



IMPAIRED DRIVING

Task Force Newsletter



Save a Life™
Texas Department of Transportation

At the February 22, 2024 meeting of the Texas Impaired Driving Task Force, the Executive Committee provided the following updates.

Judicial Education

Judicial education is continuing to focus on [Senate Bill 6](#) (SB 6) – Damon Allen Act. SB 6 amends Chapter 17 of the Code of Criminal Procedure to provide more complete and accurate information to a magistrate in setting bail and bond conditions, including a defendant's criminal history record information, and requiring a magistrate, after individualized consideration of all the factors listed in Art. 17.15, to order the defendant to be: (1) granted a personal bond with or without conditions; (2) granted a bail bond with or without conditions; or (3) denied bail under the Texas Constitution and other laws. In setting bail the magistrate must impose the least restrictive condition, if any, and the personal bond or bail bond necessary to ensure the defendant's appearance in court and the safety of the community, law enforcement and the victim.



Other upcoming judicial education conferences and webinars provided by the Texas Center for the Judiciary include:

- The Intersection of AI and Impaired Driving, Breath and Blood Evidence Issues in DWI Cases, DWI Jury Charges
- Mandatory Traffic Fines
- Basic and Advanced DWI Court Team
- The Benefits of Judicial Collaboration in Impaired Driving Cases, DWI Case Law Update, DWI Plea Bargain Issues: What Would You Do?

Texas continues to have one of the most comprehensive judicial education programs on traffic safety in the country – thanks to the Texas Department of Transportation's partnerships with the [Texas Center for the Judiciary](#), [Texas Municipal Courts Education Center](#), and [Texas Justice Court Training Center](#).

Updates from the Traffic Records Coordinating Committee (TRCC)

This statewide group of stakeholders uses the TRCC as a forum for the planning, coordination and implementation of projects to improve Texas' traffic records system. The TRCC uses federal "State Traffic Safety Information System Improvement Grants (405c)" and other funds to promote projects to improve the accessibility, accuracy, completeness, consistency, timeliness and uniformity of the traffic records systems in Texas. These projects include efforts to improve individual databases as well as to promote linkages between the core traffic records systems through the development of interfaces to improve direct business needs and integration to improve data analysis.

Read Newsletter [here](#).

Join the TRCC email list [here](#).





Continued: Executive Committee 2024 Updates

Retail Enforcement and Education: Alcohol To-Go and Consumer Delivery

During the COVID-19 pandemic the Governor issued Executive Orders that relaxed the control of how alcoholic beverages were sold. The 87th Texas Legislature codified this into law to allow bars and restaurants to continue delivering and selling alcoholic beverages to-go with stipulations.

Alcohol To-Go/Consumer Delivery Eligibility and Requirements

Alcohol To-Go Eligibility of Certain Retailers: Mixed Beverage and Private Clubs	Consumer Delivery Eligibility of Certain Retailers: Consumer Delivery Permit (CD)
<ul style="list-style-type: none">• Must holder a Food and Beverage Certificate• Must be sold with a bona fide order of food• Alcohol must be in the original container, sealed by the manufacturer or in a tamper-proof container by the retailer• For consumption off the premises• May also make deliveries	<ul style="list-style-type: none">• The CD permittee may make deliveries of alcoholic beverages only in response to bona fide orders placed by the consumer.• The holder may employ or contract with a driver to deliver alcoholic beverages from an authorized retailer's premises to an ultimate consumer located in an area that is legal/wet for the type of beverage being delivered.• The beverage being delivered must be sold to the consumer by specifically authorized retailers that hold a license or permit including off-premise locations.• Any person delivering alcohol under this authority must be at least 21 years old and hold a valid driver's license. <p>Requirements for Completing Delivery: It is illegal to deliver an alcoholic beverage to a minor or an intoxicated person. Additionally, it requires the recipient of the alcohol to present the driver with valid proof of their identity and age before the alcohol is handed over to the recipient.</p>

In the summer of 2023, the Texas Alcoholic Beverage Commission (TABC) started conducting compliance checks to determine the level of compliance regarding Consumer Delivery (CD) Permits and licensed locations offering alcohol to-go. Field Operations along with Audit and Investigations (A&I) conducted operations over a two-month period. Field Operations focused on public safety violations and A&I focused on regulatory violations.

Findings from TABC Compliance Checks

Alcohol To-Go Violations (101 Attempts)	Consumer Delivery Violations (98 Attempts)
<ul style="list-style-type: none">• 29-Sale to Minor (Admin/Crim)• 21-Improper Packaging (Admin Only)• 4-Permit Removal (Admin Only)• 1-Sold without Food (Admin Only)• 2-No Food & Beverage Certificate (Admin Only)	<ul style="list-style-type: none">• 10-Making Alcoholic Beverage Available to a Minor (Criminal Only)• 1-Improper Packaging (Admin Only)

Ultimately, allowing alcohol to-go and expanding consumer delivery in Texas leads to increased access to alcohol, especially for minors. TABC and Texans for Drug-Free Youth (TxSDY) will continue to monitor the impact of alcohol to-go and consumer delivery on traffic safety.

Impaired Driving Enforcement Training and Detection: An SFST Loophole Identified

In Texas, the Standard Field Sobriety Test (SFST) training used to be under just one agency. However, approximately 20 years ago, the rules changed, and anyone who became a certified SFST instructor could deliver the course.

Now, there is no oversight for training courses and thus there are inconsistencies in the way officers are being trained on SFST. This is an issue since SFST should be standardized and based on the NHTSA Manual.

According to a [Texas SFST Lead Instructor](#), for officers to be able to testify in court about the three standardized tests, especially HGN, the officer must show they were properly trained, know how to administer the tests, and know how to evaluate the suspect's performance. The best way to do this is to follow all the standardized procedures outlined in the NHTSA manual. The TxIDTF will continue to explore how to best close this loophole and bring SFST trainings back to uniformity across Texas.



Resources and Publications Presented at the 2024 Texas Impaired Driving Forum



Texas Statewide
IMPAIRED
DRIVING FORUM

We hope you enjoyed your experience at the 2024 Texas Impaired Driving Forum in Austin, TX! You can view presentations from the event [here](#).

We are accepting proposals for speakers/presentations for the 2025 Texas Impaired Driving Forum. Speaker/presentation proposals must be submitted using the form below. Proposals for speakers will be accepted until August 1, 2024. All proposals will be carefully reviewed for applicability to the Texas Impaired Driving Forum audience. Applicants will be notified of their acceptance status by the end of November 2024.

Please complete the following form [here](#).

2024 Texas Impaired Driving Forum Highlights

Texas Impaired Driving Safety Awards

The Texas Impaired Driving Task Force — in conjunction with the Texas Department of Transportation — present the **Texas Impaired Driving Safety Awards**. This competitive awarding process honors, celebrates, and encourages those individuals/organizations who go “above and beyond” in support of the mission to eliminate impaired driving in Texas. The 2024 Texas Impaired Driving Safety Awards were presented to:

- **Judge David Hodges**, *McClennan County*
- **Dallas County District Attorney’s (DA) Office, Vehicular Crimes Unit:**
DA John Cruzot, Lauren Black, Andrew James, Maria Cantrell, and Ron Cathcart
- **Officer Dylan Harr**, *Manor Police Department*



Austin Impaired Driving Action Team

Nicole Holt, Texans for Safe and Drug-Free Youth

Denise Geleitsmann, Austin Public Health

Texans for Safe and Drug-Free Youth and Austin Public Health are partnering to bring public health and prevention strategies to reduce the city’s impaired driving rate and achieve its Vision Zero goals.

Representatives from the Austin Impaired Driving Action Team discussed how the coalition came together and their approach to coordinating efforts amongst various stakeholder groups. The speakers also discussed how this coalition building approach could be replicated in other Texas communities.

Current Drug Trends

Amy Miles, Wisconsin State Laboratory of Hygiene

Amy Miles presented on current drug trends in the United States (see chart to the right). She highlighted several drug categories on the rise in recent years — CNS stimulants (methamphetamine, cocaine, synthetic cathinones), cannabinoids, and opioids (heroin, oxycodone, hydrocodone, morphine, fentanyl(s), internet opioids). The most common signs of impairment were described for each drug. Several case studies on THC isomers, such as Delta-8, and synthetic cannabinoids were also presented. These studies highlight the risks associated with these “legal” THC products, such as unknown side effects, lack of quality assurance and testing, the fact that other drugs may be present, and varying concentrations of THC.



Top 10 Trending Drugs (2022)

Methamphetamine	Fluorofentanyl
Cocaine	4-ANPP
THC	Oxycodone
Fentanyl	Alprazolam
Heroin	Buprenorphine



Continued: 2024 Texas Impaired Driving Forum Highlights

Working Together to End Impaired Driving: NTSB Investigations, Research, and Recommendations

Ryan Smith, Ph.D., Office of Research and Engineering, National Transportation Safety Board

Since its inception, the National Transportation Safety Board (NTSB) has issued over 168 recommendations on the topic of impaired driving. Ryan Smith, Ph.D., presented on NTSB's recent investigations, recommendations, and strategies for reducing impaired driving.

Highway fatalities represent nearly 95 percent of all transportation deaths, and driver impairment is a leading factor in these fatalities. Dr. Smith reviewed NTSB's "Roadmap to Reaching Zero Alcohol-Impaired Driving Fatalities" (pictured).

Additionally, an overview of a Safety Research Report entitled, "[Alcohol, Other Drug, and Multiple Drug Use Among Drivers](#)" was provided. This report examines polydrug usage among drivers and develops strategies to both improve drug data and better intervene to stop impaired driving from all impairing substances. Dr. Smith highlighted the need to improve upon and analyze toxicology data to better understand drug prevalence among drivers.

NTSB is happy to provide resources and help advocate to assist in implementing their recommendations!

Roadmap to Reaching ZERO Alcohol-Impaired Driving Crashes

- Lower BAC limit
- Increased use of high-visibility enforcement
- Use of in-vehicle alcohol detection technology
- Engine ignition interlocks for all offenders
- Enhanced use of administrative license actions
- Target repeat offenders
- Use of DWI courts

[nts.gov/mwl](https://www.nts.gov/mwl)

ZERO

NTSB

Resources and Publications Presented at the 2024 Texas Impaired Driving Forum

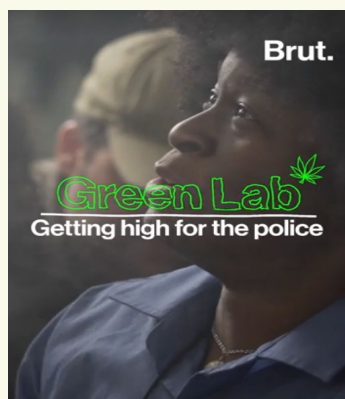
- [Impaired Driving: Information on Data Used to Identify Repeat Offenders – Government Accountability Office \(June 2023\)](#)
- [Alcohol, Other Drug, and Multiple Drug Use Among Drivers – National Transportation Safety Board \(December 2022\)](#)
- [A Primer for Evaluating Underage Drinking – National Highway Traffic Safety Administration \(June 2021\)](#)
- [Recommendations for Toxicological Investigation of Drug-Impaired Driving and Motor Vehicle Fatalities—2021 Update \(June 2021\)](#)
- [Drug Testing and Traffic Safety: What You Need to Know – National Highway Traffic Safety Administration \(March 2022\)](#)
- [Cannabis Impairment Detection: Workshop Handbook – Responsibility.org \(November 2020\)](#)
- [The Legalization of Marijuana in Colorado: The Impact – Rocky Mountain High Intensity Drug Trafficking Area \(September 2021\)](#)
- [Impaired Driving Toolkit: A Law Enforcement Leader's Guide to Saving Lives – Mothers Against Drunk Driving \(October 2023\)](#)
- [MADD Roll Call Video Series](#)
- [MADD Monthly Law Enforcement Newsletter](#)

Up in Smoke: Cannabis Legalization's Impact on Traffic Safety

Officer Jayme Derbyshire, Montgomery County Department of Police, Maryland

Montgomery County Department of Police was the first to observe cannabis impaired drivers in a controlled setting in the state of Maryland. Officer Derbyshire provided a brief overview of Green Labs and lessons learned as a result of this unique law enforcement and prosecutor-based training. The presentation covered what years of Green Labs have revealed about cannabis impaired drivers, effectiveness of field tests as they relate to cannabis, ways to adapt this training dependent on a state's legalization status, and enforcement tactics that may best help to determine the cannabis impaired driver.

The benefits of conducting the green labs are: 1. Promotes good arrest decisions; 2. Provides DREs and prosecutors stronger cases; and 3. Offers an opportunity to test new technologies such as oral fluid, eye movement, and breath testing. Many legal hemp-based products also cause impairment. Other states are considering running green labs on hemp derived products with low doses of alcohol. A couple of states moving forward on this idea are Tennessee and Georgia.





UPCOMING EVENTS!

APRIL

- [Our Driving Concern: Distracted Driving and Reducing Risk](#)
April 2 | Webinar
- [Texas DRE: Seguin – ARIDE Course](#)
April 2–3 | Seguin, TX
- [TxSFST: Idalou FREE 8-HR Refresher Course](#)
April 3 | Idalou, TX
- [TxSFST: Idalou FREE 8-HR Refresher Course](#)
April 4 | Idalou, TX
- [Texas DRE: Waco – ARIDE Course](#)
April 4–5 | Waco, TX
- [Lifesavers, National Conference on Highway Safety Priorities](#)
April 7–9 | Denver, CO
- [Texas DRE: Pasadena – Drug Recognition Expert Basic Certification Course](#)
April 8–18 | Pasadena, TX
- [Texas DRE: Starr Co Sheriff's Office – ARIDE Course](#)
April 9–10 | Rio Grande City, TX
- [TxSFST: Beaumont FREE 8-HR Refresher Course](#)
April 10 | Beaumont, TX
- [Texas DRE: Cuero – ARIDE Course](#)
April 10–11 | Cuero, TX
- [Texas DRE: Los Fresnos – ARIDE Course](#)
April 11–12 | Los Fresnos, TX
- [TxSFST: Dallas FREE 8-HR Refresher Course](#)
April 15 | Lancaster, TX
- [TxSFST: Harris Co FREE 24-HR Practitioner Course](#)
April 16 | Houston, TX
- [TxSFST: Tarrant Co FREE 8-HR Refresher Course](#)
April 17 | Fort Worth, TX
- [Texas DRE: College Station – ARIDE Course](#)
April 18–19 | College Station, TX



- [Texas DRE: Pasadena – Drug Recognition Expert In-Service Course](#) April 19 | Pasadena, TX
- [Texas DRE: Plano – Drug Recognition Expert Basic Certification Course](#)
April 22–May 2 | Plano, TX
- [TxSFST: New Braunfels FREE 8-HR Refresher Course](#)
April 25 | New Braunfels, TX
- TxIDTF: Quarterly Meeting
April 25 | Austin, TX
- [TxSFST: Borger FREE 8-HR Refresher Course](#)
April 29 | Borger, TX
- [TxSFST: Belton FREE 8-HR Refresher Course](#)
April 29 | Belton, TX
- [TxSFST: Dallas FREE 8-HR Refresher Course](#)
April 29 | Lancaster, TX
- [TxSFST: Borger FREE 8-HR Advanced DWI Course](#)
April 30 | Borger, TX



IMPAIRED DRIVING

Task Force Newsletter

Continued: Upcoming Events



MAY

- [TxSFST: Angelina College FREE 50-HR SFST Instructor Course](#)
May 6-10 | Lufkin, TX
- TRCC: Quarterly Meeting, May 8 | Virtual
- [Texas DRE: Irving – Drug Recognition Expert In-Service Course](#)
May 10 | Irving, TX
- [TxSFST: Belton FREE 8-HR Advanced DWI Course](#)
May 13 | Belton, TX
- [TxSFST: Dimmitt FREE 8-HR Refresher Course](#)
May 15 | Dimmitt, TX
- [TxSFST: Tarrant Co FREE 8-HR Refresher Course](#)
May 15 | Fort Worth, TX
- [Texas DRE: Southlake DPS – Specialized DWI Training “The Medical Foundations of Visual Systems Testing”](#)
May 15-17 | Southlake Texas
- [TxSFST: Killeen FREE 8-HR Refresher Course](#)
May 16 | Killeen, TX
- [TxSFST: Bexar Co FREE 8-HR Refresher Course](#)
May 20 | Atascosa, TX
- [Texas DRE: Austin – Drug Recognition Expert In-Service Course](#)
May 20 | Austin, TX

- [TxSFST: Bexar Co FREE 8-HR Advanced DWI Course](#)
May 21 | Atascosa, TX
- [Texas DRE: San Angelo – ARIDE Course](#)
May 28-29 | San Angelo, TX
- [TxSFST: Southside FREE 8-HR Refresher Course](#)
May 29 | Houston, TX
- [TxSFST: Southside FREE 8-HR Refresher Course](#)
May 30 | Houston, TX

Please Welcome Our Newest Member:

Taylor Vanegas

*Assistant District Attorney, Montgomery County
District Attorney's Office, Vehicular Crimes Unit*



The next meeting:

Thursday, April 25, 2024

Norris Conference Center

2525 W Anderson Ln. #365
Austin, TX 78757



Newsletter Additions

If you would you like to add anything to the next edition of the newsletter, please send your information to c-adams@tti.tamu.edu or e-shields@tti.tamu.edu.