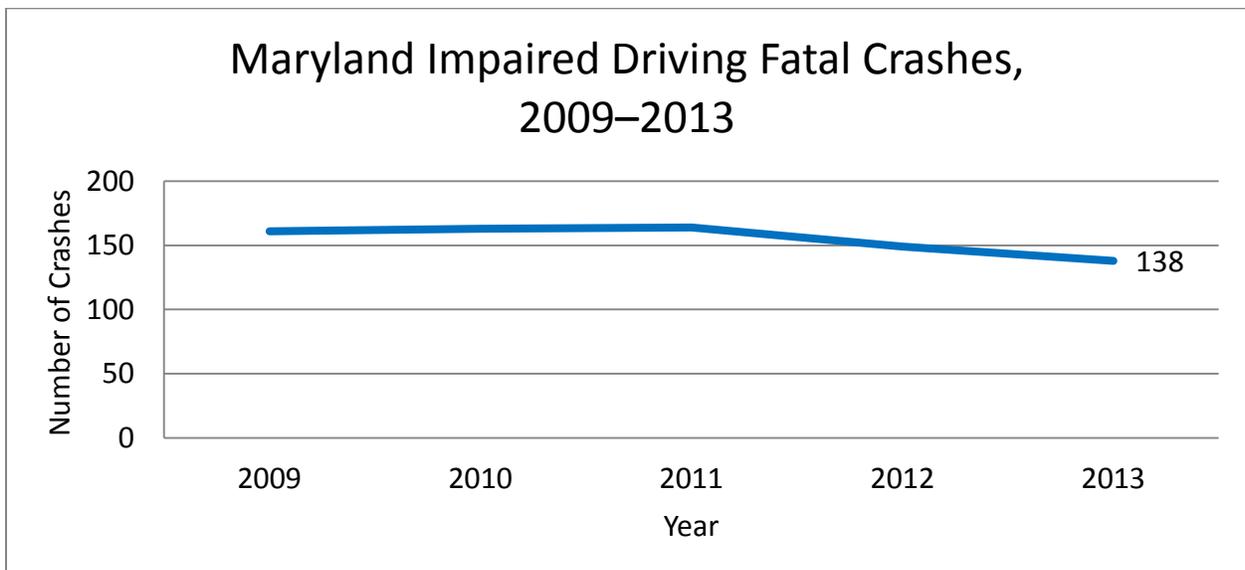
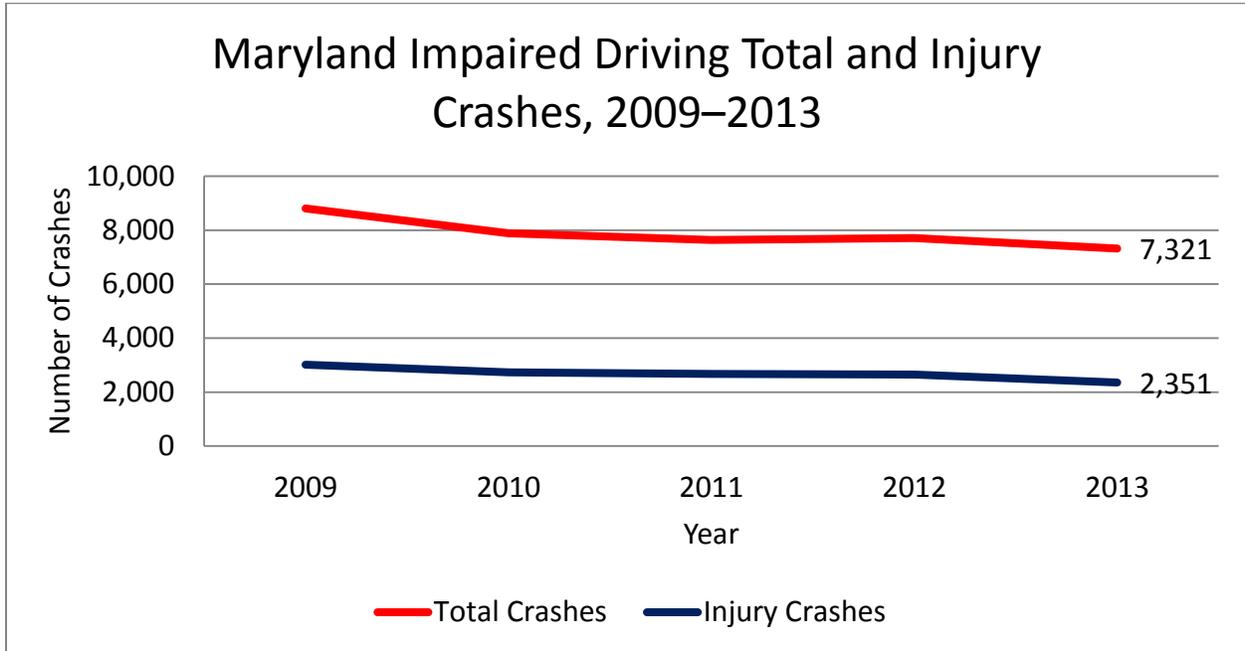


## IMPAIRED DRIVING IN MARYLAND

### THE FACTS

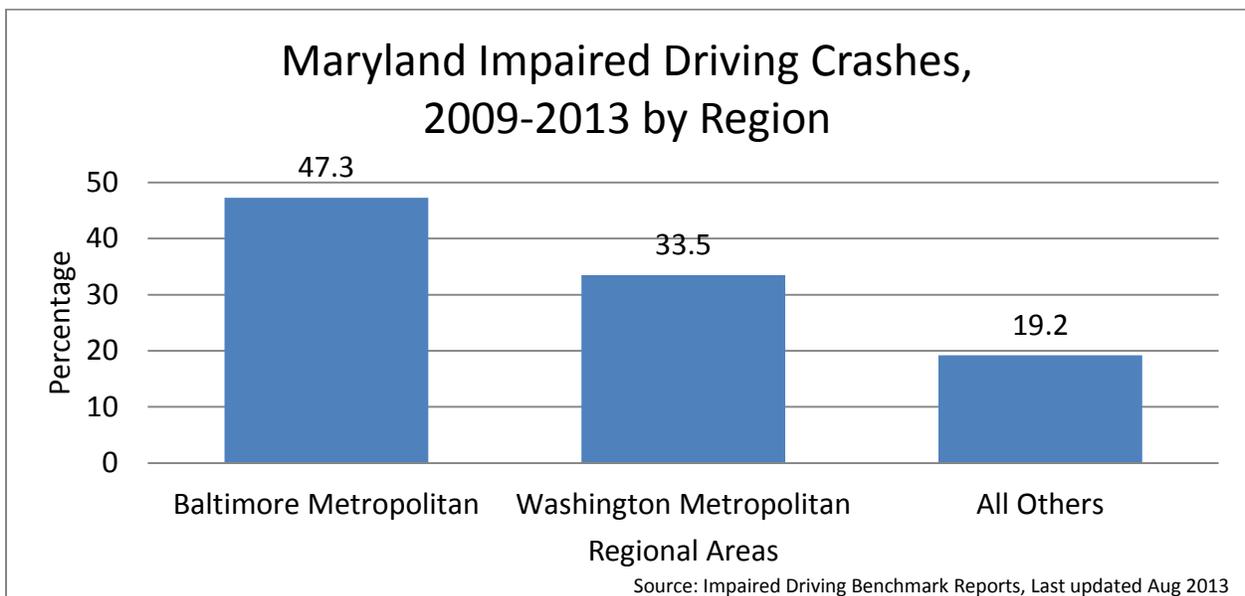


- **Motor vehicle crashes are a huge threat to public health.** Over the past decade, the number of crashes reported on the nation's roadways has declined annually. However, motor vehicle crashes continue to be a leading cause of death in the United States<sup>1</sup>. In 2012, approximately 5.6 million crashes were reported; approximately 30 percent resulted in an injury or fatality<sup>2</sup>.

<sup>1</sup> CDC National Vital Statistics Reports – 10 Leading Causes of Death, United States, 2012

<sup>2</sup> NHTSA Traffic Safety Facts – Overview DOT HS 812 016

- **Impaired driving trends are inconsistent.** Between 2009 and 2013, the number of impaired driving crashes in Maryland rose and fell. Since 2009, there appeared to be a slight downturn in the number of impaired-driving-related crashes reported annually.
- **Fatal crashes related to impaired-driving are slowly decreasing.** Between 2009 and 2013, 20,987 Marylanders were either killed or injured in a crash where drugs and/or alcohol were involved. Since 2009, the number of fatal crashes related to impaired driving decreased by 14 percent while the number of overall impaired driving crashes declined by 17 percent. Statewide, overall fatal crashes have declined by 16 percent since 2009.
- **Metropolitan areas have the highest concentration of impaired driving crashes<sup>3</sup>.** Approximately 80 percent all impaired driving crashes occurred within the Baltimore and Washington metropolitan areas, with 16 percent occurring in Prince George’s County.



- **Weekends and late evening hours have the highest number of impaired crashes.** Impaired driving crashes rise and fall throughout the year. Over 55 percent of all impaired crashes occurred on a Friday, Saturday, or early Sunday. Twice as many impaired driving crashes occurred on a Saturday or early Sunday as did on a Monday. Crashes resulting in death or injury were highest on Saturdays and Sundays (early morning hours). Crashes begin to increase from 5 p.m. through the early morning hours and see a dramatic fall after 3 a.m.

**1 out of 2** impaired drivers were **21–39** **years old.**

<sup>3</sup>Baltimore Metropolitan area is comprised of Anne Arundel, Baltimore, Carroll, Harford, and Howard Counties, and Baltimore City as designated by the Baltimore Metropolitan Council. The Washington Metropolitan Area is defined as Charles, Frederick, Montgomery, and Prince George’s Counties as designated by the Metropolitan Washington Council of Governments.

- **Impaired drivers in their twenties were involved in a disproportionate number of crashes.** Three out of ten impaired drivers were 21–29 years old. Impaired drivers in their twenties were involved in nearly 35 percent of crashes resulting in an injury or death.

## BACKGROUND

### Maryland’s Fight Against Impaired Driving

Maryland is taking action to combat impaired driving through collaborative partnerships between State agencies, legislative and judicial leaders, regional authorities, local government agencies and nongovernmental organizations to strengthen and enforce impaired driving laws and educate the public about the dangers of impaired driving. Together these agencies have joined forces to form Maryland’s Impaired Driving Emphasis Area Team. This team, made up of nearly 50 private and public members, addresses the complex issue of impaired driving via public information, education, enforcement, and judicial issues.

### Ignition Interlock, What is it? How is it significant to the fight against drunk driving?

The 2011 Drunk Driving Reduction Act, implemented on October 1, 2011 expanded Maryland’s ignition interlock program by requiring more drivers to participate. Currently, Maryland has the highest per-capita participation in ignition interlock on the East Coast with numbers that have nearly doubled in the past few years.

- Drivers convicted of DUI with a recorded BAC above 0.15 and drivers convicted while transporting a minor under the age of 16 are now required to successfully complete the ignition interlock program or face indefinite suspension until successful completion of the ignition interlock program
- Drivers with a second alcohol conviction of any kind within five years must participate in the ignition interlock program or face suspension.
- Drivers who are removed from the ignition interlock program for accruing four or more months of interlock violations are permitted to apply to reenter the interlock program after a 30-day suspension.
- Young drivers convicted of DUI are required to participate in the Ignition Interlock Program.
- There are criminal sanctions for driving a non-interlock vehicle with an interlock restricted license.
- For more information on Maryland’s Ignition Interlock program, visit <http://www.mva.maryland.gov/About-MVA/INFO/26200/26200-14T.htm>

In a driver survey conducted by the Maryland Highway Safety Office in 2013:

- 77% of respondents stated they would support a law that would make it mandatory for all drivers involved in a fatal crash to be tested for drugs and/or alcohol, and
- 70% indicated they would support a law that would make ignition interlock mandatory for all DUI offenders.

## MARYLAND'S IMPAIRED DRIVING LAWS

Effective laws are essential to preventing the tragedies that result from impaired driving. Maryland has enacted major changes to its impaired driving laws over the last several years, including increased penalties and expansion of the ignition interlock program.

### **WHEN YOU ARE PULLED OVER AND AN OFFICER SUSPECTS ALCOHOL:**

The officer will require you to submit to a field sobriety test and/or submit to blood alcohol concentration (BAC) test. Blood alcohol concentration (BAC) is the amount (grams) of alcohol present in a 100 milliliter (mL) volume of blood. For example 80 mg is 0.08 grams, 0.08 grams of alcohol in 100 mLs is written as 0.08%. This value can also be described as 0.08 BAC. Above a certain BAC, you are legally considered impaired.

If you are arrested and *refuse* to submit to a test by an officer for alcohol/or drugs, you will receive:

- an automatic 120-day license suspension for the first refusal (option to enter the Ignition Interlock program for one year in lieu of the suspension)
- an automatic one-year suspension of your license for your second or subsequent refusal
- if subsequently convicted of DUI/DWI, you may also receive additional penalties including a fine of up to \$1000 and/or one year in prison

If you *take* a test administered by an officer and are above the legal limit, you will receive:

- an automatic 45-day suspension of your license for your first offense
- an automatic 90-day suspension of your license for your second offense or subsequent offense
- if your BAC is 0.15 or higher, the license suspension periods are doubled

### **IF YOUR BAC IS FOUND TO BE .08 OR HIGHER:**

You may be convicted of Driving Under the Influence of Alcohol (DUI):

- Maximum criminal penalties for your first DUI offense conviction:
  - Up to \$1,000 fine
  - Up to one year in prison
  - 12 points on your license
  - License revocation for up to six months
  - Supervised probation for a term of up to three years, the court may order conditions of probation such as treatment, drug testing, interlock, and community service
- Maximum criminal penalties for your second DUI offense conviction:
  - Up to \$2,000 fine
  - Up to two years imprisonment with a mandatory minimum of five days if the second conviction is within five years of the prior conviction
  - 12 points on your license

- A mandatory one-year period of license suspension followed by up to a one-year period of ignition interlock
- License revocation for up to one year
- Mandatory participation in an alcohol abuse assessment and program
- Ignition Interlock is mandatory following your second DUI conviction in five year
- Supervised probation for a term of up to three years, the court may order conditions of probation such as treatment, drug testing, interlock, and community service

**IF YOUR BAC IS LESS THAN .08:**

You may be convicted of Driving While Impaired by Alcohol (DWI):

- Maximum criminal penalties for your first DWI offense conviction:
  - Up to a \$500 fine
  - Up to two months imprisonment
  - Eight points on your license
  - Up to a 60-day license suspension
  - Supervised probation for a term of up to three years, the court may order conditions of probation such as treatment, drug testing, interlock, and community service
  
- Maximum criminal penalties for your second DWI offense conviction:
  - Up to a \$500 fine
  - Up to one-year imprisonment
  - Eight points on your license
  - Up to a 120-day license suspension
  - Supervised probation for a term of up to three years, the court may order conditions of probation such as treatment, drug testing, interlock, and community service

Penalties are substantially higher if you are transporting a juvenile at the time of the offense or if you are involved in a crash that causes life-threatening injuries or death.

**UNDERAGE DRINKING AND FAKE ID LAWS**

If you are under 21 and found to have purchased, possessed or consumed alcohol, you face a fine of up to \$500 for your first offense and \$1,000 for your second or subsequent offense.

Anyone under 21 who violates their alcohol restriction must automatically participate in the ignition interlock program or face suspension. If assignment to interlock is for a second alcohol violation in five years, the duration of participation in the ignition interlock program is determined by how many times they have been assigned to interlock due to one of these violations.

- If you are under 21 and in possession of a fake ID, you face:
  - A fine of up to \$500
  - Up to two months in prison

- 12 points on your license
- Driver's license suspension or revocation
- If you are caught selling fake IDs, you face:
  - A fine of up to \$2,000 for **each** fake ID sold
  - Up to two years in jail for **each** fake ID sold
  - You are also subject to prosecution for violating federal and homeland security laws
- If you are over 21 and knowingly furnish alcohol to a minor, you face:
  - A fine of up to \$2,500 for the first violation
  - A fine of up to \$5,000 for a second or subsequent violation

### **Drunk Driving - Accidents Resulting in Death - Sanctions for Administrative Per Se Offenses**

This law change increases the penalties for drivers convicted of DUI who were involved in a fatal crash:

For drivers found to have a blood alcohol concentration of 0.08 or more, if the person was involved in a motor vehicle crash that resulted in the death of another person:

- A. For a first offense – driving privileges will be suspended for six (6) months; or
- B. For a second or subsequent offense, driving privileges will be suspended for one (1) year.

For a test result indicating a blood alcohol concentration of 0.15 or more, if the person was involved in a motor vehicle crash that resulted in the death of another person:

- A. For a first offense, driving privileges will be suspended for one (1) year; or
- B. For a second or subsequent offense, driving privilege will be revoked.

## **MARYLAND'S IMPAIRED DRIVING PREVENTION PROGRAMS**

### **Impaired Driving Enforcement Efforts**

- The Maryland Highway Safety Office supports enforcement and education programs aimed at preventing impaired driving. Below are a few highlights:
  - ***Drive Sober or Get Pulled Over***- Using federal traffic safety funds from the NHTSA, Maryland provides grants to state and local law enforcement agencies to help combat impaired driving. The main goal of this program is to increase saturation patrols and sobriety checkpoints in specific corridors and zones identified using impaired driving crash and citation data. Specific roadways, times, and days are targeted where impaired driving has been documented as a problem and increased enforcement is conducted during heavily publicized enforcement waves, building the public perception of coordinated enforcement across the State.
  - ***Checkpoint Strikeforce*** - Checkpoint Strikeforce, which is part of the national *Drive Sober or Get Pulled Over* impaired driving mobilization, is a research-based, multi-

state enforcement and public outreach initiative designed to get impaired drivers off our roads using sobriety checkpoints and saturation patrols when and where drunk driving is most likely to occur. The initiative is intended to educate the public about dangers and consequences of drunk driving and make the public aware of active enforcement efforts taking place statewide and regionally.

- **State Police Impaired Driving Effort (SPIDRE)**- The SPIDRE team is a group of highly trained MSP Troopers that conduct impaired driving enforcement initiatives across a “web” that spans jurisdictions primarily through the Baltimore and Washington metropolitan areas. When the SPIDRE team enters into their assigned corridors, they work in concert with that jurisdiction’s allied police agencies, ensuring a coordinated and collaborative approach to apprehending impaired drivers, which has proven wildly successful. The team uses the High Visibility Enforcement (HVE) model, pairing enforcement efforts with media. In FFY 2014, advertisements were featured on billboards, transit shelters and targeted gas pumps, as well as, radio and digital components in areas where the team was deployed. On July 2, 2014, state officials and law enforcement partners hosted a press event to highlight the one year anniversary of Maryland’s SPIDRE team.

- **ENDUI App**

- The Maryland Highway Safety office created an innovative tool for smartphones that is intended to prevent impaired driving by helping people plan ahead or find a safe ride home if they have been drinking. The ENDUI (pronounced End-DUI) App, available at Google Play for Android phones or at the iTunes Store for iPhones, was developed by the Maryland Highway Safety Office to combat impaired driving and save lives. The ENDUI App features include:
  - Creating a “designated driver list” of family members and friends who can be contacted quickly in the event that someone has had too much to drink;
  - Instantly locating the nearest taxi service or public transportation options;
  - A Blood Alcohol Concentration (BAC) estimator, where the number and type of drinks a person has consumed is entered into the app and an estimate BAC level is provided;
  - Two skills tests designed to measure a person’s reaction time and response functions, characteristics that diminish with impairment;
  - The ability to report an impaired driver by contacting 911 with the push of a button; and
  - DUI facts and educational videos.

- **Alternative Transportation Programs**

The nonprofit Washington Regional Alcohol Program’s (WRAP) SoberRide program provides free taxi rides to drivers who have been drinking in both Montgomery and Prince George’s Counties. Should a person under the influence need a safe ride home during targeted holidays and special events, the SoberRide program provides them a reliable option. Since 1993, WRAP’s SoberRide

program has been keeping the roads clear of drunk drivers. As of December 2014, SoberRide has provided over 61,000 free rides home as a means of preventing drunk driving. This program is an excellent example of a life-saving strategy and one of the many programs in the State's toolbox.

- **Anne Arundel, Harford St. Mary's & Howard County District Courts – DUI/Drug Courts**  
The DUI/Drug Court is designed to address high-risk individuals over the age of 18 who have been charged with multiple DUI/DWI's, offering them a highly intensive monitoring and rehabilitative treatment program. Eligible individuals will have a prior history of DUI or DWI convictions, no pending sentences or warrants, and will not currently be on parole or probation. The program diverts offenders from long periods of incarceration and focuses on treatment and providing lifelong tools to avoid alcohol misuse, abuse and addiction that lead to drunk driving. While participants must serve any minimum mandatory sentence prior to entering the treatment program, this program is intended as a post-conviction, voluntary program that utilizes a multi-faceted approach to rehabilitation. Maryland continues to work with the Maryland Office of Problem Solving Courts to expand the program in other high-risk jurisdictions.

## WHO TO CALL ABOUT IMPAIRED DRIVING IN MARYLAND

### MARYLAND MOTOR VEHICLE ADMINISTRATION

- Contact: MVA's Press Information at 410-762-5188

### MARYLAND STATE POLICE - Maryland DUI Laws, Intoxilizer, Standardized Field Sobriety Testing

- Media Communications and Marketing at (410) 653-4343

### MOTHERS AGAINST DRUNK DRIVING - Maryland DUI legislation, Victims Impact Panel, Sobriety Checkpoints, DUI Court Monitoring

- Maryland Chapter of MADD at (410)-964-5757

### WASHINGTON REGIONAL ALCOHOL PROGRAM - Business Outreach, SoberRide Program, Advocacy, Public Education

- Washington Regional Alcohol Program at (703)-893-0461