous connection between arrest and adjudication for DWI offenders across the State. For the purpose of research and evaluation, efforts are being made to try to connect data from criminal histories and drivers licensing, so that stakeholders can assess the impact of countermeasures on DWI and more specifically recidivism. While TRCC is currently working to coordinate CRIS, DSHS, TxDPS, and court records, an impaired driving database would ideally encompass these and additional records. TTI received a traffic safety grant in FY 2017 to determine the feasibility of developing a DWI tracking system in Texas. Developing such a database is a tremendous undertaking, and many of processes that would streamline its creation are not in place. Due to limited funds and prioritization, further progress of developing a DWI tracking database is not being pursued through the end of FY 2019. However, this continues to be a priority need for TxDOT, and TxDOT continues to seek request for proposals to address this need.

Recommendations from the 2015 Impaired Driving Technical Assessment

A. Evaluation

Recommendation: Include in the electronic crash system a list of appropriate factors which contributed to the crash from which the officers can select, to include a means of designating which factor was the primary one

Status: Complete

Background: The TxDOT Crash Records Information System Database has primary factor assignment designation. Designation of primary factor is defined in the crash reporting instruction manual (CR-100) Section 4.6.1.2. TxDOT has established a set list of contributing factors that law enforcement officers can select from and is defined in the CR 100 Section 4.6.1.4.

Recommendation: Engage the Traffic Records Coordinating Committee to develop the database needed for impaired driving enforcement evaluation from the core data systems of the State Records System, including citations/adjudication, driver, vehicle, roadway, crash and injury surveillance

Status: Ongoing

Background: In FY 2017, TTI received a grant to assess the feasibility of a Core Traffic Records database. Since that time, the TRCC has been making efforts to improve links between the six core traffic records databases, but major steps forward are currently long-term objectives. No major improvements are anticipated in the short-term.

B. Data and Records

Priority Recommendation: Develop a DWI tracking system to enable analysis of the impaired driving problem in the state

Status: Not Currently Being Addressed

Background: TTI received a traffic safety grant in FY 2017 to determine the feasibility of developing a DWI tracking system in Texas. Developing a DWI tracking database is a tremendous undertaking, and many of processes that would streamline the creation of a DWI tracking database are not in place in Texas. Due to limited funds and prioritization, further progress of developing a DWI tracking database is not being pursued through the end of FY 2019. However, this continues to be a priority need for TxDOT and TxDOT continues to seek request for proposals to address this need.

Recommendation: Engage the Traffic Records Coordinating Committee in determining the source and location of various data elements that are needed in an effective DWI tracking system

Status: Not Currently Being Addressed

Background: TTI received a traffic safety grant in FY 2017 to determine the feasibility of developing a DWI tracking system in Texas. Developing a DWI tracking database is a tremendous undertaking, and many of processes that would streamline the creation of a DWI tracking

database are not in place in Texas. Due to limited funds and prioritization, further progress of developing a DWI tracking database is not being pursued through the end of FY 2019. However, this continues to be a priority need for TxDOT and TxDOT continues to seek request for proposals to address this need.

Recommendation: Provide funding for an eCitation system such as the one proposed by the Texas Office of Court Administration

Status: Not Currently Being Addressed

Background: The Texas Office of Court Administration received a grant to begin completing a statewide eCitation database. However, in FY 2018, efforts were suspended due to a lack of ongoing funds to pay for maintenance and upkeep of the database once completed. No further efforts are planned at this time.

C. Driver Records Systems

Recommendation: Enact legislation that prevents removal of DWI conviction data from the driver history

Status: Requires Legislative Action

Background: Texas law requires any conviction for DWI remain on the driver history of the offender for life unless the offender has applied for and been granted expungement. It is unclear how many offenders apply for and are granted expungement annually. Without this information, it is unknown what effect this has on the ability to appropriately sanction offenders. The TxIDTF cannot lobby for legislative change to impact this recommendation.

Summary

The TxIDTF has evolved over the last 15 years to include all aspects of the impaired driving challenge continuum. The TxIDTF has developed the Texas Impaired Driving Plan which encompasses the areas of Program Management and Strategic Planning, Prevention, Criminal Justice, Communications, Alcohol and Other Drug Misuse, and Program Evaluation and Data in order to affect the issue of impaired driving. By taking a comprehensive approach, the TxIDTF can significantly impact impaired driving in the State. New and innovative projects are funded each year by TxDOT's Behavioral Traffic Safety Alcohol and Other Drug Countermeasures Program to address all the diverse components of a comprehensive impaired driving program. The TxIDTF will continue to change and evolve as processes and laws change in the State in order to continue to achieve further reductions in impaired driving fatalities, injuries, and crashes.

Appendix A – TxIDTF Charter



Texas Impaired Driving Task Force
est. 2012

Task Force Charter

PREAMBLE

Impaired driving remains a significant traffic safety and public health challenge in Texas and across the country. Crashes caused by impaired driving have a devastating impact on the lives and families who have been directly affected. In addition, impaired driving crashes cost the State billions of dollars in associated medical costs and work production loss.

Crashes caused by impaired driving are preventable. It is upon the preventable nature of impaired driving crashes that the Texas Impaired Driving Task Force (TIDTF) was established with the mission of eliminating impaired driving in Texas.

ARTICLE ONE: MISSION

The mission of the TIDTF is to eliminate injury and death caused by impaired driving in Texas.

ARTICLE TWO: WHO WE ARE

What began in 2005 as a loosely structured meeting with representatives primarily from enforcement, training, and the Texas Department of Transportation (TxDOT), the TIDTF has evolved into a multifaceted representation of individuals and organizations focused on the elimination of impaired driving in Texas.

The TIDTF is comprised of individuals with expertise in their individual fields who create strategies to eliminate driving while intoxicated (DWI) injuries and deaths. Through discussion between members, the TIDTF is able to identify effective strategies to achieve its mission. Members also share available resources, information, and data to reduce duplicated efforts and improve overall efficiency. The TIDTF also fosters lasting relationships between impaired driving prevention, enforcement, adjudication, and treatment stakeholders and promotes partnerships in different fields with the cohesive goal of eliminating impaired driving.

The TIDTF identifies best practices, innovative solutions, and provides recommendations to TxDOT, allied professionals/program partners, state and local government agencies, organizations, and the general public.

ARTICLE THREE: OFFICERS

The TIDTF is supported financially and administratively by a highway safety grant funded by TxDOT.

3.1 CO-CHAIRMEN: There shall be two co-chairmen -- one representing TxDOT and one representing the grant recipient Administration. The co-chairmen shall serve for the duration of the TxDOT grant (historically, one fiscal year: October – September).

3.2 ADMINISTRATOR: The duties of the Administrator shall serve for the duration of the TxDOT grant. The Administrator is responsible for coordinating TIDTF meetings and the Texas Statewide Impaired Driving Forum, distributing meeting notes and materials to members, and generally assisting the co-chairmen.

3.3 ADMINISTRATION: The Administration generally supports the Administrator. The Administration may be present at TIDTF meetings but are not considered members of the TIDTF.

3.4 VACANCIES: Should the co-chairman representing TxDOT resign prior to the expiration of his or her term, TxDOT shall appoint a co-chairman to serve in his/her place. Should the co-chairman representing the grant recipient Administration resign prior to the expiration of his or her term, the grant recipient Administration shall work with TxDOT to appoint a co-chairman to serve through the duration of the fiscal year.

ARTICLE FOUR: MEMBERSHIP

4.1 MEMBERS: The TIDTF shall be comprised of agencies, offices, and organizations from public and private sectors of state leadership, each of whom possesses a demonstrated interest in the elimination of impaired driving.

The Co-Chairmen may appoint additional members on an as-needed basis. Members may submit nominations to the Administrator via e-mail. Nominations that fill a gap in membership background expertise will be considered, and if appropriate, pursued.

4.2 TERM: Each member will serve a term of one fiscal year (October 1 – September 30) with the option to serve again. There is no limit to the number of terms a member can serve; however, each member shall sign a letter of commitment at the start of each new fiscal year.

4.3 RESIGNATION: Any member shall have the right to resign his or her position on the TIDTF. Any resignation should be provided to the Administrator via e-mail. The Administrator may request that another designee be appointed to replace the departing member.

ARTICLE FIVE: MEETINGS

- 5.1 REGULAR MEETINGS: The TIDTF shall meet semi-annually at a time and location specified by the Administrator.
- 5.2 NOTICE: Notice of each TIDTF meeting shall be given at least 6 months in advance by e-mail.
- 5.3 LOCATION: Meetings shall be held at a location place chosen by the Co-Chairmen with due consideration given to the convenience of all members and staff suitable for the occasions.
- 5.4 MINUTES: The Administration shall take and maintain meeting minutes, including a record of the members present. The Administrator shall distribute meeting materials within two weeks of each meeting.
- 5.5 PLANNING: The Administration will serve as a resource and provide logistical support for meeting location, preparations, notice, and minutes.
- 5.6 ATTENDANCE/INACTIVITY: Member organizations may have multiple representatives serving on the TIDTF. Members are expected to attend the semi-annual meetings in their entirety in person. In the event a member is unable to attend a meeting in person, a "substitute" may be sent in his/her place; however, the member will be considered absent from the meeting.

The Co-Chairmen reserve the right to remove inactive members from the TIDTF. Members who are absent from two consecutive meetings regardless of the fiscal year shall be considered inactive and can have their membership removed.

After every missed meeting, the Administrator shall notify absent members about the attendance policy. During every meeting registration period, the Administrator shall re-notify members who missed the previous meeting about the attendance policy. The Administrator shall notify "inactive" members regarding membership removal after the second consecutive missed meeting.

ARTICLE SIX: SUBCOMMITTEES

- 6.1 SUBCOMMITTEES: The following subcommittees should be organized, chaired, and populated as necessary to accomplish the goals of the TIDTF:
 - Awards Selection
 - Education
 - Legislation
 - Website

Members are eligible to serve on any subcommittee. Subcommittee meetings shall be held primarily via webinar and conducted between the semi-annual TIDTF meetings.

Subcommittee Chairs shall work with the Administrator to keep the larger TIDTF apprised of events. Each subcommittee shall independently establish the frequency of meetings with the expectation that each subcommittee will meet at a minimum of once a fiscal year (October – September).

- 6.2 SPECIAL SUBCOMMITTEES AND/OR OTHER SUBCOMMITTEES: The Co-Chairmen shall appoint or disband special and/or other subcommittees as necessary for the efficient operation of the TIDTF.

ARTICLE SEVEN: TEXAS IMPAIRED DRIVING PLAN

One of the primary tasks of the TIDTF is to prepare and maintain the Texas Impaired Driving Plan. The Plan has evolved from a simplified internal assessment into a detailed document that provides both strategic and operational direction for the State and TxDOT specifically in terms of eliminating the impaired driving problem on Texas roadways. To apply for additional federal funding, Texas must submit a statewide impaired driving plan developed and approved by a statewide impaired driving task force each fiscal year.

7.1 APPROVAL PROCESS:

- The Administrator shall distribute or make available the most recent Texas Impaired Driving Plan to members before the end of December.
- Members shall review the Plan and provide comments and feedback for improvement.
- The Administrator shall update the Plan based on received comments and feedback. The Administrator shall disseminate an updated version of the Plan to members for final review.
- Upon final review and concurrence with the updated Plan, members shall submit approval of the Plan to the Administrator.
- The Administrator shall submit the final Plan (including member approval) to the Co-Chairmen by June 15 (unless otherwise discussed) for TxDOT submission to the National Highway Traffic Safety Administration.

Appendix B – TxIDTF Membership

Name	Organization	Title	Background
Clay Abbott	Texas District and County Attorneys Association	DWI Resource Prosecutor	Prosecution
Bobbi Brooks	Texas A&M AgriLife Extension Service Watch UR BAC	Program Manager	Prevention/ Education
Mark Busbee	Texas Municipal Police Association – FRIDAY/ADAPT	Program Manager	Law Enforcement Training
Mindy Carroll	Texas Alcoholic Beverage Commission	Director Education and Prevention	Prevention/ Education
Debra Coffey	Smart Start, Inc.	Vice President, Government Affairs	Ignition Interlock
Chad Cooley	Cedar Hill Police Department	Corporal	Law Enforcement
Holly Doran	Texas Center for the Judiciary	Program Director	Judiciary
David Dorman	Mothers Against Drunk Driving	Grant Manager	Prevention/ Education
Paige Ericson-Graber	Texas A&M Transportation Institute	Associate Transportation Researcher	Data and Evaluation
Cheryl Garren	Texas Department of Public Safety	Enforcement & Compliance Manager	Driver License
Brian Grubbs	Texas Municipal Police Association - LEADRS	Program Manager	Law Enforcement Training
Jaime Gutierrez	Mothers Against Drunk Driving	Regional Executive Director	Prevention/ Education
Kevin Harris	College Station Police Department	Sergeant	Law Enforcement
Nicole Holt	Texans Standing Tall	Chief Executive Officer	Prevention/ Education

Name	Organization	Title	Background
Cynthia Humphrey	Texas Association of Substance Abuse Programs	Executive Director	Treatment
Andrew James	Montgomery County District Attorney's Office	Chief, Vehicular Crimes	Prosecution
Mike Jennings	Austin Police Department	Detective	Law Enforcement
Lisa Johnson	Texas Department of Transportation	Motorcycle Safety Program Manager	SHSO
Yoon Kim	Collin County Community Supervision and Corrections Department	Director	Probation
Jim Kuboviak	DPS Troopers Foundation	Director/Law Enforcement Mobile Video Institute	Law Enforcement Training
Cecil Marquart	Sam Houston State University	Project Director & DECP State Coordinator	Law Enforcement Training
Charles Mathias	UT Health San Antonio	Associate Professor, Division of Neurobehavioral Research	Treatment
Dottie McDonald	Smart Start, Inc.	Judicial Services Liaison	Ignition Interlock
David McGarah	Texas SFST	Program Manager	Law Enforcement Training
Ned Minevitz	Texas Municipal Courts Education Center	Grant Administrator	Judiciary
Lisa Minjares-Kyle	Texas A&M Transportation Institute	Associate Transportation Researcher	Prevention/Education
Amy Moser	Education Service Center - Region 6	Safety Education and Training Specialist	Prevention/Education

Name	Organization	Title	Background
Anna Mudd	Texas Department of Public Safety - Crime Lab	Toxicology Section Supervisor	Toxicology
Andy Murr	Texas Association of Counties	Judicial Resources Liaison	Judiciary
David Ocamb	GDC Marketing & Ideation	Chief Planner and Research Officer	Communication
David Palmer	Texas Department of Public Safety	Major	Data and Evaluation
Terry Pence	Texas Department of Transportation	Behavioral Traffic Safety Director	SHSO
Lisa Robinson	National Safety Council	Senior Program Manager	Prevention/ Education
Allison Rounsavall	Texas Department of Transportation	Alcohol and Other Drug Countermeasures Program Manager	SHSO
Nina Jo Saint	SafeWay Driving	Education Director	Prevention/ Education
Randy Sarosdy	Texas Justice Court Training Center	General Counsel	Judiciary
Jude Schexnyder	American Motorcyclist Association	Texas Chapter Coordinator	Prevention/ Education
Marsha Scott	Texas Department of Transportation	Alcohol and Other Drug Countermeasures Youth Program Manager	SHSO
Gloria Souhami	Travis County Attorney's Office	Program Director	Prevention/ Education
Jay Tedder	Texas Department of Public Safety	Deputy Scientific Director Breath Alcohol Testing	Breath Testing
Kara Thorp	AAA - Texas & New Mexico	Public Affairs Specialist	Prevention/ Education
Troy Walden	Texas A&M Transportation Institute	Research Scientist, and Director of CADES	Data and Evaluation

Name	Organization	Title	Background
Laura Weiser	Texas Center for the Judiciary	Judicial Resource Liaison	Judiciary
Dan Worley	Baylor Scott & White Health - RED Program	Program Coordinator	Prevention/ Education

Appendix C – TxIDTF Meeting Notes



Texas Impaired Driving Task Force Meeting Meeting Minutes | February 7, 2019 at 10:00 AM

Welcome

Paige Ericson-Graber started the meeting at 10:00 AM. She welcomed new members and visitors to the meeting:

- New members:
 - Lisa Johnson—TxDOT
 - Andy Murr—TAC
- Visitors:
 - Kaylene Braden, TDCAA
 - Carly Bishop—Breath Alcohol Lab for DPS
 - Megan Barton—Tech leader for Austin DPS Crime Lab
 - Mark Vincent—Irving PD
 - Diane Clark—SHSU
 - Ruby Martinez – TxDOT

Old Business

- Filming spaces for the member spotlight videos in FY 19 have been filled by TMPA, TST, and TABC.
- Learn More About the Organization Series – If anyone’s interested in participating in this series, contact p-ericson@tti.tamu.edu to set up.
- Support Letter for Governor’s Task Force— TxIDTF resent the developed support letter to the Texas Transportation Commission. We have decided to not further pursue this effort as no response has been received.

New Business

- 2019 Texas Impaired Driving Forum – Was held on Feb. 6, 2019 in Pflugerville. There were 12 exhibitors, 20 speakers from across TX and the US, over 250 registrants representing 90 different organizations. It was the first year to present the Texas Impaired Driving Safety Awards. The new safety award logo was presented. The speaker presentations will be posted online as well as the participant list. Forum evaluations will be reviewed. A date/location for the FY 2020 Forum will be decided shortly. No comments were received about the Forum.
- Infographic for Legislature—Discussed the infographic that was handed out at the meeting (the same as was distributed at the Forum). It was decided that 2018 impaired fatal data was not a confidence builder, so it was not included in the infographic. An updated infographic will be released around April/May timeframe.

- It was discussed that a number of crashes for 2018 are still coming in so that is why the data has not settled. The trend is that the numbers are down just slightly.
- TxIDTF Goals and Action Items – The TxIDTF will begin to move past the recommendations from the 2015 Impaired Driving Assessment. Though many of the recommendations are still being pursued, the TxIDTF has identified several topics that move beyond the assessment recommendations. The TxIDTF will be asked to rank the identified topics in the coming weeks. New members being added: how to best onboard new members and show them how the TF works/expectations.
- Upcoming Survey: Be on the lookout for survey about how best to on-board new members so their transition to the TxIDTF is smooth.
- Triannual Newsletter – Anticipated to be distributed in the next few weeks.

TxDOT Update

- Terry Pence thanked everyone who was at the Forum, commenting there was a lot of positive feedback received. He thanked the Awards Subcommittee for the winners who were selected.
- Work continues on the Strategic Highway Safety Plan (SHSP) which is what Texas uses to apply for 405 funds. For FY 2020 proposals, the largest number of proposals were received since 2008. There were 143 general traffic safety proposals received. Additionally, there were 159 STEP grants received – the largest number ever submitted. TxDOT is using the DDACTS model, and they've been seeing lots of reductions around the state (crashes, citations, arrests, crime). LEAs have really looked at this approach to try and reduce the number of crashes.
- Allison Rounsavall provided detailed information about impaired driving grants. In FY 2019, there were 80 grants funded through 20 organizations. For FY 2020, Alcohol and Other Drug Countermeasures is the largest core area. There were 54 impaired driving proposals received.

Legislative Subcommittee Update

- Judge Weiser indicated that the Subcommittee has been closely tracking legislation that may impact impaired driving. TxIDTF members have received a Syncplicity link that contains summaries of the tracked bills.
 - There is a deferred bill filed as usual.
 - If you see a bill you want added to the tracking list, let the Subcommittee know.
 - HB 1022 requires magistrates when they order an ignition interlock as a condition of bond to notify TxDPS. This can be problematic because it wants to know the date the restriction ends. Magistrates won't be able to use this. Several individuals (not acting in capacity as members of the TxIDTF) spoke with sponsors and they are working on a solution and puts burden on defendants. The defendants would have to bring an order TxDPS showing that they have had the IID removed.
 - Two bills were filed for regulation about Palcohol.

- There was discussion about the Transportation code being open and how that might be an opportunity for IID regulations to become the model for other states. About 3 years ago, TxDPS rewrote the regulations and no longer required manufacturers to set a fail limit or how many times that they violate. So, there was a problem because no agency was regulating them. The main 8 manufacturers decided to use the same standard since Transportation Code will be open, he proposed that the Sen. Huffman and Rep. Moody that they legislature allow some proposed language to write some of these requirements into the TC statutes.

Education Subcommittee

- Amber Trueblood provided an update about the reference book for alcohol and drug prevention programs. The draft is under Communication review. Amber provided some sneak peaks (see slides for more information.)
- Nina Saint was thanked for all her hard work on stepping in to review after Dannell left ESC.
- Once the draft is finalized, the subcommittee will discuss how best to get in the public's hands. Copies will be available at the Fall meeting.

Website Subcommittee

- Paige provided an update on revisions/improvements to the website. She showed the website and walked members through the new updates. Currently, the subcommittee is in the process of organizing the Resources tab to make it easier to see what information is in the website. Resources will be categorized and have a dropdown menu to search (e.g, MJ resources).
- David Dorman will serve as subcommittee chairmen and continue to work with Cinthya Roberto as the Task Force Administration representative.

Awards Subcommittee

- Laura Dean-Mooney provided the update in Lisa Robinson's absence. Laura provided a review of the awards ceremony, which happened at the Texas Impaired Driving Forum, the day before.
- Stacie Brown, Arlington PD, was selected as the 2019 Texas Impaired Driving Safety Champion. Steve Burres and the TxDPS – Toxicology Section at the Crime Lab were selected as the 2019 Texas Impaired Driving Difference Makers.

Breath Alcohol Public Facing Website

- Carly Bishop, DPS Breath Alcohol Lab, discussed their new public facing website. The Michael Morton Act (SB 1611) was the impetus for this new public website.
- The web address is: <https://www.dps.texas.gov/ballab>
- The website allows the public to search for quality and technical records related to the Intoxilyzer 9000 as well as Technical Supervisor and Breath Test Operator records. Available records include:

- BAL Program Documents
 - Breath Test Operator Certificate
 - Technical Supervisor Certificate
 - Statement of Qualifications
 - Disclosure Form
 - Proficiency Tests
 - Instrument Calibration Records
 - TS Solution Records
 - Thermometer Records
 - Laboratory Audits
 - Certified Reference Material Records
 - Simulator Maintenance Records
- Website has been shown to prosecutors for their education and use. If you would like a training about the website, please email the Office of the Scientific Director, OSD@dps.texas.gov.

U-in-the-Driver Seat

- UDS Symposium—Be the Change in Traffic Safety will be held on April 26-27, 2019 at the Norris Conference Center in San Antonio.
- If you are interesting in speaker at the symposium, please email Lisa Minjares-Kyle, l_minjares@tti.tamu.edu.

Member Updates

- Dottie McDonald reported that TX Office of Court Admin (texascourts.org) has released statewide statistics report for 2018. The report shows statewide trends and court wide trends for the state.

Large Group Discussion: How can we adapt to the changing culture surrounding driving under the influence of drugs and marijuana legalization?

- Jena Prescott led the group discussion. Jena reminded the TxIDTF that last year we had a group discussion looking at the things that we, as a task force, need to look at prior to the legalization of marijuana in Texas. Jena referenced GHSA documents and suggested TxIDTF members read those. Below are the series of topics the TxIDTF discussed, as well as the talking points members brought forward.
- Question: How can we encourage the investigation of drug-impaired driving? Is that really the issue? There are certain limits where alcohol is going to affect the system...we may not always be getting the lab results that show drugs once alcohol is found. Police departments are most likely not going to pay to get further testing once .08 is found.
 - There was some discussion that it is going to be nearly impossible-- time, effort, energy, as that's not the primary role of a roadside officer. The roadside officer is going to stop when they find alcohol as the primary factor. They might continue to investigate if there is a low reading on PBT or they see other signs of

intoxication, but not every trooper is trained to do DRE. If no signs (drugs sitting there), LEO may not continue to pursue DUID. It was pointed out that getting a DUID is a rare occurrence.

- ARIDE has helped with this issue. The DPS lab does not test for drugs IF alcohol is found above .08. LEOs are trying to prove impairment, not necessarily if the driver is impaired by other drugs.
- Even when there are high levels of THC, prosecutors are still getting mistrials.
- Different levels of drugs affect each individual differently. The presence of a drug is not enough. We have to be able to show impairment at the time of driving. Jurors are amazingly forgiving when it comes to DWI. And, prosecutors hesitate to take those to trial.
- 0.08 is considered prima facie intoxication. When talking about drugs, you haven't established what limit for any drug is going to be considered prima facie. Gave an example of an alcoholic who doesn't look stumbling drunk. It really doesn't matter what number you have. You have to show it to a jury. Even if we have the data, it's not going to accomplish anything. It's still a challenge in 2019.
- Question: Anything specific we can do to train LEOs on marijuana?
 - Get more ARIDE trainings.
 - DPS has given a letter of intent to do more ARIDE trainings and Dallas PD can do in-house training with train-the-trainer.
- Question: Anything we can do to facilitate getting more agencies onboard with ARIDE?
 - LEAs need to get on board with their administration to keep DRE certification, status. Sometimes their administration makes them give it up or assigns them to something else. But, reinstatements are up this year.
 - ARIDE/DRE are promoted but it depends on the agencies/administration to keep it as a priority. The community needs to make it a priority as well. Prosecutors need to be on board as well.
- Question: Is there something we can do to help prosecutors not stop with just stopping prosecution if marijuana is found in system?
 - Have prosecutors attend an ARIDE class.
 - Partner with TDCAA.
 - Create infographics for prosecutors that show the effects of marijuana; TDCAA would be willing to put on their website.
 - Every time another state legalizes MJ, the perception of risk goes down with people. So how do we change the culture?
 - We are missing the mark. It may become legalized but it doesn't matter what the substance is...LEOs are focused on the intoxicant and impairment. Who cares what they are on? We've got to get beyond just marijuana and focus on how we train the people.
- How can we educate our judges so that they make proper rulings?
 - Judges have asked for and they have provided trainings for judges around the state. This is a great start.
 - They modify the presentation to reach out to the types of judges they are talking to. They have had DRE come in to talk to judges and provide education about

why that information is admissible in court. Judges have a fairly good understanding of the DRE program, but they are still focusing on training on what is admissible.

- Question: Are there materials that we can create for judges that don't attend your conferences?
 - Cost isn't a factor—they reimburse judges to attend. Sometimes it is the culture of the courthouse—what have they allowed in the past. Judicial education is the answer and will be more and more common as marijuana is legalized. Center for Judiciary is hitting this pretty regularly and giving judges a lot of opportunities to learn more about legalization issues. One of the issues is its not popular with prosecutors.
 - Judge Hodges referred to his new newsletter for judicial education and to keep reaching out to judges with resources. He hopes it will peak some of their interests.
- Question: Has anyone seen pro-legalization information put out yet?
 - No one had seen anything yet.
 - TST has hired a poll/survey group to poll registered voters on issues that are occurring in other states related to marijuana (outlet density, edibles, other do you know questions) to see what the community understands. Most don't know what legalization will "look like" unless they've been to a state that has legalized. They are trying to figure out where to put regulatory framework before legalization occurs. They've also been working with local community groups to help them create policy position statements, coalition members, community leaders to help them talk about legalization. TST has a briefing book that they provide to communities to help them learn more from a public health and safety point of view.
 - GDC has a survey about (online/telephone) about attitudes on marijuana driving and behaviors. They will follow-up with focus groups. Hope to have results by this Fall.
- Question: Should the TxIDTF produce papers on marijuana that members can share with their groups?
 - It would be helpful to educate on harm reduction.
 - Focusing on \$\$...taxpayers (i.e., additional enforcement, crashes, road repairs)
 - Look at what pro-legalization industry is putting out there: "8 reasons why marijuana should be legalized (thoughtco.com)"
 - Possible idea: Papers on differences in CBD and Hemp.
- Question: Would the TxIDTF be interested in establishing a marijuana subcommittee? The subcommittee would create its own deliverable list, bring the content together, and meet by webinar.
 - The legalization and the impairment issue. We're unlikely to convince 20-somethings about legalization. The education needs to be on impairment on (i.e., the "I drive better when high" argument). Let's use our resources best by looking at the impairment issue. We are not going to win over those young people.

- TST has been getting ahead with the regulatory environments (advertising, density, regulations).
- How is Colorado addressing the things that are working or not?
- The Rocky Mountain High Intensity Drug Trafficking Area update on 9/18 was referenced, and there is nothing good about the stats. The article will be distributed via email to everyone.
- CO has been having a hard time with finding a message that resonates with younger people (Lyft partnership). Jena encouraged everyone to come to the Traffic Safety Conference to hear from Colorado officials talk about issues they have faced with legalization
- Question: Are there recommendations for people to come talk to the TxIDTF?
 - Counterparts from task forces in states where marijuana has been legalized
 - A legislator who has voted in favor of legalization with a “look back” to hear what he/she may wish they would have known before legalization.
 - Hear from states who have addressed impaired driving after legalization.
 - TTI is developing a resource for legislators with information on what they need to know (how it is different from alcohol, what other state legislators say now that there is legalization in their states)
 - Jena will send out survey to TF members and she would appreciate any feedback on the issue. [Link to survey](#)
 - Lisa M. has connection with youth area workers in CO and she will introduce TF staff to bring in some of those from CO.

[Watch Member Spotlight Video: TABC](#)

TRCC Strategic Plan

- Jon Graber discussed the Traffic Records Coordinating Committee (TRCC) Strategic Plan He discussed the goals of the TRCC and described the six core traffic records databases.
- There was no additional input for records from the TF members. He asked if there were data analysis points/analytical needs to be added to the diagram.
- Jon will send out to TF members for any input.

Action Items:

- Distribute TxIDTF Newsletter by end of February.
- Distribute survey to rank goals the TxIDTF should pursue.
- Distribute survey on how best to onboard new members to the TxIDTF.
- Share Breath Alcohol Lab website link, <https://www.dps.texas.gov/ballab>.
- If you want to help with UDS Symposium, contact Lisa Minjares-Kyle, l_minjares@tti.tamu.edu.
- Distribute TRCC slides.
- Distribute Rocky Mountain High Intensity Drug Trafficking Area 9/18 Update.
- Look into ability to bring in out-of-state stakeholders to talk with TxIDTF.
- Distribute Texas Impaired Driving Plan for updates and modifications.

Upcoming Events:

- Lifesavers Conference – March 31 – Apr. 2, 2019 | Louisville, KY
- AAA Texas DWI March for Change – March 8 | Austin
- Texans Standing Tall's Statewide Summit – April 10-11, 2019 | Austin
- U in the Driver Seat (UDS) Symposium - April 26-27, 2019 | San Antonio
- TMPA Impaired Driving Conference for Law Enforcement – June 24 – 25, 2019 | Austin
- 2019 Drug Impact Conference – July 22, 2019 | San Antonio
- 2019 Fall Task Force Meeting – October 10, 2019 | Austin



Meeting Minutes | October 11, 2018

Welcome and New Member Introduction

Troy Walden delivered the state of impaired driving in Texas as well as other states that have legalized cannabis for recreational use and encouraged task force members in the work they are doing.

New Members

- Allison Rounsavall - TxDOT Adult Alcohol and Other Drugs Program Manager. She was previously the TxDOT Traffic Safety Specialist (TSS) in Lufkin. Allison is replacing Frank Saenz.
- Marsha Scott - TxDOT Youth Alcohol and Other Drugs Program Manager. She previously managed the Media Campaigns at TxDOT. Marsha is replacing Sherri Robelia.
- David Ocamb - Chief Planning and Research Officer at GDC Marketing. He is replacing Beth Wammack.

Visitors

- Mark Vincent - Irving PD. He is a part of their DWI enforcement unit.
- Ruby Martinez – TxDOT Program Manager. She was previously the TSS in the Pharr District.
- Carol Campa and Jessica Son - Representing for Terry Pence, who was unable to be present.

Old Business

- Support Letter for Governor’s Task Force Update -- Under previous advice, we have revised the letter and will resubmit to the TxDOT Commission. The new letter has been drafted and was made available for members to review and provide feedback. After the task force meeting, the letter will be sent on to the TxDOT Commission.

New Business

- Task Force members were asked to review and sign the FY 2019 Letter of Commitment.
- Texas Statewide Impaired Driving Forum will be held February 6, 2019 in Pflugerville. The Task Force meeting will be held the following day, February 7, 2019 in Pflugerville as well. Task Force members were asked to promote the Forum to their colleagues.
- An announcement to film Member Spotlight Videos was made. Videos are filmed free of charge to members. (NOTE: These spots have since been filled). To that end, consider participating in the Learn More about the Organization Series (see below).
- “Learn More about the Organization” is a new series this year. It consists of completing 6 questions via email or phone. The interview will be featured online via the website and social media accounts. If interested in completing, please contact Paige Ericson-Graber.
- We are starting social media channels this year. We will begin with Facebook and Twitter. Organizations may be featured on both social media channels via the Spotlight videos and/or Learn More about the Organization series. An email will be circulated once those accounts are developed.

- Meeting minutes will now be made available online via the dyingtodrink.org website. This is being done in an effort for transparency as well as a resource for other coalitions and task forces to use.
- The next fall Task Force Meeting will be held Thursday, October 10, 2019 in Austin. Further details are forthcoming.
- We will be developing Performance Measures, Outcomes and Goals specifically for the Task Force. Traditionally, these have been derived from the Technical Assessment recommendations. However, many felt that after the last Technical Assessment there were many recommendations which could not be achieved by the Task Force. A survey will be sent to members for feedback on the Performance Measures, Outcomes and Goals they would like to see the Task Force take on. Survey results will be discussed at the Spring Task Force meeting and discuss potential goals and outcomes.
- Multi-State Assessment of State Impaired Driving Task Forces: Best Practices and Strategies. Click here to read the [full report](#).

TxDOT Update

- In FY 2018 – 111 projects were funded; In FY 2019 – 80 projects were funded. There were 5 Impaired Driving Media Campaigns which centered on holidays and festivities. Good outcomes and feedback have been received. There are 28 participating law enforcement agencies in the Impaired Driving Mobilizations this year.
- Project Celebration is a combination of education and lock-in events to help keep students stay safe and alcohol-free. The goal is to reduce the number of impaired driving injuries and deaths. These are held after prom or graduation. Awarded funds to over 200 schools.
- TxDOT is working to complete the RFP for FY 2020. The structure will be very similar to recent years. It will describe high priority needs, which will likely include some impaired driving. Tentatively this will be released on November 9, 2018.

Prosecutor's DWI Task Force

- A copy of the minutes are available [here](#).
- The Prosecutor's DWI Task Force took a critical eye to the 10-year plan of TDCAA and the TSRP. One of the biggest challenges that prosecutors are facing is jury selection. On December 7th, TDCAA is hosting a prosecutor-only training on jury selection. TDCAA will also be producing two videos on jury selection. This may be a one-year effort or may be continued moving forward.

Subcommittee Updates

Legislative

- If interested in joining, please let Clay Abbott or David Hodges know.
- A Doodle Poll will be sent out to establish a meeting in either late November or early December. The subcommittee plans to give an update in February on what has been filed. The subcommittee will give an update on what has passed at the fall task force meeting.
- If you are putting out PI&E related to DUI/DWI laws, please have them reviewed by Allison, Clay Abbott, and/or a lawyer. This will ensure that we are putting out consistent messaging that is correct and accurate. Be cautious when you are labeling the laws on the PI&E.

Education

- A recommendation from the Impaired Driving Technical Assessment was to distribute information about evidence-based prevention programs to K-12 schools. The subcommittee was charged with developing this resource guide. One of the largest delays in the completion of this reference book has been the need to assign the TEKS to each of the programs. This task has finally been completed (Huge Thank You to Nina).
- The Subcommittee and Task Force Administration are still working on the draft of the reference book. They are confident that a final draft of this reference book will be completed for the Spring Task Force meeting.

Website

- Website is being redesigned and reorganized. Among anticipated changes include changing the domain name from “dyingtodrink” to “Texas Impaired Driving Task Force” to better represent types of impairment and across all platforms. Social media platforms and additional detail about member programs will be integrated as well. The subcommittee is still working on the reorganizing the Resources page. The subcommittee plans to have the changes completed by the Spring Task Force Meeting.

The task force supported the changes being implemented and discussed ways to utilize the website to help members earn social media match. Members were open to using the website and expanding their reach on social media and increase their match. One way to increase the match for members to be featured in a blog post. Blog posts are one of the highest credit social media matches. One suggestion was to compile a list of everyone’s handles and hashtags to better intertwine the efforts.

Awards Selection

- There will be three award categories:
 - Texas Impaired Driving Safety Champion
The award candidate is selected by earning the most number of Task Force votes. The award recipient will receive a Spotlight Video, a glass award, and be recognized at the 2019 Forum.
 - Texas Impaired Driving Difference Maker
These are the second and third place candidates based on the Task Force vote. These winners will receive a plaque and be recognized at the 2019 Forum.
 - Honorable Mention
These candidates were selected by the Award Selection Subcommittee. They will receive a certificate and their names will be presented at the Forum; the recipients will not be called to the stage to receive the certificate.
- The Subcommittee presented a list of three anonymous/de-identified candidates and their accomplishments. Task Force members were asked to cast their blind vote to select the Champion and Difference Makers. The ballots will be tabulated and the winners will be revealed at the 2019 Forum.
- Thank you to the Task Force members for promoting the award and distributing the link to your networks. We are looking forward to the quality applications we will receive next year.

TABC Sunset Review

- Staff report will be published October 24 – 30, 2018. The Sunset Meeting, Public Testimony will be held December 12 – 13 (but it is for 7 agencies). The Sunset Meeting and Decision Finalized will be on January 9, 2019. It is recommended that if you want to testify, that you put it in writing and send it to the Sunset Commission.
- TABC Projects
 - www.2young2drink.com, Stakeholders can order outreach materials cost-free. If you will be printing large amounts of items and can use the TxDOT print shop, TABC can give you permission to print it there. If you will be printing large quantities, TABC can provide you with the art work and give you permission to print with your preferred printer.
 - Target Responsibility for Alcohol Connected Emergencies, or TRACE Program Is an enforcement operation at retail level. TABC is working to establish a toll-free number for law enforcement to contact to help with investigations. This will be a 24/7 hotline that will screen the calls and potentially dispatch a TABC officer to assist with the investigation of the licensed establishments.
 - DWI Prevention Expos
These will be done in response to changes at the local level to alcohol laws. The purpose is to educate stakeholders on the potential needs and consequences of changing the laws. Prevention advocates will be invited to promote their programs as well as be resources for communities making these changes.
 - TTI Project Focus Groups – Students
TABC is starting to look at how to educate retail establishments and entertainment districts and how to best educate those that are near colleges. The project found that messaging works best with college students when it is positive and reinforces positive behaviors. Drinking is “rampant” at tailgating parties, athletic events, and intermural events. Recommended partnering with apartment complexes to educate residents on social host laws.
 - TTI Project Focus Groups – Retailers
Most retailers are well-versed and knowledgeable about the current laws. Most appear to be following age restrictions and on-premised were concerned with not over-serving patrons. Most had experience with underage customers and refusals. Most admitted they were most likely to check an ID if they were working with someone else and less likely if the customer appeared to be in a hurry. TABC will share the final report from TTI when it is available with the larger Task Force when it is available to them.

New Projects – Lightning Round Discussion

- TMPA is hosting a Law Enforcement Impaired Driving Summit – June 24th and 25th (half day on June 24th). It will be held at the Omni South in Austin. Rooms will be available for those who are over 50 miles away. They are finalizing the agenda now. Facebook page will go live today.
- Texans Standing Tall (TST) may be changing its name. The new name is unknown at this time. TST is currently testing names. TST Advocacy Day is on February 19th. TST’s Statewide Summit is April 10-11, 2019, and there will be a scholarship form to apply for a scholarship.
- Watch UR BAC Program will be piloting a drug and alcohol impaired driving suit at some of their programs this year.

Ignition Interlock Sunset Review

TxDPS underwent Sunset Review this year for some of the divisions they have. The original Sunset Review from April 2018 recommendation was to remove TxDPS oversight of ignition interlock industry. At the public meeting held in August 2018, Sunset announced they did not accept the recommendation to remove TxDPS oversight of the ignition interlock industry. The final Sunset Staff report with Sunset recommendations, recommended that the recommendation was not adopted. As a result, TxDPS will retain oversight of the ignition interlock industry.

The industry will be monitoring the Legislature to see if anything new comes along related to interlock oversight, devices, etc. In addition, the ignition interlock industry hopes to improve the oversight and regulations. One potential new regulatory agency is the Texas Forensic Science Commission, Texas Department of Motor Vehicles, or Texas Department of Licensing and Regulation.

Task Force members discussed the history of how ignition interlock regulation ended up with TxDPS. In addition, the Task Force discussed the need for the customers to rely on their companies and devices as well as the public to rely that the devices are working and functioning as they should for public safety.

Judges are very concerned about the lack of regulations. NHTSA does not have an approved ignition interlock devices (IGN) list, but it does have device recommendations.

Closing the Gap in Ignition Interlock and Bond Conditions**Interlock Bond Statutes**

Texas does not have a first offender law. If you are arrested for second offense DWI, Intoxication Manslaughter or Intoxication Assault, the magistrate shall impose an IID as a condition of bond. There is an out for the judge to waive this in the interest of justice. There is also an allowance of this statute for the magistrate to designate a monitoring authority. They can charge a \$10 monitoring fee per month to the offender for this monitoring. *Ex parte Elliot* upholds the IID condition of bond in Texas. An IID must be ordered as a condition of probation for second offenders, first offenders with a BAC of .15 or greater, DWI with child passenger, Intoxicated Assault, or Intoxicated Manslaughter.

The reason we are talking about this is research shows that the interventions are more effective if they are ordered closer to the incident. IIDs are more likely to be effective if ordered as a condition of bond. Most magistrates do not have the resources. Based on previous work, IID was only being ordered 25% of the time as a condition of bond, and 75% of the time as a condition of probation. A lot of this was due to lack of resources and education on the magistrate's part. The other issue was that reports were not being read. IID reports for misdemeanor DWIs are valuable sources of information for prosecutors and judges in determining the sentence for the offender.

Anecdotally, in training law enforcement, 95% reported that they have not seen an IID device or the license restriction. This is happening because orders are not getting to TxDPS and the suspension is over before the notice gets to TxDPS. The Government Code requires the reporting of probation departments when they are on probation but does not require this report of magistrates while the offender is on bond. Current restriction is P39. The restrictions don't get added to TCIC or any database; they stay local. This is okay in small jurisdictions but a big challenge in larger jurisdictions.

AAMVA has videos educating law enforcement officers on traffic stops with an IID. These will be shared with the larger Task Force to be included in programs and trainings.

Discussion Points

- Monitoring Fees: Potentially increasing fees to pay for staff time to monitor IIDs and offenders. If a probation department does the monitoring, they can charge \$20 - \$60 per month for monitoring. But magistrates cannot order the probation departments to do this. The counties that have probation departments do the monitoring have entered into agreements.
 - Collin County has pretrial monitoring. Typical caseload is around 900. They do not charge the \$10 monitoring fee, just a \$40 admin fee. But more and more, offenders are indigent, and the county must find a way to supervise the offender as well as cover the costs of the devices. Collin County has a \$10,000 budget for indigency which goes quickly.
- Need to get word out to judges to ensure that monitoring reports are being sent to prosecutors on the cases. Enact a requirement that the magistrates notify TxDPS when they order an IID as a condition of bond.
- No criminal offense for failure to install (as a condition of bond or probation). However, if the offender does not install as a condition of occupation license, then it is a Class B Misdemeanor. Would like to see this be a Class B offense. If the offender does not install, it is either contempt or a violation of probation. This would be a good tool for compliance with misdemeanor offenders. This would be particularly helpful for those on Pre-Trial and bond.
- Offenders are not a reliable source of information, so putting the onus on them to provide information to providers is difficult.
- TJCTC is conducting the DWI Bond Condition Program. Under this program, they are trying to meet with all the criminal magistrates, County Judge, probation and prosecution to address these issues in their counties. The primary issues have been:
 - Properly setting bond conditions
 - Monitoring
 - Enforcement – jurisdiction shifts during case progression through the criminal justice system.

Most effective way to get this to work is to get the probation department to buy in to this process (DWI Bond Condition Program). The challenge is that this is a local/county-based issue and that we need to ensure that counties are adopting good practices and policies.

Another gap area is during the removal process: interlocks cannot be removed without an order from the court, and often the providers are struggling to find the correct court or prosecutors to generate these orders. Often communication is the biggest hurdle; this is primarily true between the magistrates, prosecutors, and presiding judges. In addition, due to this lack of communication, there is often little follow-through and enforcement of the order to install the IID.

Summary & Adjourn

- Task Force members were encouraged to look at the upcoming events list and either attend or promote the events as they fit with the work they are doing. If you have any additional events that are not listed, please let the Task Force Administration know so that they may be added to the website and promoted to Task Force members.
- If you know someone who would want to go to TST's Summit but could not afford it, there will be a scholarship application on their website in a few weeks, or you can request one through Georgianne at gcrowll@texansstandingtall.org.

Action Items

- Based on the large group discussion, the Legislative Subcommittee discussed the need to meet earlier (now late-November to early December), so that they can be prepared for this type of legislation that may come. **David will send out Doodle Poll to subcommittee members to establish a date.**
- TTI, with Allison's approval, will share the report on Texas' Ignition Interlock Policies with the larger Task Force for their use in the legislative session. **Paige will send via email.**
- If issues with or are not receiving emails via Constant Contact, please contact Paige.
- **Once Task Force social media accounts are up and running, Paige will notify Task Force** so that members can notify their social media organizers to look out for requests/follows.
- The Task Force would like to see updated infographics on impaired driving for distribution to Legislature by Feb. 1, 2019. **Paige will lead.**
- TxDOT will determine if subgrantees can send logos to TABC in support of their TRACE program and will let the Task Force members know. **Allison will report back.**
- **Cheryl will look up Universal Code for DL's.**
- AAMVA has videos educating law enforcement officers on traffic stops with an IID.

Upcoming Events

- Our Driving Concern: Making a Difference Train-the-Trainer Workshop – Nov. 7 | Austin, TX
- Drug Impairment Training for the Texas Employer (DITTE) – Nov. 7 | Austin, TX
- Texas Impaired Driving Task Forum – Feb. 6, 2019 | Pflugerville, TX
- 2019 Spring Task Force Meeting – Feb. 7, 2019 | Pflugerville, TX
- Texans Standing Tall Advocacy Day – Feb. 19, 2019 | Austin, TX
- Lifesavers Conference – March 31 – Apr. 2, 2019 | Louisville, KY
- Texans Standing Tall's Statewide Summit – Apr. 10-11, 2019 | Austin, TX
- TMPA Impaired Driving Conference for Law Enforcement – June 24 – 25, 2019 | Austin, TX
- 2019 Drug Impact Conference – Jul. 22, 2019 | San Antonio, TX
- 2019 Fall Task Force Meeting – October 10, 2019 | Austin, TX

Appendix D – TxIDTF Subcommittee Notes

Awards Selection



Awards Selection Subcommittee Meeting Minutes | October 4, 2018

Impaired Driving Safety Champion Award Criteria

1. Hanging Issues:
 - A. Honorable Mentions
The group agreed that Honorable Mention awards are necessary to encourage applicants that do not win an award to continue their work and potentially apply again in the future. Different options of how to determine who should be an Honorable Mention were discussed. These options included: Honorable Mentions being those applicants the Task Force votes on but are not award recipients and any viable application, while eliminating the weaker applications from consideration. Ultimately, the group chose to award Honorable Mentions to the applicants who go “above and beyond” but may not quite be at the same level as nominees that are presented to the Task Force for vote.
 - B. Task Force Member Eligibility
Task Force Members are eligible to receive the award, however, their position, group, or project cannot be funded 100% by TxDOT grant funds. In addition, any employee of TxDOT will not be eligible to receive this award (based on their work with TxDOT).
 - C. Past Task Force Member Eligibility
Past membership on the Task Force will not impact eligibility to receive the award; however, nominees must not be 100% funded by TxDOT grant funds or be an employee of TxDOT to be eligible for the award.
 - D. Time frame of Work to Be Considered
Going forward, the work to be considered for this award should be in the previous calendar or fiscal year (depending on how the nominee reports the information). A career’s worth of work will not be the criteria used for this award.
 - E. Blind Vote by the Task Force
In order for the voting and determination of the award recipient to be as fair as possible, the Task Force should not know the identity (as best as possible) of the nominees. As a result, Jena will give Laura and Lisa the nominees information that has identifying information removed for presentation at the Task Force meeting.
 - F. The subcommittee also agreed to keep the number of nominations as well as discussion about the nominations among the subcommittee members confidential. This was done to protect the integrity of the award.

G. Awards

The subcommittee agreed there will be three levels of award:

- a. Impaired Driving Traffic Safety Champion – Receives glass award and spotlight video, which will be presented at the 2019 Texas Impaired Driving Forum
- b. Impaired Driving Difference Maker – Receives plaque award which will be presented at the 2019 Forum
- c. Honorable Mention – Receives mailed paper certificate, and name will be recognized on a slide at the 2019 Forum

2. Nominees

A. Nominees for the Impaired Driving Traffic Safety Champion – This will be voted on by the Task Force. The individual/group ranked first will be the award recipient, the individual/groups ranked second and third will be awarded the Impaired Driving Difference Maker awards.

- Stacie Brown – Arlington PD
- Stephen Burress – Irving PD
- Texas Department of Public Safety – Austin Crime Lab, Toxicology Section

3. Honorable Mentions

- Dr. Kirk Brown – MADD, Brazos Valley
- Isidro “Chilo” R. Alaniz – District Attorney for Webb and Zapata Counties
- Jason Arnold – College Station PD
- Israel Delgado – TxDPS

Future Business

1. Jena will prepare ballots and generic information about each nominee for the Task Force meeting on October 11, 2018.
2. Lisa and Laura will present this information to the Task Force on October 11, 2018.

Subcommittee Members in Attendance:

- Lisa Robinson
- Laura Dean Mooney
- Allison Rounsavall
- Jena Prescott (Task Force Administration Representative)

Education Subcommittee



Education Subcommittee Meeting Minutes March 13, 2019 | 10:00 AM

AGENDA

1. General Feedback on the Reference Book
 - A. Need to proof again for minor issues
2. Distribution of Reference Book
 - A. What's the best method for distributing the reference book?
 - i. Usual means – Via TxIDTF website and social media channels
 - ii. How else?
 - Cecil: Willing to push through Drug Impairment Training for Educational Professionals (DITEP) and will add as a resource on web
 - a. Provide a few hard copies (50ish) and provide flyers (600)
 - Nina/Lisa: Texas Association of School Administrators (TASA) Conference in the Fall in Dallas – Could exhibit there
 - a. Lisa will check to see if her group is exhibiting.
 - Lisa: Teacher Conferences Over Summer
 - a. Distribute flyers (200)
 - b. 20 books, so each rep has a few on hand
 - Amy: Superintendent and Principal Meetings (50 people)
 - a. 50 books
 - b. Any flyers, but books preferred.
 - Liz: Does mail outs
 - a. 4,000 copies of flyers could be mailed out with their existing materials
 - b. Workshops—Start in June
 - c. A few example packets (no more than 20)
 - Nina: Private sector driving schools over 500
 - a. 3 Continuing Education Opportunities
 - b. Prefer the book
 - c. Provide Nina with the link to add to her information.
 - B. How do we get the reference book into schools? Is there a school administrator list? Regional ESC meetings?
 - i. Region 6 ESC has about 50 people who regularly attend meetings.
 - ii. How do we get to other regions?
 - iii. How to get to private schools?
 - Send a general mail out

- a. TED program at TEA
 - b. Charter School Conference---Very low attendance (Public Schools)
 - c. Regional Service Centers should also have access
 - d. Texas Private Schools Association or Texas Private School Accreditation Commission
 - i. Nina: Add blurb in their newsletter. Will check into this.
- iv. Home Schools
- Lisa: Texas Home School Coalition (Lisa has worked with them in the past).

Action Items

1. Paige and Amber will go through book in-depth for corrections by April 5th.
2. Subcommittee will send all corrections by March 31st.
3. Paige and Amber will follow-up with everyone to determine shipping information.
4. Nina will confirm number of hardcopies needed for private sector driving schools.
5. Nina see how we get into private schools newsletters.
6. Cecil will have a student go through to determine an estimate on number of hardcopies needed.
7. Lisa will check to see if her group is exhibiting at the TASA conference.
8. Lisa will check into home school opportunities.
9. Amber will follow up with Amy to discuss other ESC offices.
10. Amber will check into Texas Private Schools Association and Texas Private School Accreditation Commission, as well as charter school opportunities.

Subcommittee Members in Attendance:

- Amy Moser
- Elizabeth De La Garza
- Nina Saint
- Lisa Minjares-Kyle
- Cecil Marquart
- TxIDTF Administration (Amber Trueblood & Paige Ericson-Graber)

Legislative Subcommittee



Legislative Subcommittee Meeting Minutes | January 22, 2019

The Impaired Driving Task Force Legislative Subcommittee met by webinar on 1/22/2019 from 1:30 – 2:15 PM.

Judge Weiser will provide the subcommittee update at the upcoming TxIDTF meeting in place of Clay.

The subcommittee discussed including additional bills on the established summary bill list:

- HB 849 – Nicole will summarize
 - HB 209, HB 63, SB 156, SB 90 – As previously discussed, Nicole will summarize
- HB 173 – Debra & Ned will review for possible consideration
- HB 818, SB 306, HB 344 – Ned will review for possible inclusion

Paige resent the Synclplicity shared folder link to subcommittee members.

The Subcommittee established 1/29/2019 as an internal deadline for having bill summaries added and updated to the share folder. Members can either update the bill summaries on their own, or send to Paige and she will update. The shared folder will be distributed to the larger TxIDTF after this date.

Assuming a slow filing session, next meeting will be held in late May. Clay will coordinate with Paige to send out a Doodle Poll in late February or early March. A second meeting will be needed in August.

Subcommittee Members in Attendance:

- Clay Abbott
- Nicole Holt
- Debra Coffey
- Randy Sarosdy
- Laura Weiser
- Ned Minevitz
- Kirbie Ferrell
- Paige Ericson-Graber (TxIDTF Administration)



Legislative Subcommittee Meeting Minutes | November 26, 2018

The Impaired Driving Task Force Legislative Subcommittee met by conference call on 11/26/2018 from 2:00 – 3:00 PM.

The subcommittee discussed impaired driving bills generally and specifically including those concerning occupational driver's license and interlocks, and bills relating to the legalization of marijuana. The bills discussed were:

- HB 156 – Supervision of ODL
- HB 110 – Exploring making Class C violations civil violations
- HB 364 – Creates centralized database for reporting interlock orders
- SB 156, SB 90, and HB 209 – Marijuana decriminalization and penalties
- SB 106 – Deferred for DWI with mandatory interlock
- SB 191 – Repeal of driver responsibility program

Clay Abbott emphasized that these bills were pre-filed because they were able to gain some traction in the last session and suggested that we create a word document with links to the bills and a brief summary of each to be posted on the TxIDTF website for task force members to use as a reference. Various bills were assigned to different subcommittee members to create brief summaries for this purpose.

Nicole Holt said that her organization will be conducting a survey of voters regarding their attitude toward marijuana legalization to identify their support for regulations to be imposed which can be provided as a resource to legislators.

The next meeting will be scheduled after January 1 to get past the holidays and allow legislative staffs to begin working on bills.

Subcommittee Members in Attendance:

- Clay Abbott
- Nicole Holt
- Debra Coffey
- Randy Sarosdy
- Kirbie Ferrell
- David Hodges (TxIDTF Administration)

Website Subcommittee



Website Subcommittee Meeting Minutes | October 8, 2018

1. Elect New Subcommittee Chairman
 - The Subcommittee is looking to elect a new chairman, as the previous chairman departed from his position.
2. Pending Website Name Change
 - Texasimpaireddrivingtaskforce.org
 - The other domains “.com” “.net” will also be purchased; we will maintain the “dyingtodrink.org” website so that traffic is redirected to the new URL
3. Changes Already Made
 - Reorganization of tabs
 - Renamed “Closing Time” blog to “Street Talk”
4. Future Changes
 - Social Media
 - Facebook and Twitter will be the primary platforms the Task Force will use (at least for the time being); an email will be sent to the Task Force once the handles are created.
 - Member Program Descriptions
 - Thank you for everyone’s hard work to obtain member programmatic information. We’re still waiting for a few programs to send their program descriptions before this part of the website is updated.
 - Adding Meeting Minutes
 - Will lend transparency and serve as a resource to other impaired driving coalitions and stakeholders
 - Resources Tab
 - Impaired Driving Task Force administration is bringing in expertise
 - The links to outside pages will be listed under the resources navigation and then helpful links subtab
 - Adding suggested resources by website subcommittee members

Meeting Discussion

- The subcommittee is pleased with the design changes that have been made to the website. They agree that it makes the website more user-friendly and appealing.
- The group would like to develop a strategic model for the website.
- Members expressed that the audience focus will start to broaden with the use of social media and perhaps the website should add content that can be shared with the public, such as how to guides.
- The group suggests that the Task Force should be looking for ways to collaborate, and post about these efforts on the website and through social media.
 - Some examples of current collaboration on the Task Force are the Teens in the Driver Seat Program and TABC partnership; MADD has been collaborating with Sam Houston.

- The subcommittee suggests that either a spotlight video about collaboration should be filmed, or a post on Street Talk can be created to be shared a social media outlets.
- Re-linking information from other traffic safety groups would be a good way to spread the message about what Task Force members are doing to improve traffic safety.
- The group agrees that it would be helpful to have access to other Task Force members' final deliverables in order to aid in collaboration efforts. A workshop focused to foster this information exchange process was suggested.
- Currently, there is no future meeting scheduled.

Action Items

- Continue to collect program descriptions from Task Force members by **November 2018**
- Task Force Administration will compile a list of Task Force members social media accounts **February 2019**
- Task Force Administration will add the additional links to the resources page, reorganize the layout and present to the subcommittee for approval by **February 2019**

Subcommittee Members in Attendance:

- David Dorman
- Lisa Minjares-Kyle
- Kara Thorp
- Cinthya Roberto (TxIDTF Administration)

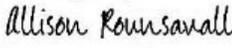
Appendix E – FY 19 TxDOT Alcohol and Other Drug Countermeasure Funded Programs

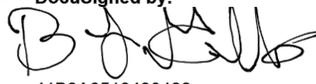
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Bexar County District Attorney's Office	Bexar County No-Refusal Initiative			X									X	X			X		X	X
Education Service Center, Region VI	Alcohol Drug And Safety Training Education Program "AD-A-STEP" for Life.												X				X			X
Harris County District Attorney's Program	Search Warrants Stop Impaired Drivers: Harris County District Attorney's Office No-Refusal Program			X									X	X			X		X	X
Hillcrest Baptist Medical Center-Hillcrest	Texas RED Program												X				X			X
Montgomery County District Attorney's Office	Search Warrants Stop Impaired Drivers: MCDAO No-Refusal Program			X									X	X			X		X	X
Mothers Against Drunk Driving	Mothers Against Drunk Driving, Texas "Take the Wheel" Program Initiative												X				X		X	X
National Safety Council	Drug Impairment for Texas Employers (DITTE)				X								X					X	X	X
Sam Houston State University	Drug Impairment Training for Texas Community Supervision and Parole Officers		X					X					X					X	X	X
Sam Houston State University	Individual Nystagmus Simulated Training Experience (INSITE)							X										X	X	X
Sam Houston State University	Impaired Driving Initiatives--DECP, ARIDE and DITEP							X									X		X	X
Tarrant County	Tarrant County No Refusal Program			X									X				X		X	X
Texans Standing Tall	Statewide Community Coalition Assessment and Training to Increase Collaboration to Prevent DUI/DWI												X			X		X	X	X

Organization	Project Title	Alternative Transportation	Community Supervision	Driver Licensing	Employer	Enforcement – Local	Enforcement – State	Enforcement – Supportive/Training	Ignition Interlock	Judiciary	Media	Medical or Public Health	Prevention/Education	Prosecution	Screening, Treatment & Rehabilitation	Traffic Records	Traffic Safety - Local	Traffic Safety - State	Adult Focus	Underage Focus
Texans Standing Tall	Zero Alcohol for Youth Academies and Statewide Youth Leadership Council to Reduce Impaired Driving												X					X		X
Texans Standing Tall	Enhanced Visibility Enforcement Campaign to Reduce Underage Social Access to Alcohol and DUI/DWI												X					X		X
Texans Standing Tall	Screening and Brief Intervention for Risky Alcohol Use and DUI/DWI Among College Students												X		X		X		X	X
Texas A&M AgriLife Extension Service	Texas A&M AgriLife Extension Service Watch UR BAC Alcohol and Other Drug Awareness Program												X					X	X	X
Texas A&M Transportation Institute	Marijuana and Traffic Safety: Texan's Attitudes and Issues-Guides												X					X	X	X
Texas A&M Transportation Institute	Texas Impaired Driving Task Force	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Texas A&M Transportation Institute	Blood Alcohol Concentration (BAC) Reporting in Texas: Improving ME Office and County Performance									X		X				X	X	X	X	X
Texas A&M Transportation Institute	Peer-to-Peer Program to Deter Impaired Driving and Underage Drinking Amongst Youth in Texas	X											X				X	X		X
Texas A&M Transportation Institute	Texas Impaired Driving Judicial Bench Book and Drug Impaired Driving Judicial Newsletter									X							X	X	X	X
Texas A&M Transportation Institute	Prosecutor Crash Scene Investigation and Evidence Training													X			X	X	X	X
Texas Alcoholic Beverage Commission	TABC Under 25 Community Partnership Project												X						X	X
Texas Association of Counties	County Judges Impaired Driving Liaison Project									X								X	X	X
Texas Center for the Judiciary	Texas Judicial Resource Liaison and Impaired Driving Judicial Education									X								X	X	X
Texas Department of Public Safety	Evidential Drug, Breath and Blood Alcohol Testing						X									X	X	X	X	X
Texas District and County Attorneys Association	DWI Resource Prosecutor													X			X	X	X	X

Organization	Project Title	Alternative Transportation	Community Supervision	Driver Licensing	Employer	Enforcement - Local	Enforcement - State	Enforcement - Supportive/Training	Ignition Interlock	Judiciary	Media	Medical or Public Health	Prevention/Education	Prosecution	Screening, Treatment & Rehabilitation	Traffic Records	Traffic Safety - Local	Traffic Safety - State	Adult Focus	Underage Focus
Texas DPS Trooper Foundation	Standardized Field Sobriety Testing/Blood Warrants/Mobile Video Updates							X									X	X	X	X
Texas Ignition Interlock Training, Summit, Outreach and Evaluation	Texas Ignition Interlock Training, Summit, Outreach & Evaluation		X			X			X	X				X			X	X	X	X
Texas Justice Court Training Center	Texas Justice Court Traffic Safety Initiative									X							X	X	X	X
Texas Municipal Courts Education Center	Municipal Traffic Safety Initiatives									X							X	X	X	X
Texas Municipal Police Association	Texas Standardized Field Sobriety Testing (SFST) Instructor Course Training Program							X									X	X	X	X
Texas Municipal Police Association	Fundamentals of Driving While Intoxicated (DWI) Investigation and Enforcement Training Program							X					X				X	X	X	
Texas Municipal Police Association	Law Enforcement Training to Reduce Impaired Driving by People Under 21							X									X	X		X
Texas Municipal Police Association	Texas Standardized Field Sobriety Testing (SFST) Refresher & Practitioner Training Program							X									X	X	X	X
Texas Municipal Police Association	Statewide Impaired Driving Summit for Law Enforcement							X									X	X	X	X
Travis County Attorney's UDPP	Comprehensive Underage Drinking Prevention Program												X				X			X
TxDOT – Traffic Safety	STEP Mobilization Driving Mobilization							X					X				X	X	X	X
TxDOT – Traffic Safety	Project Celebrations												X				X	X	X	X
TxDOT – Traffic Safety	Alcohol and Impaired Driving Campaign (Christmas, Football, College, Labor Day, Hispanic)												X				X	X	X	X

Appendix F – Approval of the Texas Impaired Driving Plan

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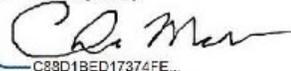
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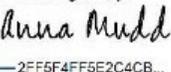
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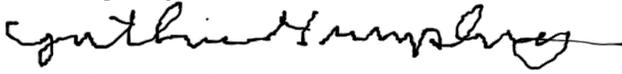
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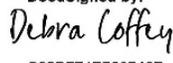
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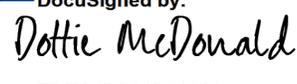
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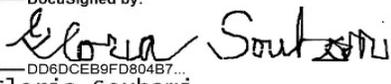
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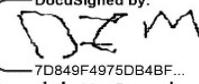
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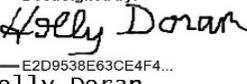
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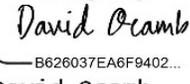
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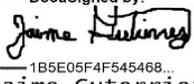
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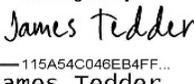
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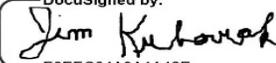
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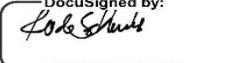
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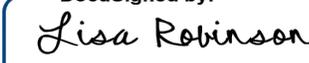
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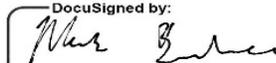
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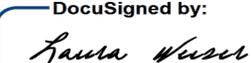
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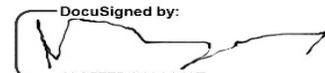
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Toni Hale
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Toni Hale for Mindy Carroll
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