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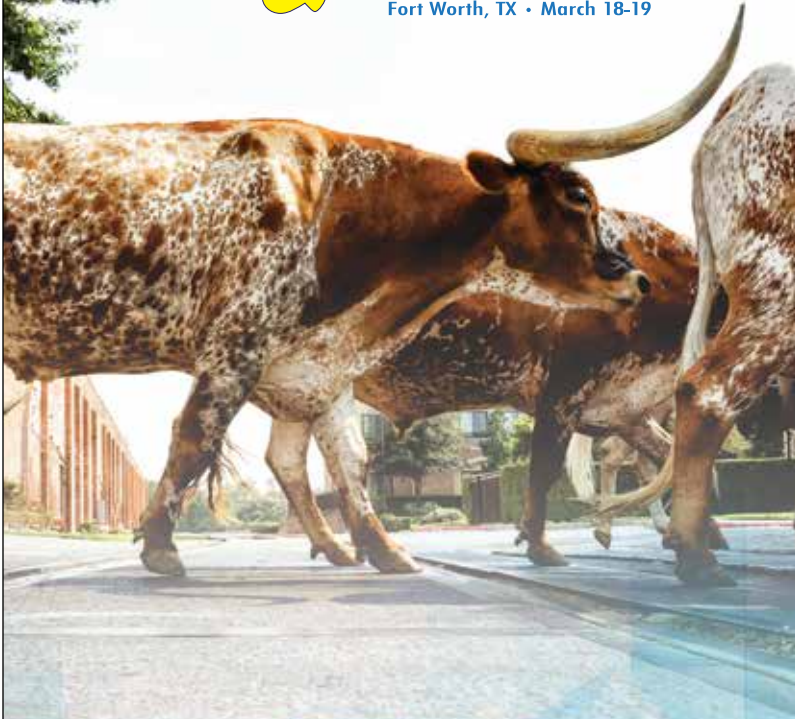
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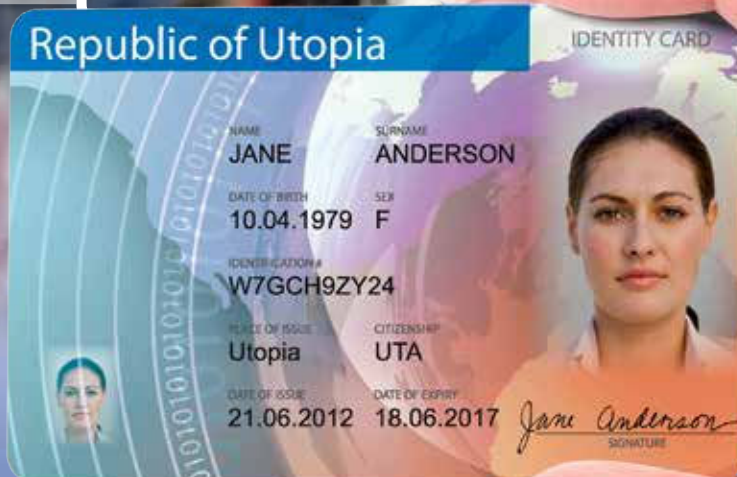
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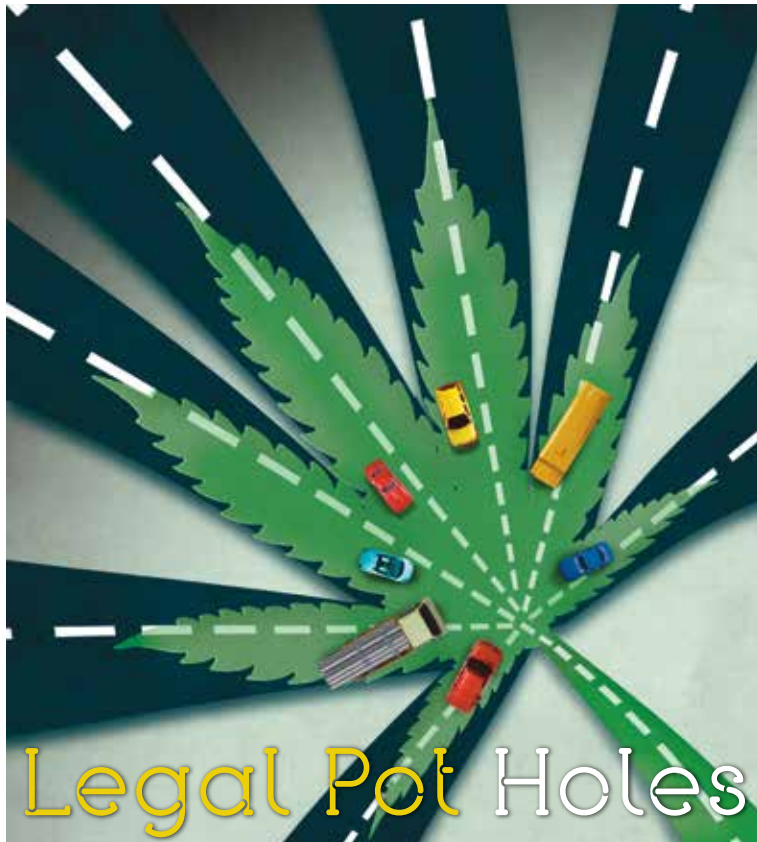


Illustration: Michael Morganstern

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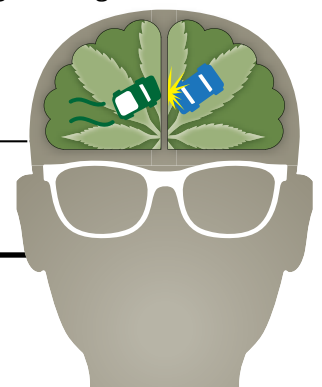
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Q: HOW MANY SPECIALTY LICENSE PLATES ARE OFFERED IN YOUR JURISDICTION, AND ARE THERE FINANCIAL OR PRESALE REQUIREMENTS FOR EACH SPECIALTY PLATE?

TROY DILLARD, Director, Nevada Department of Motor Vehicles

“Nevada is limited by statute to 35 specialty plates and has a two-tier system. The first tier allows up to 30 specialty plates and requires the sponsoring organization to post a \$5,000 bond. In addition, first-tier plates must maintain 1,000 active plates per year for continued issuance. The second tier allows up to five specialty plates, and requires a \$20,000 bond and 3,000 active plates per year. Special plates may be authorized by the State Legislature or approved by the Department following recommendation by the Nevada Commission on Special Plates.

ELYSE COFFEY, Director of Communications, New Jersey Motor Vehicle Commission

“The New Jersey Motor Vehicle Commission currently offers for a nominal fee 122 specialty, personalized and courtesy plates. Our Dedicated Plate Program allows citizens to show their support for causes such as the preservation of state parks and pinelands, animal welfare, wildlife conservation and raising awareness to conquer cancer. Organizational plates are available for qualified nonprofits, alumni organizations or service organizations to commemorate their group’s

civic contributions. While there are currently 47 organizational plates available, a majority are now introduced by legislation.

BRIAN SMITH, Communications Manager, North Carolina Division of Motor Vehicles

“The North Carolina Division of Motor Vehicles offers more than 170 specialty plates. The fee for each plate is set forth by the NC General Assembly. Effective Oct. 1, 2014, a new specialty plate category requires a minimum number of prepaid applications to be submitted to the NCDMV prior to legislative approval. The guidelines for this process are listed on the NCDMV website at ncdot.gov/dmv/forms.

BRENDA COONE, Director, Alabama Department of Revenue, Motor Vehicle Division

“Alabama currently has 196 specialty license plate types. Some of them are created by legislation and have no presale requirements. The remaining license plate categories are created by approval of the Legislative Oversight Committee on License Plates (LOC). Sponsoring organizations are required to presell a minimum of 250 commitments to purchase for generic plate designs and a minimum of 1,000 commitments to purchase for a full



Actor Pierce Brosnan designed the Pet Lover's plate to show support for the Veterinary Board and its campaign to qualify the plate for issuance in California.

plate design. Organizations have a 12-month period to obtain the required number of pre-commitments.

JEAN SHIOMOTO, Director, California Department of Motor Vehicles

“California currently has 13 specialized license plates that support a number of valuable environmental and educational concerns. Specialized license plates can be sponsored by any state agency, with a design or message that publicizes or promotes the agency or its work. Plates can either be sequential or personalized. The sponsor must receive a minimum of 7,500 prepaid plate applications within a year of starting the program (a second year is allowed on request). If the agency doesn't reach that minimum order threshold, the applications are canceled, refunds are issued and the program does not get implemented.

The Pet Lover's example is one of our newest plate programs. Funds from this plate allow the Veterinary Board to issue grants supporting local spay and neuter programs. The art for this plate is the work of actor Pierce Brosnan, a supporter of the campaign to qualify the plate for issuance in California.

SARAH WERNER, Communications Specialist, Colorado Division of Motor Vehicles

“Colorado offers 37 different group special license plates, ranging from Breast Cancer to Adopt A Shelter Pet. All group special license plate are assessed two \$25 fees at the time of issuance. These fees are in addition to other donations to the specific organizations. Colorado also offers 38 military license plates and 13 alumni license plates. For more information about these plates, please visit colorado.gov/dmv. [m](#)



For more information, visit aamva.org/Systems-Training.



ALL SYSTEMS GO

TAKE ADVANTAGE OF AAMVA'S FREE ONLINE TRAININGS

BY ANDREW CONNER

For AAMVA members looking to take full advantage of systems like the Commercial Driver's License Information System (CDLIS) or the Problem Driver Pointer System (PDPS), there is no better place to start than AAMVA's own online training program. Currently, AAMVA offers a wide array of online courses—45 in total—free of charge to all members.

According to Randy Holleger, Ph.D., training specialist for AAMVA, the courses address two large concerns that AAMVA members have about staff training: expenses and availability.

"Training was burdensome because you needed to set up a training room, people needed to travel, and there was the expense of having AAMVA staff there. So we looked at ways we could do this more efficiently," Holleger says. "Using the Internet, states can participate and avoid a lot of that expense. The other part [the program addresses] is as people in the DMVs start to retire and new people come on board, they need background and training to get up to speed quickly. We created this system, which is basically a way for us to provide that training in an efficient way."

Beyond the presentation of the material, which is done by a live instructor, the courses also include class exercises and quizzes that participants

can take to judge how well they are learning the material. The courses are usually two hours long and cover basic, intermediate and advanced topics.

"A lot of times people are overwhelmed with the systems," says Jessie Shifflett, reporting analyst for AAMVA, who along with Holleger teaches these classes. "With people who are new to this, it seems like there are a million types of transactions and they don't know where to start. The classes can help them get that starting point, and then they can work their way up [through the trainings] to learn more."

But the classes aren't just for inexperienced users. Shifflett and Holleger both emphasize that even users who are familiar with the systems can learn how to better take advantage of them. And if you don't have time to attend a live class, all of the class materials, from the presentation to the interactive elements, are available for download on aamva.org. One-on-one training sessions are also available. [m](#)

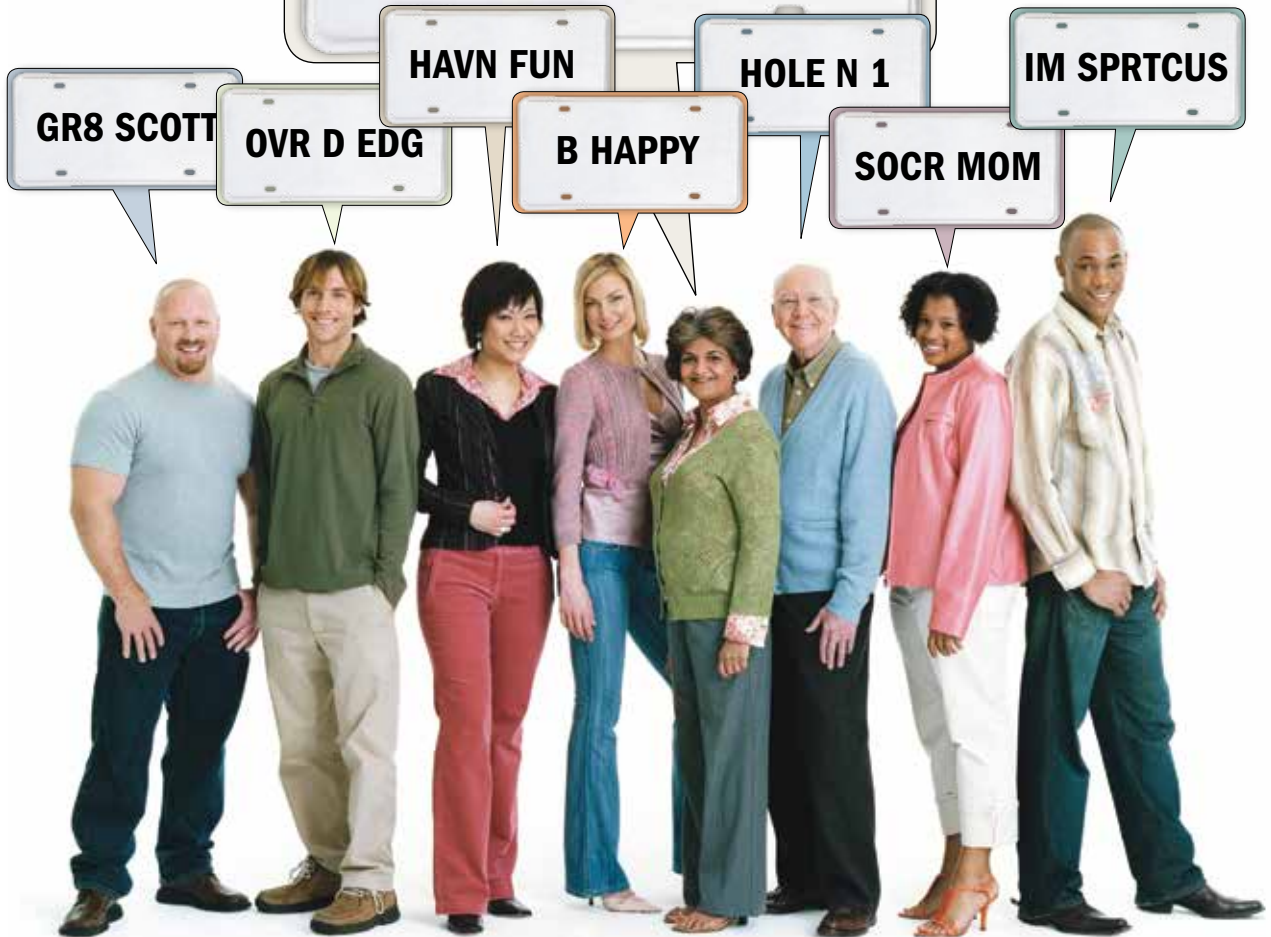
TRAINING DAYS

AAMVA provides 45 courses at basic, intermediate and advanced levels related to the following topics:

- CDLIS (Commercial Driver's License Information System)
- CDLIS Performance Reports
- CDLIS Convictions and Withdrawals
- UNI (Unified Network Interface)
- ACD (AAMVA Code Dictionary)
- PDPS (Problem Driver Pointer System)



“FR33DOM” OF SPEECH



Examining lawsuits regarding the issuance or revocation of vanity and specialty license plates

BY ANDREW GUEVARA

That “DEBNAIR” plate attached to the two-seater convertible at the stoplight. That “BESTMOM”-plated minivan at the grocery store.

Vanity plates are meant for individuals who want to express themselves. These plates come at a price, commonly costing more than a regularly issued license plate. In an attempt to remove offensive or objectionable messages from the combination of letters and numbers chosen by the applicant, they also must be vetted by the issuing motor vehicle agency before being authorized. Similarly, organizations or special interest groups can petition for a specialty license plate design to be issued for various causes.

The popularity of both types of plates has risen over the years. Administrative and statutory mechanisms are in place to assess these plates, with many of

these judgments coming under legal scrutiny. Arguably, the language on vanity plates is protected speech and so are the designs and styles of specialty plates.

More than 9.7 million American and Canadian motor vehicles possess a vanity license plate, according to a joint 2007 survey conducted by AAMVA and Stefan Lonce, author of *LCNS2ROM – License to Roam: Vanity License Plates and The Stories They Tell*. The state with the highest vanity plate penetration rate (the number of vanity plates divided by the number of registered vehicles) was Virginia, with 16.19 percent. New Hampshire came in second at 13.99 percent, followed by Illinois at 13.41 percent. The Federal Highway Administration counted 253.6 million registered motor vehicles in 2012, and 247.3 million registered motor vehicles in 2007. As the number of registered motor

vehicles has increased steadily since 2007, the number of vanity plates undoubtedly has followed this trend.

JURISDICTIONAL POWER

Motor vehicle agencies monitor vanity plate applications and consider whether they are acceptable. Generally, anything deemed vulgar, racist, violent or confusing to law enforcement is struck down. According to an April 2013 jurisdictional survey conducted by AAMVA, jurisdictions can either manually or programmatically vet prospective submissions, with some jurisdictions doing both. A majority of jurisdictions also possess an electronic objectionable personalized plate list that can be updated as needed.

While jurisdictions have different administrative and legislative mechanisms to determine what is deemed acceptable or unacceptable for language on vanity or specialty license plates, the court systems have been used as the battlegrounds to determine whether or not these mechanisms are constitutional. A patchwork of license plate laws has resulted in jurisdictions having complex and sometimes contradictory networks of policies. In the article “Validity, Construction, and Operation of State Statutes Regulating Issuance of Special or Vanity License Plates,” originally published in the 2005 *American Law Reports*, 6th Ed., Carolyn MacWilliam, J.D., addresses the court cases that have been brought against the issuance or revocation of vanity or specialty license plates. As presented, the author categorizes a number of cases based on the reason for the legal challenge:

- proper standing—whether or not injury is committed to warrant a constitutional challenge;
- the effect of a legislative amendment expanding a licensing scheme after the original statute has been challenged;
- applicability of the Tax Injunction Act—whether or not the specialty or vanity plate fee is a tax to determine the speech rights of the plaintiff;
- the effect of the Eleventh Amendment upon a First Amendment challenge;
- type of speech—government or private;
- viewpoint—whether or not the action was viewpoint neutral or not;
- administrative review process deemed proper;
- recall of issued plates; and
- whether or not administrative fees were justified.

IN THE COURTROOM

The last year has brought about more court cases against motor vehicle agencies concerning specialty and vanity plates,



More than **9.7 million** American and Canadian motor vehicles possess a vanity license plate.

which touch on many of the legal bases that MacWilliam notes. Cases in Indiana, New Hampshire and Ohio have garnered notable press with much of the same logic for their challenge to their state’s respective motor vehicle agencies.

In Indiana, Rodney Vawter, plaintiff, teamed up with the American Civil Liberties Union to challenge the Indiana Bureau of Motor Vehicles as to why he was not allowed to renew his vanity plate that read “OINK.” The *IndyStar* reports that in May, a Marion County Superior Court judge ruled that the administrative review process used by the BMV was vague enough that it violated the First Amendment rights of Vawter. Simultaneously, the process also was not implemented according to state law. He ordered that the vanity plate program the BMV suspended two months after the lawsuit was brought against the agency to be reinstated. As of Sept. 8, 2014, the Indiana Supreme Court issued a unanimous stay to block the Marion County judge’s order to reinstate the program until a final verdict was reached.

In a comparable case, *CBS Boston* reports that the New Hampshire Supreme Court ruled that the New Hampshire Division of Motor Vehicles’ decision to deny the plaintiff’s “COPSLIE” vanity license was unconstitutional. The opinion expressed that the law was too vague (as in the Indiana decision), restricted free speech and that the denial represented viewpoint discrimination.

To complete the triad, a federal judge in Michigan ruled that the state could not ban speech on license plates because the law is too vague and broad, reports the *Detroit Free Press*. The suit came from two war veterans who also teamed with the ACLU after they were denied the right to use “INF1DL” (infidel) and “WAR SUX.” Judge Gordon Quist said in his ruling: “The First Amendment applies to messages on personalized license plates.”

These illustrations reveal that although each state disparately came to the same conclusion as to why the actions of the motor vehicle agencies were unconstitutional, a hodge-podge of state litigation exists that renders administrators and policymakers susceptible to a litany of confusing policies. In the Indiana example, if the state Supreme Court overturns the Marion County judge’s decision, Indiana must decide whether or not to continue its vanity plate program.

Motor vehicle agencies must preserve the court’s interpretation of the law, uphold First Amendment rights and maintain oversight of these specialty license plate programs. As specialty and vanity plates proliferate, legal battles will ensue to determine what constitutes free speech, clarifying and muddying policy at the same time. **m**

A FULL PLATE

Over the last few months, jurisdictions have completed several surveys related to license plates. Here are a few statistics that may be of interest.

BY JANICE DLUZYNSKI, AAMVA'S DATA LADY

SURVEY TOPIC:

SPECIAL INTEREST LICENSE PLATES

[37 respondents]

Does your jurisdiction issue special interest license plates?

Yes: **35** (No: **0**)

How many special interest plate programs does your jurisdiction support? (by jurisdiction)

1-40: **20**

41-80: **4**

81-120: **6**

121+: **5**

Are you aware of any law enforcement concerns with the identification of certain plates issued by your jurisdiction?

Yes: **6**

No: **27**



SURVEY TOPIC:

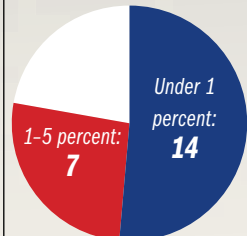
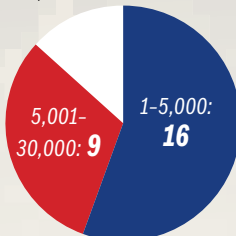
MILITARY SPECIAL PLATES

How many military special plates do you issue annually? (Special plates are for military decorations and participation in certain military campaigns.)

Of the military special plates issued, what percentage of your total plate issuance volume is this?

Over 30,000: **4**

5-9 percent: **6**



Does your jurisdiction authorize the use of full plate graphics?

Yes: **16**

No: **17**



Does your jurisdiction authorize the use of background color only (without graphics)?

Yes: **13**

No: **19**



The full details of each of these surveys can be viewed in the AAMVA online survey tool at: aamva.org/Survey/User/Search.aspx.



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Maryland State Police investigate salvage vehicles

In Maryland, the state police work to ensure that the public remains safe and secure. This includes protecting citizens from purchasing rebuilt—also known as salvage—vehicles with unsafe or stolen parts. To this end, the Maryland State Police Salvage Inspection Unit looks closely at rebuilt wrecks to determine if stolen parts were used during reassembly.

According to an article on WUSA9.com, the inspectors look for certain signs that something isn't right with a salvage vehicle. For example, if the parts under the hood are assembled at a factory, they will be black in color. If they're not, something is amiss. Crooks can also paint over a vehicle's ID numbers on the doors to conceal their true origins.

View the WUSA9 video about buying salvage vehicles in Maryland at on.wusa9.com/1s0dNY5.



Georgia DDS receives two technology awards



At the Georgia Technology Authority (GTA) 2014 Technology Innovation Showcase, the Georgia Department of Driver Services (DDS) received two awards for online customer service enhancements that made information more easily accessible and improved operating efficiency.

One of the award-winning services is Online Driver's License Reinstatement Integration and Modernization (RIM). It enables a customer to check his or her eligibility for driver's license reinstatement; view, print or email a list of specific reinstatement requirements; pay fees; and reinstate driving privileges online—all without a visit or call to DDS.

The other service is Skip a Trip, which was developed as an alternative method for customers to submit residency and Social Security documents in compliance with Real ID documentation requirements. It offers options for customers to fax residency and Social Security documents to a secure fax server, mail them to DDS or upload them through their DDS online account.



Wisconsin DOT makes crash reports available online

Individuals involved in vehicle crashes on Wisconsin roads now have the convenience of accessing copies of their crash reports online via the Division of Motor Vehicles website. Additionally, a Crash Reports application enables customers to request and purchase crash reports on a computer or smartphone.

In order to obtain an electronic copy of a crash report, one of three details surrounding the incident must be known: the date of the crash and driver license number of one of the parties involved; the WisDOT document form number; or the WisDOT accident number. Each report can be printed or saved in a PDF format. The cost of each report is \$6, and up to 50 reports can be purchased per transaction.

"We know that there are a lot of details to address in the weeks after a crash. We're glad to offer WisDOT customers this convenient new online service," said Darlene Schwartz, DMV supervisor, in a WisDOT press release.



British Columbia administrators refuse to allow colander hat in driver's license photo

British Columbia resident Obi Canuel's desire to wear a colander on his head in his driver's license photo was thwarted this October by the Insurance Corporation of British Columbia (ICBC), which is responsible for driver licensing in the Canadian province.

Canuel is an ordained minister in the religion of Pastafarianism, which was created in 2005 as a satire of traditional religions and worships the Flying Spaghetti Monster. He claims that it is his right to wear the colander, just as people of other faiths are allowed to wear religious headgear in their photos.

Unfortunately for Canuel, the ICBC determined that he had not provided adequate proof that wearing a colander is a mandatory tenet of his faith. Since applying for the license about a year ago, Canuel has been driving on a temporary license while the ICBC made its decision. Canuel told CTV News that in light of the recent decision, he will "meditate upon the meatballs," hoping the ICBC will change its mind. If they do not, he has no plans for legal action.





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American Association of Motor Vehicle Administrators



STEP UP TO THE PLATE

THROUGH THE SALES OF SPECIALTY LICENSE PLATES, JURISDICTIONS ARE IN A POSITION TO HELP ORGANIZATIONS SPREAD THEIR MESSAGE AND RAISE FUNDS. BY KATHLEEN HAGAN

Legally speaking, all vehicles in the United States and Canada must be registered with a motor vehicle agency in order to hit the road. As part of the registration process, each vehicle is given a license plate with a unique alphanumeric identifier that must be displayed on the vehicle. Drivers don't have a choice—there's no way around this license plate requirement.

However, in most jurisdictions, drivers do have a choice in what they want their license plate to look like. In addition to the general issue license plates offered by state and provincial motor vehicle agencies, specialty license plates are available for purchase. While some jurisdictions have hundreds of choices, others offer just a few different plate designs.

Not to be confused with vanity license plates that feature a personalized alphanumeric configuration on the standard plate design, specialty license plates have unique designs that generally include an organization's logo, memoriam and/or a

slogan. Common specialty plates include designs in support of sports teams, colleges, environmental causes, military, police and fire, and health and wellness causes.

Additionally, some jurisdictions allow the personalization of the alphanumeric characters on specialty plates in place of using the typical, random configuration of characters—like on a vanity plate.

SPREADING AWARENESS, RAISING REVENUE

"Specialty plates are a great way for organizations to promote their causes and put their slogans out there," says Casey Garber, manager of vehicle programs at AAMVA. "A specialty plate is a billboard on a moving vehicle, an advertisement for the sponsoring organization. It helps bring awareness to the cause."

Usually, there is a fee associated with the specialty license plate that goes to the sponsoring organization. So in addition to raising awareness, specialty plates "might be one of the biggest



PLATE NUMBERS

Rules and regulations regarding specialty license plates vary from state to state. Here's a brief snapshot of some of the data.



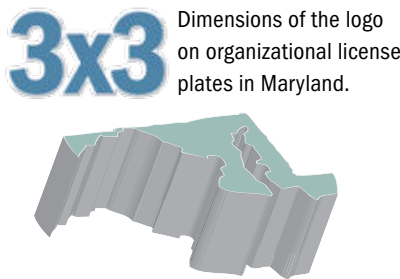
Percentage of the total number of vehicles registered in the state of Maine with specialty plates.



The number of specialty license plates available in the state of Louisiana.



The typical number of supporting signatures needed in the state of Arkansas in order to implement a new specialty license plate.



Dimensions of the logo on organizational license plates in Maryland.



Number of colors allowed in the design of specialty license plates in Nebraska.

fundraising activities that an organization has,” Garber says.

Garry Hinkley, director of the vehicle services division at the Maine Bureau of Motor Vehicles, agrees. “The primary benefit of offering specialty license plates is being able to raise revenue for the organizations that the plates support, along with raising awareness of the issues and the public profiles of these causes,” he says.

On the flipside, jurisdictions also are able to benefit from the sale of specialty plates. “In some jurisdictions, specialty license plates provide revenue because the administering agency also collects a fee for the specialty plate,” says Garber.

Take Maine, for example. The fee for a specialty license plate is \$20 more than a general issue plate. Half of that fee goes to the sponsoring organization, and the other \$10 goes directly into the state’s highway fund and gets appropriated to highway fund purposes. Specialty plate renewal fees are \$15 extra, with \$10 going to the organization and \$5 going to the highway fund.

GETTING THE GO-AHEAD

Jurisdictions each have a specific process spelled out in law that details the steps required for the creation of a specialty license plate. Interested organizations must follow the proper steps in order to obtain approval to create and sell their plate.

Hinkley says many groups in Maine inquire about starting the process, but not all are able to obtain enough support to

produce a specialty plate. After a design is approved, an organization must have 2,000 presales of the plate over a two-year period. Many aren’t able to meet this goal, he says.

Currently, Maine has nine specialty plates in production. The different plates support: agriculture, animal welfare, University of Maine, breast cancer awareness, conservation, lobster research, sportsman, the troops and University of Maine scholarship. Based on legislation enacted in 2007, these plates will automatically be retired in 10 years unless they are able to get the required backing to extend their issuance.

In contrast, there are 122 specialty license plates that Floridians can purchase, with eight others pending. Requirements for the production of specialty license plates in Florida are different than Maine: Once the Florida legislature approves a plate, 1,000 presales must be sold within a two-year period in order to begin production.

DESIGNING THE PLATE

Over the last decade, more and more license plates are being read via technology, including automated license plate readers (ALPRs) and cameras for tolling purposes. Sometimes, the design of the plate can interfere with technology’s ability to properly identify the numbers and letters on the plate. Best practices in license plate design should be considered when looking to create a new specialty plate.

In 2012, AAMVA released the *Best Practices Guide for Improving ALPR Effectiveness through Uniform License Plate Design and Manufacture*. “This guidance applies to all plates, whether they’re specialty plates or general issue plates,” says Cathie Curtis, director of vehicle programs at AAMVA.

Some best practice guidelines for license plate design include:

- Plates should be readable during the day and at night using low-beam headlights from a distance of 75 feet.
- Graphics should not distort or interfere with the readability of alphanumeric characters or other identifying information.
- The name of the issuing jurisdiction should be prominently displayed at the top center of the plate.
- The name of the issuing jurisdiction should be the only name to appear on the plate.

However, Curtis notes that it’s not always possible for only one state name to appear on a plate—especially with specialty plates. “For example, specialty plates of colleges in other states sometimes result in two state names on one plate,” she says.

This can cause confusion for law enforcement. “If it’s not possible for there to be only one state name on the plate, then the issuing jurisdiction should be larger and top center, so there’s not as much confusion,” Curtis advises.

Another recommendation Curtis makes for specialty plates is that any stacked characters—used to identify the type of

plate—should be part of the plate number and half of the size of the normal characters.

But in the end, Curtis recommends that motor vehicle agencies consult with end users like law enforcement and tolling authorities to make sure that specialty plate design doesn’t interfere with the readability of the plate when using ALPRs and other equipment.

IMPACT ON LAW ENFORCEMENT

One of the challenges associated with specialty license plates is that they can be more difficult for law enforcement to identify. In a state with hundreds of specialty plates, a law enforcement officer may see one and not recognize that it’s a valid plate—especially if it’s not a common specialty plate.

“There are so many specialty plate designs, and many of them have changed drastically over the years,” Garber says. That’s why it’s important to keep law enforcement informed of any changes and the introduction of new specialty plates.

Working together, motor vehicle agencies and law enforcement can help specialty groups promote their causes while raising money in the process. **m**



Visit MOVEmag.org to watch a short video about specialty license plates.

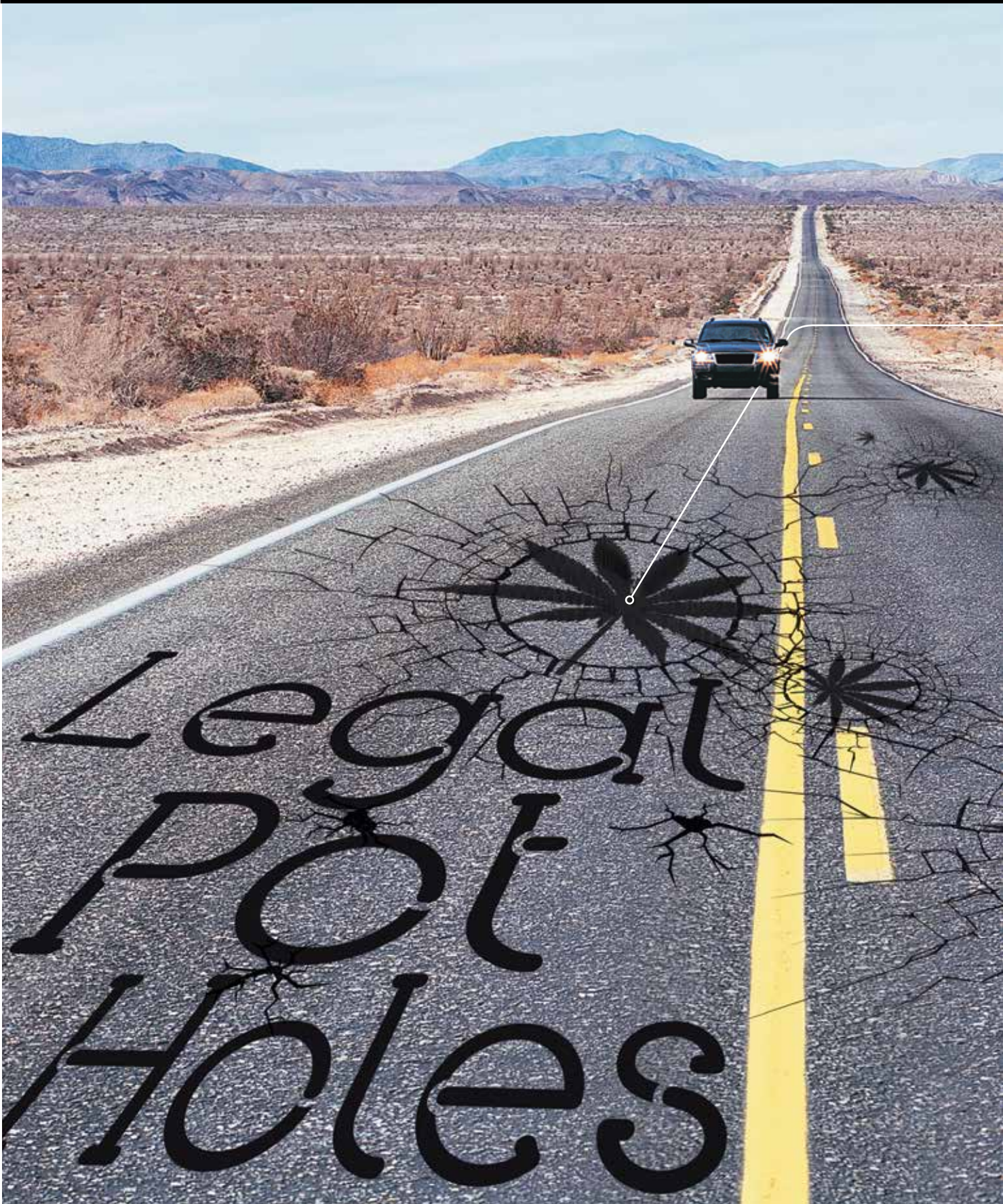
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DRUGGED DRIVING

IS BECOMING A SERIOUS ISSUE IN COLORADO AND WASHINGTON— AND WILL LIKELY BECOME A BIGGER PROBLEM NATIONWIDE.

BY ELIZABETH MILLARD

“Describe a driver who’s high,” says Chris Haslor, a traffic safety resource prosecutor for the Colorado District Attorneys’ Council. “We ask that during our trainings, and many people make the same mistake as the general public. They think a driver who’s stoned acts the same as a driver who’s drunk. But the two are very different.”

Intoxicated drivers tend to slur their words, show poor hand-eye coordination, and stumble when walking. But those who are high on marijuana can seem completely sober, Haslor notes, because the drug tends to cause more mental than physical effects, such as short-term memory loss.

For example, a classic example of a stoned driver can be seen during a field sobriety test. A driver can walk heel to toe for about nine steps, but then tends to turn around and ask, “Now, what am I supposed to be doing?”

That particular misperception is just one issue that can come up with drugged driving, Haslor says. The differences between the effects of marijuana and alcohol are creating numerous difficulties across the law enforcement and motor vehicle communities, particularly in the 23 states where medical marijuana is legal and in the states of Colorado and Washington, where marijuana has been legalized for recreational use.

“ THIS IS A TRAFFIC SAFETY ISSUE, SO MOTOR VEHICLE DEPARTMENTS SHOULD TAKE NOTICE AND GET INVOLVED IN EDUCATION EFFORTS.

—Brian Ursino, director of law enforcement, AAMVA



A flyer posted in downtown Boulder, Colorado, advertises the fact that the citizens of Colorado voted on and approved the recreational use of marijuana.

20

Keeping an eye on how these states handle a surge in drugged driving cases is important, because it's likely that marijuana laws will be changing in other states in the near future, Haslor believes. "Colorado and Washington are the petri dishes for legalized recreational marijuana now, but other states should get ready, because there's a good deal of pending legislation about marijuana that indicates it could go nationwide before long," he says.

CAUSE AND EFFECT

All types of drugged driving—involving alcohol, illegal drugs or prescription drugs—are a significant problem, but marijuana is unique for a few reasons, notes Brian Ursino, director of law enforcement, AAMVA. One dominant issue is public perception.

"The general public's attitude toward marijuana is that it's different from other drugs," he says. "People believe that it's safe to use, in whatever amount they want to use it. They think that just because it's legalized, it's OK to drive when they've been using it."



Visit MOVEmag.org to watch a video about the legalization of marijuana and its threat to highway safety.

But marijuana tends to impair judgment and slows reaction times, Ursino says. It can also decrease peripheral vision and cause drivers to become confused or forgetful. When marijuana is mixed with alcohol, the effects become even more pronounced.

"One plus one doesn't equal two when you're talking about alcohol and

marijuana, because when you use them in combination, they heighten the effect of each drug," Ursino notes. "It's more like one plus one equals four."

Researchers from Columbia University's Mailman School of Public Health studied fatal crash statistics from six states and found that a driver under the influence of alcohol is 13 times more likely to be in a fatal crash than a sober driver. A driver who has mixed alcohol and marijuana is 24 times more likely to be in a fatal crash.

If alcohol is involved, at least law enforcement officers can test intoxication levels. The same isn't true for marijuana use.

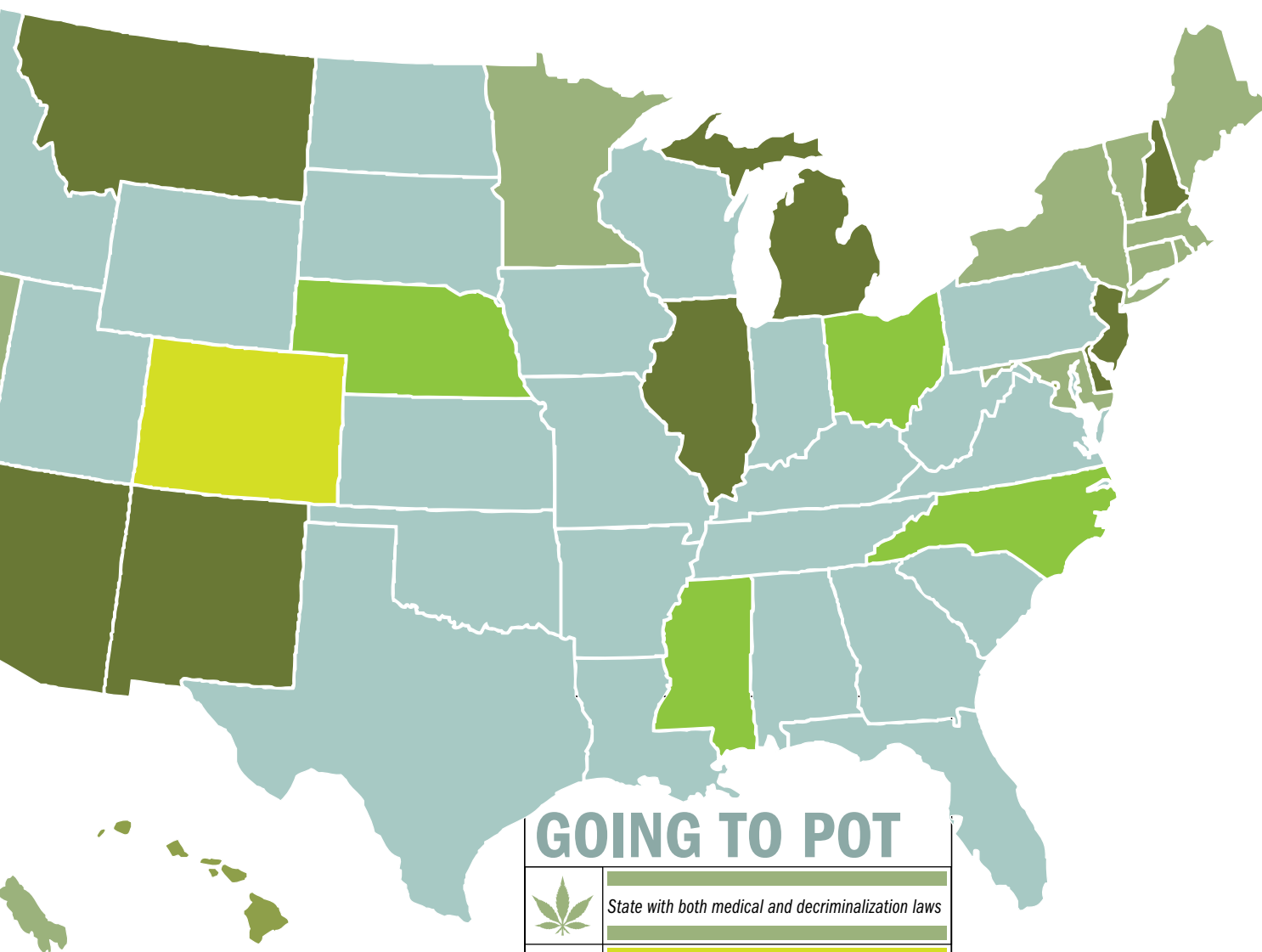
Even if a driver is displaying erratic driving behavior and an officer suspects marijuana use, roadside testing is very difficult. Unlike alcohol levels, which can be determined with a breathalyzer, marijuana levels can only be measured through a blood test. Because the amount of delta-9 THC (the drug's intoxicating ingredient) begins dissipating precipitously once the user stops smoking, he or she might be at a permissible level by the time a blood test can be given at the police station.

"Basically, by the time you do the test, all your evidence is gone," says Haslor. "That means we have to get law enforcement to look at marijuana differently, and train them to spot drugged driving more efficiently so we don't have to rely on toxicology to bring these cases to court."





But even when drivers are charged with driving under the influence, the challenges continue into the courtroom. Defense attorneys are adept at explaining away the type of mental lapses that come with marijuana use, Haslor says. They might say the driver was tired, for example, or simply not paying enough attention. Judges and juries tend to share public perception, too, that unless a driver is slurring his words and stumbling during the field sobriety test, he was likely "not high enough" to do any damage.

Haslor adds that juries lack a point of reference as well. For instance, most people would be familiar with the effects of six shots of tequila, but fewer know intoxication levels involved with





GOING TO POT

	<i>State with both medical and decriminalization laws</i>
	<i>State with legalized cannabis</i>
	<i>State with decriminalized cannabis possession laws</i>
	<i>State with legal medical cannabis</i>

“smoking a bowl,” and how that would lead to impaired driving.

“Right now, we’re at the very forefront of these issues,” Haslor says. “As legalized marijuana becomes more available to the general public, we’re all going to have to address these challenges of perception and enforcement.”

NAVIGATING THE ISSUE

Legalization efforts are rolling throughout the country—14 states have reform bills or ballot initiatives in the works, and others are considering some form of marijuana legislation—and garnering significant public support. A poll conducted earlier this year by the Pew Research Center found that 75 percent of respondents believe the sale and use of marijuana will eventually be legal nationwide. About 85 percent of those surveyed favored medical marijuana use.

Ursino warns that although marijuana may only be legalized for recreational use in two states, medical marijuana laws have shown to be easily manipulated, allowing people to obtain medical marijuana cards for

minor or non-existent medical reasons.

As law enforcement and prosecutors attempt to handle drugged driving cases that result from legalization, it’s likely that motor vehicle administrators will also be involved in the issue at some point as well. “This is a traffic safety issue, so motor vehicle departments should take notice and get involved in education efforts,” says Ursino. “The general public needs to be informed that it’s not okay to drive when you’ve been consuming marijuana, either by smoking or in edible form.”



Seattle is home to Hempfest, the world's largest pro-marijuana festival. Each year, the festival attracts hundreds of thousands of attendees who come for the speakers, music, vendors, food and, of course, marijuana.

"There was recognition that we'd done a significant job in reducing drunk driving, but drugged driving was becoming a very serious issue," says Michael Botticelli, acting director of the White House Office of National Drug Control Policy. He notes that 33 percent of all drivers killed in crashes tested positive for drugs.

The White House set a goal of 10 percent reduction by 2014 (results will be released in December), and Botticelli believes that inroads have been made, but more work needs to be done to change public perception that marijuana is "safe" when it comes to driving.

For law enforcement, educational traction is coming from an online program, ARIDE (Advanced Roadside Impaired Driving Enforcement), developed by the National Highway Traffic Safety Administration with input from the International Association

of Chiefs of Police and the Technical Advisory Panel. The program works to increase awareness of the issue, and to give officers and others a framework for recognizing impairment.

Also, Botticelli notes, the White House has been encouraging states to consider "per se" laws, which address drug impairment. Eighteen states have strict per se laws that forbid any presence of a prohibited substance or drug in the driver's body while in control of a vehicle. "Clearly, action at the state level is very important," says Botticelli. "The challenges we're seeing in Colorado and Washington will soon be challenges we're all facing, so it's important to get these efforts in place now."

As states rush to pass more marijuana legislation, Ursino hopes that more education, training and highway safety controls can be put in place to prevent fatalities and injuries.

"We would urge the rest of the country to pause, take a breath and look at what's happening in these states where recreational use is legalized," he says. "The electorate needs to make an informed decision. But more than that, we all have to work together to make sure we're doing as much as we can to make our roads safer." **m**

"Edibles" are items like baked goods or candy bars that contain THC, and they've also become a problem for drugged driving. Haslor notes that tourists often gravitate toward these because they're more comfortable with consuming them instead of smoking marijuana. But edibles can contain even higher amounts of THC, and overdoses have sent numerous people to the emergency room.

These are the kinds of issues that are driving a push toward more public education efforts. As motor vehicle departments consider what type of education programs to implement, it's likely that law enforcement will increase its own public education initiatives, as well as train more drug recognition experts (DREs).

DREs are police officers trained to recognize impairment in drivers under the influence of drugs. The Los Angeles Police Department started the program in the 1970s when officers noticed that many people arrested for driving under the influence had very low or zero alcohol levels. Now there are DREs in all 50 states, plus the District of Columbia, as well as Canada and the United Kingdom.

"This is an elite group of officers," says Haslor. "The standards they've created are exceptionally high. This is a robust program that I think more officers will consider as these laws move forward."

LOOKING AHEAD

Although challenges abound for those states where marijuana is legalized, there's also hope that new tools and better education can make a difference. In 2009, President Obama released a drug control strategy with three signature initiatives, including reduction of drugged driving.

“ CLEARLY, ACTION AT THE STATE LEVEL IS VERY IMPORTANT. THE CHALLENGES WE'RE SEEING IN COLORADO AND WASHINGTON WILL SOON BE CHALLENGES WE'RE ALL FACING, SO IT'S IMPORTANT TO GET THESE EFFORTS IN PLACE NOW.

—Michael Botticelli, acting director, White House Office of National Drug Control Policy

People Change. Identities Don't.

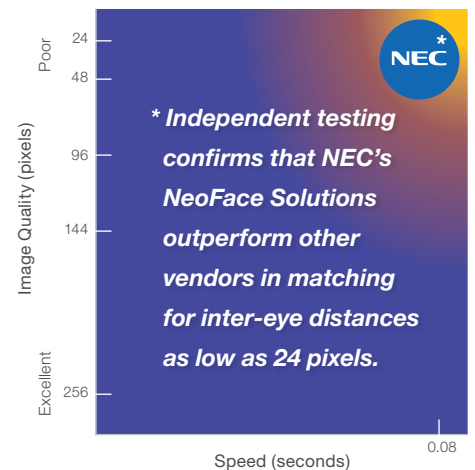


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Empowered by Innovation





Members of Delaware's law enforcement community process AAMVA's 69 jurisdictional flags.



Jennifer Cohan and U.S. Sen. Tom Carper attend the AIC luncheon.

CONFERENCE REWIND

HIGHLIGHTS FROM THE 2014 ANNUAL INTERNATIONAL CONFERENCE

AAMVA's 81st Annual International Conference was an all-out success this past August. Hosted by AAMVA's immediate past Chair of the Board Jennifer Cohan and the Delaware Division of Motor Vehicles, the conference, and its attendees, took over the Dover Downs Casino and Hotel for three consecutive days. The show kicked off with an inspiring procession of flags, representing each of AAMVA's 69 jurisdictions. Members of the Delaware law enforcement community marched one by one into the hall, each holding a jurisdiction's flag. The opening general session continued with welcome speeches from Delaware Gov. Jack Markell and Dover Mayor Robin Christiansen.

Attendees settled into Day One with the leadership development session led by keynote speaker David DeLong. Exciting and well-attended concurrent sessions followed as the day capped off with a Delaware beach-inspired Night at the Boardwalk reception. Attendees let their hair down, loosened their ties and took some time out to play games and socialize with fellow conference goers. With a total of \$10,850 raised from the event, all proceeds benefited the Greater Dover Boys & Girls Club.

A busy exhibit hall and packed session rooms filled the agenda for Day Two. The last day of AIC included exciting sessions and a



Delaware Gov. Jack Markell speaks during the AIC opening session.

2014 PUBLIC AFFAIRS AND COMMUNITY EDUCATION (PACE) AWARD WINNERS

[Overall Division Winners]

DIVISION I

Print and Electronic Publications

**Ontario Ministry
of Transportation**

DIVISION II

Advertising

**Société de l'assurance
automobile du Québec**

DIVISION III

Special Events

**Société de l'assurance
automobile du Québec**

DIVISION IV

Video

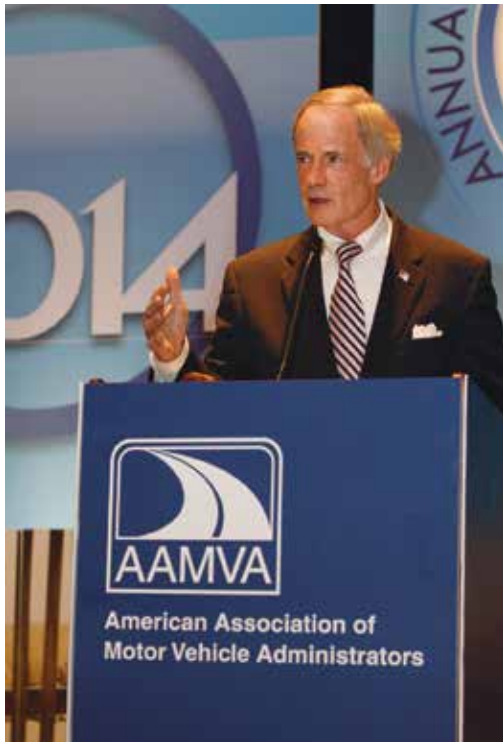
**Ontario Ministry
of Transportation**


KUDOS CORNER

CONGRATULATIONS TO THE 2013 IDEC OUTSTANDING EXAMINER OF THE YEAR AWARD RECIPIENT, **DEBORAH GILLEY** OF THE KENTUCKY STATE POLICE.



Above: Pat and Velva Crahan accept the Chair's Award of Excellence during the AIC Red Carpet Gala.
Left: U.S. Sen. Tom Carper of Delaware speaks during the AIC luncheon.



luncheon that allowed attendees to hear a unique perspective from U.S. Sen. Tom Carper of Delaware. The conference peaked with a Hollywood-themed Red Carpet Reception and Delaware State Banquet. Dressed to the nines in tuxedos and ball gowns, attendees were greeted on the red carpet by a Joan Rivers look-alike. The audience was entertained by an awards-style performance from AAMVA's Ian Grossman and Jennifer Cohan, as they honored attendees with awards such as "Most Tweets at the Conference" and "Best Selfie by an Attendee." 



For more information about this year's AIC, check out aamva.org, where you can view daily recap videos and download session presentations.

DIVISION V

Writing/Media Relations
California Department of Motor Vehicles

DIVISION VI

Graphic Design
Michigan Department of State Office of Communications

DIVISION VII

Websites/Technology
Virginia DMV



A list of all 2014 PACE winners can be found at aamva.org/2014-PACE-Award-Winners, along with a video recap of this year's winners.



Jennifer Cohan, Brian Ursino and Anne Ferro present Col. Michael Edmonson with the 2014 Martha Irwin Award for Lifetime Achievement in Highway Safety.



Jennifer Cohan, Anne Ferro and Selden Fritschner present Robert Redmond with the 2014 Martha Irwin Award for Lifetime Achievement in Highway Safety.

LIFETIME ACHIEVEMENT AWARDS PRESENTED TO LOUISIANA STATE PATROL SUPERINTENDENT AND FMCSA TRANSPORTATION SPECIALIST

Col. Michael Edmonson of the Louisiana State Police and Robert Redmond of the Federal Motor Carrier Safety Administration were both recognized and honored with the Martha Irwin Award for Lifetime Achievement in Highway Safety at the 2014 Annual International Conference. Edmonson was the recipient of the award in the law enforcement category, and Redmond was the winner in the non-law enforcement category.

The award recognizes their commitment to and accomplishments in highway safety over the course of their careers.

Appointed to Superintendent of the Louisiana State Police in 2008 by Gov. Bobby Jindal, Col. Edmonson also serves as the Deputy Secretary of Public Safety Services and is responsible for a nearly 2,900-person agency with a budget of nearly half a billion dollars. He is a career state police officer, having joined the organization in 1981.

Redmond is the FMCSA's national technical expert on the Commercial Driver's License (CDL) program. He started his career with the U.S. DOT in 1971 in the Federal Highway Administration's Office of Highway Planning. He has worked on the development and implementation of the CDL program since its inception in 1986.

INDUSTRY INSIGHT

ON THE RIGHT TRACK

THE CALIFORNIA DMV AND DEALERTRACK TECHNOLOGIES WORK TOGETHER TO SERVE DRIVERS IN THE GOLDEN STATE

BY ANDREW CONNER

With a population of over 38 million to serve, the California Department of Motor Vehicles has its work cut out for it. To provide customers with the best experience possible, the state partners with third-party agencies. One of these agencies is Dealertrack Technologies, which provides the California DMV with electronic registration and title (ERT) and electronic lien and title (ELT) systems that connect with car dealers and other businesses performing vehicle registration and titling transactions.

These systems shift a lot of the work that would traditionally be done at a DMV to local car dealerships and Dealertrack itself. The ERT system allows dealers to take care of registration and titling from their location, with Dealertrack taking on the responsibility of validating those registrations. This means local DMVs are free to focus on other issues.

“Before this process, the dealers took the work directly to the DMV in paper bundles, and the DMV had to key in those transactions. Now we do that for them,” says Dan Cinnamon, manager of state development for Dealertrack’s Registration and Titling Solutions group. “Because we’re processing those transactions, a state like California can utilize DMV employees on other tasks.”

The ELT system similarly saves the DMV paperwork, which reduces operating costs while also providing additional fraud protection.

“One value added by ELT is that you’re taking paper vehicle titles out of circulation, which helps in fighting fraud,” says Sarah Hunsicker, manager for state government affairs for Dealertrack’s Collateral Management Services group. “Electronic titles are more difficult to tamper with or title wash. Anyone can go online and pull

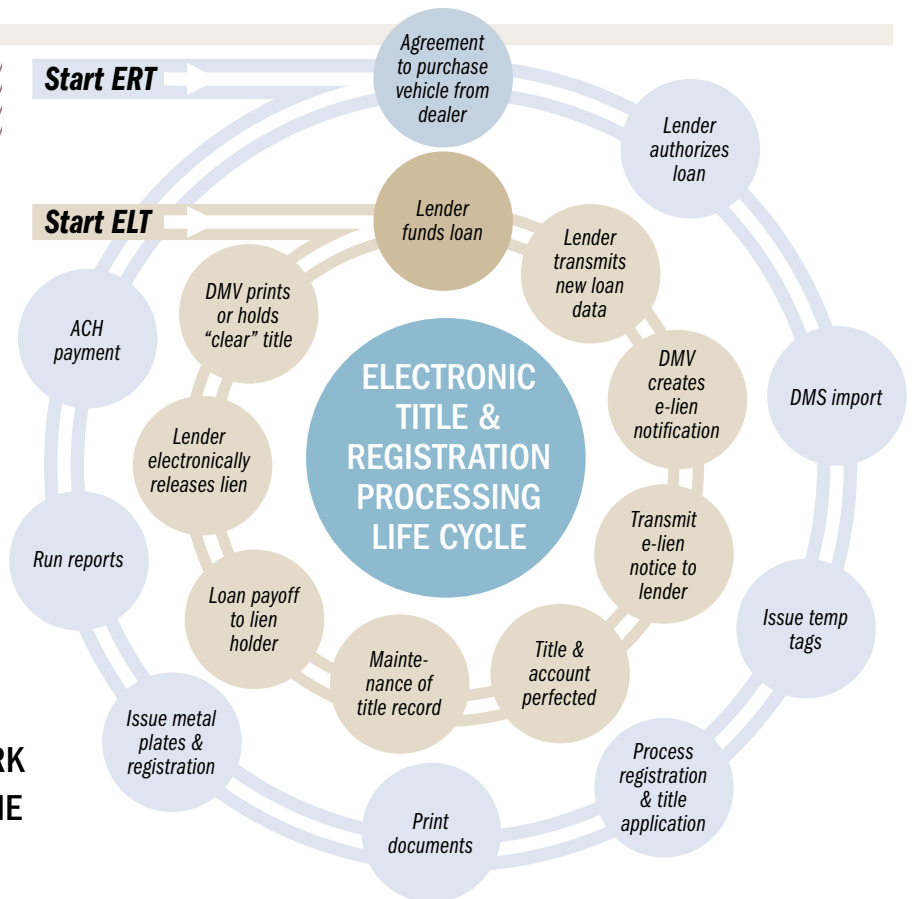
a lender’s logo and make a fictitious lien release letter so they can apply for a duplicate title and have the lien removed. ELT is a closed loop process, which stops this from happening.”

Andrew Conway, registration policy and automation branch chief for the California DMV, similarly discusses the advantages offered by using vendors like Dealertrack. “It provides a lot of efficiency because they’re performing tasks that the state normally would,” he says. “It simplifies things for the state, because we deal with [Dealertrack] and they deal with the many people out there. It allows us to have a partner that touches thousands while we don’t have to actually touch those thousands. We have 170 offices and a large HQ processing site, but through Dealertrack and our other partners we actually have thousands of sites that customers can use for

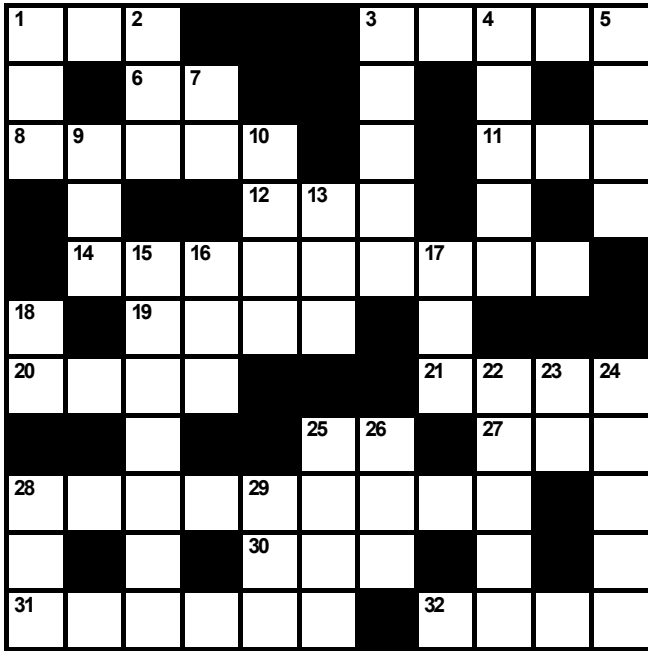
registration purposes.”

Conway also praises Dealertrack’s ability to keep abreast of new and innovative technology. “[Our partners] are typically more nimble in technology than the government, so they push the boundaries technology-wise more so than the government would be able to,” he says. “We move more slowly and rely on companies like Dealertrack to be more aggressive, while keeping the risk profile low for us. They’re also in a position to be more responsive to customer needs because they can change faster.”

And Dealertrack plans to continue making ELT and ERT systems easier to use and more efficient. “Collaboration is key and we’re always supporting the agencies’ efforts in terms of continuing to take paper out of these processes,” says Hunsicker. “The ELT and ERT are the foundation for the future of automation in this space.” **m**



CROSSWORD



Across

- 1 Laws concerning this may need to be expanded to include marijuana, abbr. 3 A key element of AAMVA's mission is making a _____ environment for drivers

- 6 Credit, for short 3 Cheat a buyer
 8 Conference or expo, e.g. 4 New AAMVA president and CEO, Anne _____
 11 Outer circle of a wheel 5 Way off the highway
 12 Took first place 7 Nurse, for short
 14 Location of AAMVA's new HQ 9 Through, on a map route
 19 Dublin's land, to residents 10 _____casts provide regular news updates for AAMVA members
 20 All AAMVA's training and guidelines exist to _____ lives 13 Security goal: _____ driver, _____ license
 21 AAMVA has created secure design principles for creating this identifier, abbr. 15 A back-up camera will soon be mandatory when using this gear
 25 _____ Wells, writer 16 Be deceptive
 27 Part of a campus email address 17 Trifle
 28 Legalization of this drug in two states has posed legal questions 18 Land of the brave and free
 30 Braking system, abbr. 22 Alternative to own
 31 Top performers (2 words) 23 Essential in security of driver's licenses
 32 Eventual goal for annual highway fatalities 24 Because of (2 words)

Down

- 1 Professional who is expert on detecting the use of drugs, abbr. 25 Wheel centers
 2 Dangerous weather condition 26 Driving need
 28 Motor Vehicle Agency, for short 29 Traffic snarl-up

CSTIMS

Commercial Skills Test Information Management System

aamva.org/cstims



Manage CDL Skills Testing for Jurisdiction and Third-Party Examiners

HELPING JURISDICTIONS comply with the final permit rule

- Schedule CDL skills tests.
- Record results of tests.
- Transfer out of state tests.
- Manage CDL audits.

WEB-BASED SYSTEM

CDL

Commercial Driver's License

TABLET
INTEGRATION
OPTIONS AVAILABLE



REDUCE FRAUD



AAMVA President and CEO Anne Ferro speaks to the AAMVA community at the 2014 Annual International Conference in Dover, Delaware.

Q & A WITH **ANNE FERRO**

INTERVIEW BY LIZA BERGER

MOVE MAGAZINE CATCHES UP WITH ANNE FERRO, THE NEW PRESIDENT AND CEO OF AAMVA, WHO IS FRESH OFF HER POST AS THE FORMER ADMINISTRATOR OF THE U.S. DEPARTMENT OF TRANSPORTATION'S FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION.

CONGRATULATIONS ON BEING NAMED THE NEW CHIEF OF AAMVA. WHAT ARE YOUR GOALS?

I took my first 30 days to listen, learn and assess what is working and how to best meet the Board's expectations. There are many things working very well, such as State to State, CDLIS modernization and commercial driver testing. Strong initiatives also are underway to reinforce one driver, one license and advance fraud detection training for our

member jurisdictions. In short, AAMVA has a strong suite of services and programs to serve our members' interests and continue the financial strength of the organization.

WHAT CHALLENGES ARE MEMBERS FACING?

Members face daily challenges and long-term opportunities: transportation funding, customer service, and meeting the governors' and state governments' expectations of lean budgeting. The past few years have been tough on

states coming out of the recession, and they continue to do more with less.

Add onto that autonomous vehicles, young drivers, aging drivers and identity protection. With the exception of 'driverless' cars, these are not new issues, but they continue to challenge the motor vehicle community. The self-driving car is a new and exciting opportunity, and one on which administrators are coming together to ensure safety.

WHAT ARE YOU MOST PROUD OF ACCOMPLISHING IN YOUR POSITION AT THE FEDERAL LEVEL?

Setting a clear framework for FMCSA to meet its safety mission. Congress has enacted a number of measures to improve commercial driver and motor vehicle safety in recent years. We set up a three-part framework in which to shape our priorities to meet federal mandates and raise accountability for safety among CMV companies and drivers. The three-part framework: raising the safety bar to enter the industry; requiring those operating trucks and buses to adhere to safety standards; removing the unsafe operators until they improve or get out of the business.

WHEN DID MOTOR VEHICLE SAFETY BECOME IMPORTANT TO YOU?

I did not come out of school—I received a bachelor's degree from St. John's College in Annapolis, Maryland—thinking I wanted to be in the transportation sector. But I learned through serving in the Peace Corps, serving in local government in Maryland, going through graduate school at the University of Maryland and working in my own community how important a sound, safe and balanced transportation system is to our quality of life. It's essential for a person to get to a job, and for kids and adults to get to school. It's at the heart of our quality of life in America and our freedom.

A

walk of life and play a role. Before my appointment to FMCSA, I was the president and CEO of the Maryland Motor Truck Association, and before that administrator of Maryland's Motor Vehicle Administration.

HAVE YOU ALWAYS WANTED TO HELP YOUR COMMUNITY?

I was probably 5, growing up in Larchmont, New York, when I first heard President Kennedy say the Peace Corps is the toughest job you'll ever love. That challenge stuck with me. For me, it's trying to make a difference. As I developed passion for transportation and safety in transportation, I've been eager to encourage others to be in the transportation field. It's a great professional field to be in, and you can come from any

TELL US ABOUT YOUR TIME IN THE PEACE CORPS, WHERE YOU SERVED IN THE COUNTRY OF COTE D'IVOIRE IN WEST AFRICA. WHAT DID YOU LEARN THERE?

As a young Peace Corps volunteer, you think you're going to save the world. Then, you learn that just influencing one person matters—my grandmother used to say "each one, teach one." Certainly I came back with a deeper appreciation for our democracy and the opportunities we in the United States have to express ourselves freely and pursue endless

opportunities. I follow the advice my grandmother gave me: Each one, teach one. Do your best to help that person right next to you.

WHAT DO YOU DO IN YOUR FREE TIME?

I spend time with my husband, Dan, and my two children, aged 24 and 22. I have several godchildren. I am trying to learn how to garden. I am also a big reader. I recently read and liked *The Kabul Beauty School* by Deborah Rodriguez and *Thinking, Fast and Slow* by Daniel Kahneman.

WHAT WOULD YOU BE DOING IF YOU WEREN'T IN THE TRANSPORTATION FIELD?

Probably trying to get into the field of transportation, now that I know how exciting and dynamic it is. **m**



AAMVA's President and CEO Anne Ferro chats with an AAMVA member during a session break at the 2014 AIC.



WE HEAR FROM DARRIN GRONDEL,
CHUCK HAYES AND COURTNEY POPP.

MARIJUANA GOES MAINSTREAM

THREE PERSPECTIVES ON THE LEGALIZATION OF MARIJUANA

Drive High: Get a DUI

DARRIN GRONDEL

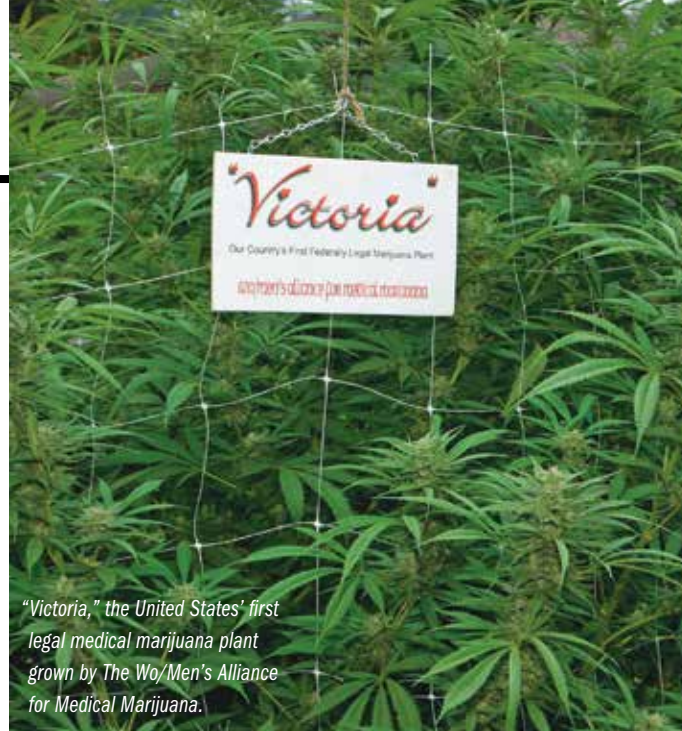
DIRECTOR, WASHINGTON TRAFFIC SAFETY COMMISSION

The Washington Traffic Safety Commission (WTSC) has had efforts underway to combat drug-impaired driving for a long time, as impaired driving is the single largest cause of fatal collisions in our state. The legalization of medical marijuana (1998) and recreational marijuana (2012) have increased the visibility of these efforts, as well as the urgency.

When it comes to drug involvement in fatal crashes, marijuana is the drug that shows up most often in toxicology blood samples. Our data comes from these blood samples and they show both active THC—reflective of impairment—and carboxy-THC, an inactive metabolite of marijuana use. There are many factors that influence the detection of THC in blood, and as such, interpretation is challenging and lacking in certainty. Between 2008 and 2012, about half of the marijuana fatality cases were just carboxy-THC (the metabolite). A blood sample with only carboxy-THC tells us that the person is a marijuana user, but it doesn't tell us if marijuana impairment was a factor in the crash. Marijuana (active THC and carboxy-THC) showed up in 12 percent of fatal crashes during this time period.

Will recreational marijuana result in increased use? Yes. Will these users drive impaired? Colorado's market research found that marijuana users do not believe that their driving is impaired and we, too, heard this in our conversations with users at Seattle's Hempfest: "I am a better driver when I am high. When I am high, I drive more cautiously, and I drive the speed limit." Research published in June 2014 by the National Institutes of Health determined that marijuana does negatively affect a person's driving ability, although not as much as alcohol. Users say they often combine the two, and the two drugs together have a synergistic effect on impairment.

Our organization, in collaboration with city, county and state law enforcement, conducts multiple highly publicized state-wide mobilizations throughout the year to intercept impaired



"Victoria," the United States' first legal medical marijuana plant grown by The Wo/Men's Alliance for Medical Marijuana.

Photo: Wo/Men's Alliance for Medical Marijuana (www.wamm.org)

drivers and increase awareness about the likelihood of getting a DUI. Funds from the sale of recreational marijuana will be used to educate the public about the potential for becoming addicted to marijuana, and there will be increased funding for addiction treatment.

Will marijuana legalization cause impaired driving deaths and serious injuries to increase? Intuitively speaking, yes, but it is too early to make any definitive conclusions. Driving is a privilege, not a right, and therefore requires the driver to make responsible decisions; smoking marijuana and driving don't mix. Like Colorado, in Washington we're telling motorists: Drive high, get a DUI.

Growing Concerns Over Marijuana-Impaired Driving

CHUCK HAYES

IMPAIRED DRIVING TRAINING PROGRAMS REGIONAL OPERATIONS
COORDINATOR, INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

With a number of states looking at easing their marijuana laws, there is a rising concern among law enforcement and highway safety officials regarding an increase in the number of drivers impaired by marijuana and its effect on highway safety.

Marijuana continues to be one of the most common drugs detected in drug-impaired drivers. A recent review of the literature on drug-impaired driving found that marijuana nearly doubles the risk of a driver being involved in a motor vehicle crash resulting in serious injury or death at certain concentrations (Ashbridge et al. 2012).

Many experts agree that marijuana slows decision-making, decreases peripheral vision and impedes multitasking—all important for safe driving. At recreational doses, effects include relaxation, euphoria, relaxed inhibitions, sense of well-being, disorientation, altered time and space perception, lack of concentration, impaired memory, drowsiness, sedation and mood changes. Stronger doses can intensify those reactions

and may cause fluctuating emotions and possible psychosis. (NHTSA Drug Driving Fact Sheets, April 2014).

To help address the concerns of drugged impaired driving, the International Association of Chiefs of Police (IACP) working in partnership with National Highway Traffic Safety Administration (NHTSA) is working to expand training to help educate and equip police officers, prosecutors and toxicologists with the tools to deter drugged driving. This education and training includes a stronger emphasis on marijuana impairment through two proven and effective drugged driving detection programs: Advanced Roadside Impaired Driving Enforcement (ARIDE) and the Drug Evaluation and Classification Program (DECP).

ARIDE bridges the gap between the basic Standardized Field Sobriety Testing (SFST) program and DECP. Not all police officers are able to go through DECP training (nine days of classroom training followed by a week of field training) to become drug recognition experts (DREs). In a 16-hour course, ARIDE provides police officers with general knowledge and impairment indicators to help identify drug impairment at roadside. The goal is to get as many officers working patrol who have the possibility of encountering a drugged driver trained in ARIDE as possible.

The DECP, also referred to as the DRE Program, continues to be the premier impaired driving program focusing on the expanded and in-depth detection of drug-impaired drivers. All 50 states plus the District of Columbia and Canada are participating in the DECP. There are currently over 7,500 police officers credentialed by the IACP as DREs in the U.S. and Canada, and there are over 1,500 DRE instructors.

In an Era of Legalized Marijuana

COURTNEY POPP

TRAFFIC SAFETY RESOURCE PROSECUTOR, WASHINGTON STATE PATROL

Voters in Washington state and Colorado ushered in the new era of legal recreational sale and use of marijuana in December 2012. Navigating the creation, regulation and taxing of a new industry is a daunting task for any government. It is particularly

A RECENT REVIEW OF THE LITERATURE ON DRUG-IMPAIRED DRIVING FOUND THAT MARIJUANA NEARLY DOUBLES THE RISK OF A DRIVER BEING INVOLVED IN A MOTOR VEHICLE CRASH RESULTING IN SERIOUS INJURY OR DEATH AT CERTAIN CONCENTRATIONS.



difficult when that industry remains illegal under federal law. As other states such as Alaska, Oregon, Hawaii, California and Maine move forward with legalizing recreational marijuana sales and use, all eyes are on the West as we begin to tackle the mounting concerns.

MYTHS AND SCIENCE OF MARIJUANA-IMPAIRED DRIVING

There is relatively little research dedicated to how marijuana impairs users and/or influences their ability to safely operate a motor vehicle. Most studies have been restricted to dosing subjects with marijuana containing roughly 1–3 percent THC. By comparison, Analytical 360, the only Washington State Liquor Control Board-certified laboratory to provide potency and safety testing of marijuana from state-licensed producers and processors, is regularly testing samples in the state between 10–25 percent THC. Clearly that disparity would have a significant impact on the real-life application of the marijuana driving studies. Despite the low-THC level of marijuana administered in the scientific studies, a recent review of the literature published in *Clinical Chemistry* found a twofold increase in the risk of being involved in a crash after the individual smoked marijuana.

HOW MUCH MARIJUANA IS TOO MUCH?

There is a persistent call to adopt “per se” level for the amount of marijuana that a person can have in his or her system at the time of driving. Washington’s Initiative 502 adopted a 5 nanogram per se level, a level also currently adopted by Montana (which has only medical marijuana to date), as well as Colorado. Although it may sound appealing to have a set level of marijuana in the blood, at or above would be impaired driving, and below would be permissible, the reality is far less clear.

Prosecutors around Washington are struggling with the 5 nanogram per se level in the courtroom. Much of this struggle can be traced to the public’s lack of knowledge about the effects of marijuana on the user, the huge increase in potency of marijuana available and consumed today versus just 5–10 years ago, and the danger associated with small amounts of marijuana being combined with alcohol and other drugs.

NEXT STEPS, SENSIBLE REGULATION AND PUBLIC SAFETY

One perhaps enviable claim for both Washington and Colorado is that with the “should marijuana be legal or illegal” issue resolved, we are free to dedicate resources and implement strategies aimed at sensible and safe regulations shaping marijuana use and distribution in our communities. Those opposing legalization in both Washington and Colorado were largely drowned out by the persistent and well-funded claims of pro-legalization groups. With that battle behind us, the next critical steps in Washington include bringing the medical marijuana industry under the same safety standards and regulations as are being applied to recreational marijuana, and ensuring that our laws adequately address the need to keep marijuana out of the hands of underage users, and discourage legal users from driving while impaired by marijuana. **m**

MUSINGS OF THE MIND



Where does your mind go when you consider the issue of drugged driving? Perhaps you:

● **Consider the research and statistics.**

Information from the National Institute on Drug Abuse (NIDA) provides sobering (no pun intended) figures: Under a 2012 survey, an estimated 10.3 million adolescents and adults reported driving under the influence

of an illicit drug in the prior year. A 2007 national roadside survey by the National Highway Traffic Safety Administration (NHTSA) indicated that “more than 16 percent of weekend, nighttime drivers tested positive for illegal, prescription or over-the-counter drugs.” Additionally, a 2009 NHTSA study found that “18 percent of fatally injured drivers tested positive for at least one illicit, prescription or over-the-counter drug,” a figure that probably underreports the connection between drugged driving and fatalities due to inconsistent performance of blood tests for drugs other than alcohol.

● **Consider the challenges and obstacles.** As

Drugged Driving Research: A White Paper, a 2011 research paper prepared for NIDA, ably describes, the current challenges are daunting and include: a lack of quick, reliable field testing technology; an inability to set reliable impairment levels that apply evenly across the spectrum of operators; the sheer number of drugs (illegal, prescription or over-the-counter) that can contribute to drugged driving; and the rising challenge presented by medical and recreational cannabis laws.

● **Consider the lives affected and lost.** I’m

sure we have all encountered real and visceral examples of drugged driving. In Iowa, prominent examples in just the last few years include a person under the influence of prescription medications who drove more than the length of a football field through a backyard before tearing straight

through a house, killing a woman sitting on her couch; a person under the influence of marijuana who flew past an oncoming stopped school bus, killing a 7-year-old girl crossing the road to board the bus; and a person under the influence of marijuana who drove through a park, hitting and dragging a 14-year-old girl 75 feet and leaving her with critical injuries. These real examples are perhaps the most compelling call to effectively curb drugged driving.

WHEREVER YOUR MIND GOES, IT SHOULD REST ASSURED THAT THE AAMVA COMMUNITY—A COMMUNITY DEDICATED TO SAFE DRIVERS, SAFE VEHICLES, SECURE IDENTITIES AND SAVING LIVES—IS A COMMUNITY WITH THE POSITION, EXPERIENCE AND CAPACITY TO HELP EFFECTIVELY ANSWER THIS CALL.

Wherever your mind goes, it should rest assured that the AAMVA community—a community dedicated to safe drivers, safe vehicles, secure identities and saving lives—is a community with the position, experience and capacity to help effectively answer this call, much as this issue’s feature article suggests. Whether through traditional means (accident reporting, data collection and sharing, research, education, enforcement and interdiction, best practices, model legislation) or evolving means (new rapid testing technologies, connected and autonomous vehicles that detect and mitigate impaired drivers or driving behavior), I have full confidence that the AAMVA community will exercise the persistence, dedication, ingenuity and collaboration needed to effectively mitigate drugged driving. It’s always my honor to address you. As always, please stay safe in all that you do. **m**

Mark Lowe
AAMVA Chair of the Board





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