

Preventing Impaired Driving

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The General Assembly convened earlier today for [its short session](#). While lawmakers' primary focus doubtless will be the state budget, the legislature may again consider ways to address the persistent problem of impaired driving. Among the bills eligible for consideration this session is [House Bill 41](#), which would amend the State's license restoration laws to prohibit anyone convicted of impaired driving from driving with any measurable alcohol concentration for three years after the person's driver's license is restored. Current law sets that threshold at 0.04 for first-time offenders. See [G.S. 20-17.8](#).

Notwithstanding the severity of the sanctions for driving while impaired, the cost of such convictions, and the myriad of collateral consequences (ranging from license revocation to vehicle seizure), the percentage of driving fatalities involving alcohol impairment in North Carolina was [higher in 2012](#) (the latest year for which [statistics are available](#)) than in any of the four previous years. The percentage of alcohol-impaired driving fatalities per vehicle miles traveled likewise increased in 2012, matching the rate from two years earlier. Robeson and Columbus Counties continue to be [among the counties with the highest rate per population](#) of fatalities in crashes involving alcohol-impaired drivers in the state.

Of course, the intractability of the impaired driving problem is not limited to our state. There was a similar uptick in alcohol-impaired driving fatalities nationwide. So what's the solution? It goes without saying that it isn't obvious or simple. There are, however, a handful of new reports that policy makers might find helpful.

- The American Probation and Parole Association has developed a [screening tool](#) called the Impaired Driving Assessment designed to identify a DWI offender's risk of engaging in future impaired driving and to help determine the most effective community supervision to reduce such risk. All DWI probationers in North Carolina are required to obtain a substance abuse assessment and the recommended education or treatment, see [G.S. 20-179](#)(f3), (g), (h), (i), (j), (k), so it isn't clear how much use of this tool would enhance rehabilitation efforts in this state. It might, however, establish a closer tie between treatment providers and probation officers, which could be valuable in ensuring that addicted offenders get help.
- A [study](#) by the Pacific Institute for Research and Evaluation (which, oddly enough, is based in Maryland) gathered data on whether 24/7 sobriety programs would work in urban areas. These programs, as implemented in various rural communities, require offenders to report twice daily to a law enforcement office for alcohol breath testing at 12-hour intervals. One of the perceived benefits of such a program (which has not been statistically verified) is that it helps to identify offenders with serious drinking or drug problems and facilitates the process of drinking cessation for some offenders. The response from urban officials was tepid. North Carolina law already permits judges to order abstinence from alcohol and continuous alcohol monitoring as a condition of probation for any level of misdemeanor DWI, see [G.S. 20-179](#)(k2), though it is unclear how often judges exercise this authority.
- Two drugs that could help thousands of alcoholics stop drinking are rarely prescribed, according to a study by UNC researchers that was published online Tuesday in the [journal of the American Medicine Association](#). The medications are naltrexone and acamprosate, and the research found both substances to be more effective than the better known medication disulfiram (Antabuse). The New York Times reports on the study, which the director of the National Institute on Alcohol Abuse and Alcoholism calls "important," [here](#).

- The National Highway Transportation Safety Administration continues to tout the benefits of ignition interlock, and recently published [this "toolkit"](#) for policymakers. [North Carolina law currently requires ignition interlock](#) as a condition of license restoration for a person convicted of DWI based on an alcohol concentration of 0.15, repeat DWI offenders, and defendants punished at Aggravated Level One.
- On a slightly different note, the New York Times [reported](#) Monday on a new initiative by New York City Mayor Bill De Blasio to eliminate traffic fatalities in the Big Apple. The Vision Zero plan is based on a program that has cut in half traffic-related deaths in Sweden. The measures aren't DWI-specific. Instead, they involve designing roads and traffic systems "that encourage safe driving practices while accommodating the inevitable human error." The means? Reduced speed limits, automated traffic enforcement, and potted plants placed in local roads. A Swedish official told the New York Times that "[y]ou should be able to make mistakes without being punished by death."