

Review under Vice President Gore and rewarded process improvements which demonstrated that government worked better and cost less.

- The Department of Transportation's Regulatory Reform initiative required all modes to examine all of their rules and regulations and reduce them by half.
- States are being required to use performance measures in their state budgeting processes.

It was in this environment that NHTSA made the decision to revise the 402 process, providing states with more flexibility in the management of their highway safety program. Requiring the use of performance measures was supportable since that data is available in highway safety, e.g., fatality rates, belt use rates, alcohol related crashes.

The old 402 process required states to develop Highway Safety Plans including data to support problem ID and project descriptions for proposed programs. The Plan was approved by the Regional Offices and changes in excess of 10% of program costs needed prior approval. Annual reports were required. Accountability was at the project level.

The new process requires states to develop Benchmark Reports which contain goals, performance measures and a description of the processes used to conduct problem ID, set goals and develop strategies. A plan is prepared for the state's internal use and a copy provided to the Regional Office for information. The Benchmark Report is approved "for reasonableness" by the Regional Offices. Annual reports are required. Accountability is at the goal level.

Sixteen states participated as pilot states in the first year of the program; in year two, 41 states, D.C., Puerto Rico, the Virgin Islands and Northern Marianas participated. After the first round, we completed a short term evaluation and learned that almost universally the states liked the process, that they were beginning to pass the requirement to set goals down to the community level, that funding in the nine priority programs is being sustained, and that the difficulties they were having resulted from inadequate data systems. The immediate effect on the program was that we saw more innovation, fewer "feel good" programs, and reenergized state highway safety office staff. The first year of the pilot program, the 402 funding for alcohol remained at the same level as in prior years, roughly 28% of the total funding or nearly 34 million dollars.

The 410 alcohol incentive program is another source of funding for alcohol programs for the states. In order to qualify, states must meet certain basic criteria, one of the seven elements includes a performance measure (states must show progress in reducing alcohol related crashes). Other elements include ALR, per se laws, check-points, self-sustaining DUI programs, preventing under-21 from obtaining alcohol, mandatory sentencing and zero tolerance. After meeting five of the seven basic criteria, states are eligible to receive funding for up to six supplemental criteria. Funding must be used for alcohol programs. The

410 program at a funding level of \$25 million has been very successful, the number of states receiving funds rising from 19 to 32 since 1992. The program is credited with the passage of eight .08 BAC laws, 25 zero tolerance laws (another 10 passed after the sanction provision), 10 ALR laws, and the development of countless programs.

A third means of influencing state actions is through the use of sanctions. If states do not take a specific action, some type of funding is withheld. A law passed in 1995 required states to enact a .02 law by October 1, 1998, or else 5% of certain federal-aid highway funds will be withheld; in 1999 and every year thereafter, 10% of the funding will be withheld. The .02 law must apply to everyone under 21, be a per se offense, have primary enforcement and must permit license suspension. Thirty-four states and DC have laws which comply, 3 states have laws but don't meet all the criteria, and 13 states and Puerto Rico have no law. Ten zero tolerance laws were enacted after the passage of the sanction.

Decision makers must try to maintain some balance between incentive programs and sanctions. Certainly the 21 Minimum Drinking Age law would not be in every state if there were no sanctions. But sanctions are not supported by the states and in several cases (National Maximum Speed Limit, motorcycle helmets), sufficient pressure was exerted on the Congress to repeal sanctions before they had run their course.

All of these considerations will be included in the discussions over ISTEA 2, as we reauthorize our safety programs.

APPENDIX C5A

NORTH CAROLINA *BOOZE IT & LOSE IT* PROGRAM

Joe Parker

North Carolina Governor's Highway Safety Program

GREENSBORO - It's "Booze It & Lose It" in North Carolina as law enforcement officials statewide once again step up enforcement of driving while impaired (DWI) laws with sobriety checkpoints in all 100 counties. The checkpoints will begin on July 1 and continue through the Fourth of July weekend. Last year, 16 people died in Fourth of July weekend highway crashes; seven of those fatalities were alcohol-related.

"Law officers will be out in force making sure our roads are safe for travelers and vacationers this summer, especially during the Fourth of July week," said Gov. Jim Hunt, who understands the dangers of impaired driving a personal way. As a young man, Hunt walked away from a serious car crash involving a drunken driver. "There will be law enforcement checkpoints all over the state. People who drive while impaired will be caught and will lose their licenses on the spot. It's time to put a stop to drunk drivers, especially repeat offenders."

The announcement of the campaign came at an event

in Greensboro today launching this year's "Booze It & Lose It" campaign and National Sobriety Checkpoint Week (July 1-7). Officials unveiled North Carolina's newest weapon to stop drunken driving, a mobile breath-alcohol testing unit. The 32-foot-long vehicle, built in the Triad, will be equipped with two intoxilyzer alcohol-breath testing machines and equipment to process a motorist charged with DWI. It will assist law officers by reducing the time it takes to transport an impaired driving suspect to the nearest breath-testing site during checkpoints or large events. The vehicle, operated by the Forensic Tests for Alcohol Branch of the Department of Environment, Health and Natural Resources, will be available for use by law enforcement agencies statewide this summer.

As a result of "Booze It & Lose It" and ongoing efforts to stop drunken driving, alcohol-related fatalities dropped to the lowest number this decade. In 1995, there were 392 alcohol-related fatalities, 27 percent of all North Carolina traffic deaths. The six-year trend:

"While we've made great progress, we must continue to step up our local and statewide efforts to stop deaths and injuries at the hands of drunk drivers," Hunt said.

"Booze It & Lose It"

- Since the start of the Governor's Highway Safety Initiative in October 1993, North Carolina law officers have conducted more than 16,000 checkpoints and charged 22,600 with driving while impaired.

Source: North Carolina State Highway Patrol.

- Prior to the 1994 "Booze It & Lose It" campaign, about 2 percent of all nighttime drivers passing through research checkpoints were found to have a blood alcohol concentration above North Carolina's legal limit of .08 percent. Three months later, the number of legally intoxicated drivers seen at checkpoints had been *cut in half*—to slightly less than 1 percent (0.9 percent)—the lowest such number ever recorded in the nation.

Source: UNC Highway Safety Research Center

- The number of North Carolina motorists killed in alcohol-related crashes continues to decline. There were 469 alcohol-related fatalities in 1993, 457 in 1994 and 392 in 1995.

Source: NC DOT Division of Motor Vehicles Collision Reports Section.

North Carolina Driving While Impaired Law

- In North Carolina, drunk drivers lose their license on the spot. No warnings, no excuses.
- Source: North Carolina General Statute 20-16.5.*
- In North Carolina, you are driving while impaired (DWI) if your alcohol concentration meets or exceeds .08, or if you are under the influence of or affected by alcohol or other drugs.

Source: North Carolina General Statute 20-138.1.

- North Carolina enacted a "zero tolerance" law in 1995 for drivers younger than the legal drinking age. If you are under age 21 and you are convicted of driving with *any amount* of alcohol or other drugs in your body, your license will be revoked for one year.

Source: North Carolina General Statute 20-138.3.

The Cost of Impaired Driving in North Carolina

- First-time offenders can expect to pay at least \$6,200 in fines, fees and insurance costs if convicted of DWI.
- Sources: NC Department of Justice, NC Department of Insurance, NC General Statutes*

- Each year, drunk drivers cost North Carolinians nearly \$1 billion in health care, insurance and other related costs. That translates to a cost of \$214 a year for each licensed driver in North Carolina.

Source: NC DOT Traffic Engineering Branch.

- Automobile insurance rates increase by at least 400 percent if a person is convicted of driving while impaired.

Source: NC Department of Insurance.

The 1996 "Booze It & Lose It" program is a continuation of the most extensive statewide law enforcement and education effort in U.S. history.

The high price of a DWI conviction should make people think twice before drinking and driving, according to Lt. Gov. Dennis Wicker. "Besides resulting in lost driving privileges, a DWI conviction is time-consuming and expensive," said Wicker, who was chairman of the Governor's Task Force on Driving While Impaired. "The tab can run at least \$6,200 for the first DWI offense. Insurance rates alone jump at least 400 percent if you are convicted."

Wicker also reminded young people to never drink and drive. North Carolina enacted a "zero tolerance" law in 1995 for drivers under the legal drinking age. "Anyone under age 21 convicted of driving with *any amount* of alcohol or other drugs in his or her body can have their licenses revoked for one year," Wicker said.

Since the Governor's Highway Safety Initiative began in October 1993, state and local law enforcement agencies have conducted more than 16,000 checkpoints and charged 22,600 with driving while impaired.

Secretary Richard Moore of the Department of Crime Control and Public Safety said high visibility enforcement is the best method of convincing people not to drink and drive. "Research shows that appeals to do what's right don't work for people who drink and drive," Moore said. "What deters them is the risk of getting caught and losing their license. Like the television ads say, 'we're going to get them, all of them.'"

Moore said he expects law officers to find a number of violations other than DWI during this enhanced enforcement campaign, such as firearm violations, drug offenses, stolen vehicles and even fugitives from justice.

Law officers have discovered more than 400,000 violations other than driving while while impaired, seat belts and child safety seats since 1993.

Joe Parker, director of the Governor's Highway Safety Program, said North Carolina is continuing the campaign in an effort to lower the number of impaired drivers on the highways, saving lives and health-care costs.

"Booze It & Lose It" works, Parker said. A 1994 study showed the campaign cut in half the number of intoxicated drivers found at checkpoints and helped reduce alcohol-related fatalities in North Carolina.

Prior to the 1994 campaign, about 2 percent of all nighttime drivers passing through checkpoints were found to have a blood alcohol concentration above the legal limit of .08 percent. Three months later, the number of legally intoxicated drivers seen at these checkpoints was cut in half to slightly less than 1 percent (0.9 percent).

"We know this program saves lives, that's why we're stepping up our efforts," Parker said. "Law enforcement agencies and communities are working together in unprecedented cooperation. Last year, 392 people lost their lives on North Carolina highways due to alcohol-related crashes. That's far too many. The eyes of the nation will be on us to see what we can accomplish with this massive effort." (Source: July 1, 1996 Press Release).

APPENDIX C5B

OHIO HIGHWAY SAFETY PROGRAM PROGRAM OVERVIEW - FEDERAL FISCAL YEAR 1995

Laura Ludwig

Ohio Office of the Governor's Highway Safety
Representative

WHAT IS IT?

- Distribution of federal and state funds allocated to traffic safety.
- Federal funding sources during 1995 included Title 23, Section 402 Highway Safety Program, 410 Impaired Driving, and 153 Helmet Law Transfer Funds.
- Administration of funds from state MUL fines and Federal County Surface Transportation Program.
- Ohio Department of Public Safety, Office of the Governor's Highway Safety Representative (OGHSR) acts as grants administration agent, and develops annual work plan (Ohio Highway Safety Plan) to guide statewide traffic safety efforts.

WHAT PROGRAMS ARE FUNDED?

During Federal Fiscal Year 1995 (October 1, 1994 to September 30, 1995) the OGHSR issued grants for the following:

- Expended over \$4 million of Section 402 funds in support of 90 state and local agencies.
- Overtime traffic enforcement of speed and impaired driving
- Occupant protection and child passenger safety seat programs
- Traffic engineering studies
- Comprehensive community traffic safety program coordination
- Bicycle, pedestrian and school bus safety programs
- State and local traffic records systems
- Youth traffic safety programs
- Development of the Ohio Safety Management System Implementation Plan
- Expended over \$4 million of Section 410 funds in support of 204 state and local agencies.
- Overtime traffic enforcement of impaired driving
- *Campaign Safety and Sober*
- Standard Field Sobriety Test training (SFST) and Advanced Detection, Apprehension, and Prosecution (ADAP) training
- Court immobilization programs to address repeat DUI offenders
- Sobriety checkpoints.
- Began expenditure of almost \$5 million of Section 153 transfer funds in support of state and local agency traffic records systems.
- Completed Traffic Records System Strategic Plan as a guide for state and local agency planning of traffic records systems over the next 3-5 years (driver license, vehicle registration, traffic crash, roadway information, emergency medical services data systems).
- Distributed \$227,000 in state MUL fines to 206 local "Third Grade Safety Belt Programs."
- Distributed \$650,000 in County Surface Transportation Program funds for the County Engineers Association of Ohio, which they obtained from the Federal Surface Transportation Program.