



2023 Annual Report

Colorado Task Force on Drunk and Impaired Driving



COLORADO
Department of Transportation



The Colorado Task Force on Drunk and Impaired Driving (CTFDID) Annual Report is a living document designed to inform legislators and the public on the mission, vision, and goals of the CTFDID. Recommendations are regularly updated and based on data, trends, and forecasts.

The 2023 Annual Report is following a two-year gap from the 2020 Annual Report. In 2021 and 2022, the world was dealing with dramatic impacts from the coronavirus pandemic (COVID-19). While CTFDID activities were ongoing during COVID-19, the traveling public experienced significant variations in historical driver behavior due to myriad factors, including lock downs and mental health crises. Due to the uncertainty of short-term vs long-term impacts of COVID-19 on driver behavior and to the long-term legislative and policy influence of CTFDID recommendations, the CTFDID suspended updates to this Annual Report in 2021 and 2022.

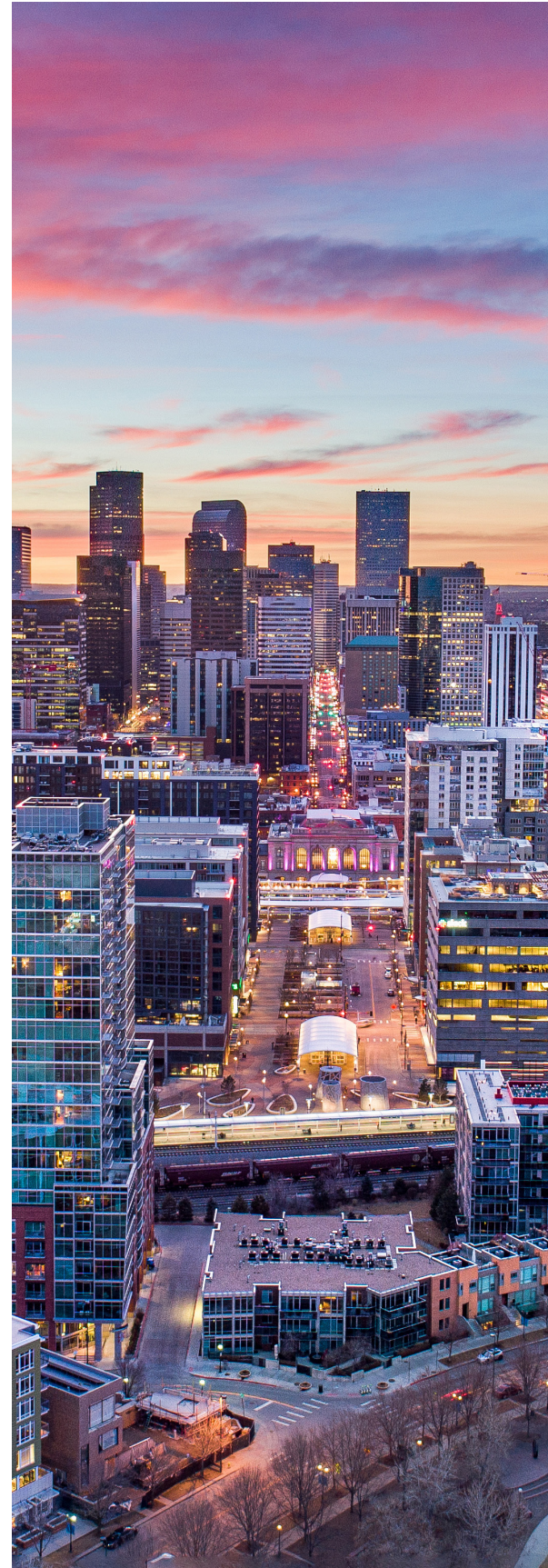


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Any and all publications, postings or reports issued by the CTFDID membership should not be construed as representing the positions or opinions of any state representative or their agencies.

Dedication of the 2023 CTFDID Annual Report



Michael “Dominic” DePalma

It started out like a normal summer day.

On July 28, 2022, Michael “Dominic” DePalma, 17, slept in, then hopped on his Xbox to play with his friends for a bit. It wasn’t long before he was out in his front yard, teasing his 10-year-old sister, while she and her friends choreographed a dance. Soon Dominic’s cousin and best friend showed up in his Mazda Miata. Since he had been visiting his grandpa in Boston for the last month, Ronan, 19, couldn’t wait to whisk Dominic away to catch up while eating tacos for lunch.

Dominic came home, showered, then began negotiations with his parents to get to go out. Thursday wasn’t a usual night for Dominic to leave. However, his mom looked at the calendar and realized that between upcoming soccer tryouts, a family trip to Florida, and a wisdom tooth extraction, Dominic had five nights of summer left. After helping him match his clothing choices to the brand new white Nikes he bought with his own money, she followed him to his car, their daily routine, and thanked him for discussing which colleges they planned to tour. She told him to be safe, and reminded him how much she loves him. He nodded, grinned, told her he loved her, and at 3:17 p.m., Dominic backed out of their driveway...for the last time.



On the soccer field, Dominic had a brilliant disposition that you just don’t see often in boys his age. He had a perfect combination of confidence and humility, grace and power. Important to the team, yet also kind and nurturing, he had an impact that guys don’t usually understand until they’re older. Dom intimidated his opponents. This year was his year to flourish.”

*- Coach Zach Hindman,
Broomfield High School*



Late that afternoon, Dominic met up with some kids who had experienced a very different day. Boulder District Attorney Bradley Turner described, "a day of drinking and doing drugs." Fatefully, Dominic accepted a ride, not fully knowing what the driver of the car he was about to enter had been up to.

His last text to his parents was at 6:06 p.m. Dominic's feet left the ground for the last time at 7:09 p.m. for a four minute drive. At 7:13 p.m., the 17-year-old driver, with 0.096 percent Blood Alcohol Content and THC in his system, ran a red light. His vehicle was struck by a FedEx semi-truck. The two teens in the front seat walked away; two passengers suffered life-threatening injuries, and Dominic did not survive.

The juvenile driver pleaded guilty to Vehicular Homicide (F3), and two counts of Vehicular Assault (F4). The juvenile was sentenced to 24 months probation and 120 days of work release. The work release sentence imposed by the Court required the individual to remain housed at a recovery residence at all times except when actively working at approved sites. Due to good behavior, only 80 days of the 120 day sentence was completed.

Boulder Valley School District (BVSD) Superintendent Dr. Rob Anderson stated in his pre-graduation email to the high school community, "The lives of everyone impacted, including the DePalma family and the driver, will never be the same — all because of a decision to drive recklessly and under the influence."

Dominic joined the BVSD community as an 8th grader at Aspen Creek K-8 School. As he became a Broomfield Eagle, he really began to spread his wings. In his first few weeks, Dominic stated, "high school is so much better than I ever imagined." The Class Clown in him didn't want people to know how naturally brilliant he was. Sitting in class or walking down the hall, Dominic had a reputation of lightly tapping a person's

shoulder until they turned around. They both laughed hysterically, and Dominic made sure to catch every moment on video. He came home from school sporting events hoarse from cheering so fiercely. He made up for missing COVID Spirit Weeks by donning outrageous costumes once these activities recommenced.

Dominic had earned a place on Broomfield High School's varsity soccer team. Here is how Broomfield Soccer Coach Zach Hindman described him:

"On the soccer field, Dominic had a brilliant disposition that you just don't see often in boys his age. He had a perfect combination of confidence and humility, grace and power. Important to the team, yet also kind and nurturing, he had an impact that guys don't usually understand until they're older. Dom intimidated his opponents. This year was his year to flourish."

Dominic's incredible impact has spread from the soccer field, infiltrating an entire community of kids, teachers, coaches, and parents. More than 17 community events, 6 corporate sponsorships, and 2 scholarships, including the Dominic DePalma Memorial Scholarship (www.doitfordominicd.com), are keeping Dominic's legacy alive.

While other parents dressed up their kids in caps and gowns, held celebrations, sent out announcements, and made senior posts on social media, Dominic's family started their mission to create a safer community for Dominic's little sister, Eleana, who is now 2 years old.

Dominic's family hopes he will always be remembered. Their friends have relentlessly continued to make sure Dominic will never be forgotten. They built memorial benches, working with the City of Broomfield to place the benches where kids will be reminded to make safe decisions before getting into cars. The DePalma front yard is now a memorial garden, where all are welcome to and remember Dominic.

With a prom deadline, the DePalmas collected enough support from family and friends to produce 2,000 bumper stickers and magnets, pinpointing the message, "Never Forget: Your DD will get you home." Dominic's handwriting is featured, as well as Dominic's drawings of himself and his home, and a QR code that leads to DoItForDominicD.com.

The DePalmas plan to expand these messages to adults throughout the community. While they realize this cannot happen in a day, week, or month, in time they hope to guide the community toward making alcohol and other substances less available and less attractive to kids under 21. They aim to emphasize the importance of adults demonstrating safe behaviors, then backing up these actions by offering fun, safe activities for their kids to do. The goal is to create communities where adults don't offer alcohol to other people's children, or allow these dangerous behaviors in their presence, succumbing to "everyone is doing it" reasoning.

Another area the DePalmas hope to tackle is making it

harder for kids to obtain alcohol illegally from grocery stores, liquor stores, and by obtaining and using fake IDs. The DePalmas aren't naive. They realize the gargantuan task at hand. But they believe all who have been impacted by impaired drivers will join their crusade.

"While viewing glaciers on a 2019 family cruise to Alaska, we entered a channel that had no exit," Tami DePalma, Dom's Mom, remembers. "The captain told us it takes quite some time to turn around a massive ship of its size in such tight waters, and encouraged us to be patient while we take in the beautiful sights around us."

Tami realizes that changing the way an entire generation thinks about alcohol and other substances will take time. But she believes our youth are worth the effort. Tami hopes that the high school years are much safer for Eleana, Dominic's sister, and other Coloradans.

How does Dominic's dad, Gino, ask that we honor Dominic's life? "Tell your kids that you love them every chance you get."

www.doitfordominicd.com



Impaired Driving by the Numbers

764

Traffic Fatalities

Total traffic fatalities in Colorado in 2022

10%

Increase in Fatalities Between 2021 and 2022

There were 691 traffic fatalities in 2021 and 764 fatalities in 2022, resulting in a 10 percent increase.

101

Cannabis Involved Fatalities

In 2022, 101 of the 764 fatalities involved a driver who tested positive for + 5ng of Delta-9 Tetrahydrocannabinol (THC).

37%

of Total Fatalities due to Impaired Drivers

In 2022, there were 286 fatalities involving suspected driver impairment.

16,810

Impaired Driving Filings

In fiscal year 2022, there were 15,711 misdemeanor impaired driving filings and 1,099 felony DUI filings.

222

Fatalities Involving a Confirmed Impaired Driver

In 2022, there were 222 fatalities involving a driver whose impairment was confirmed by toxicology report of .08 or above.

Victim Services Funding in Colorado

Victims of Drunk & Drugged Driving May Lose Crucial Services

Colorado is facing a significant cut in funds to provide support services to crime victims—including those impacted by drunk and drugged driving. Crime victim services assist victims and survivors in several ways including: initial crisis response, court accompaniment, case management, emergency financial assistance, providing resources and support to promote long-term healing, crime prevention, outreach, education, and more.

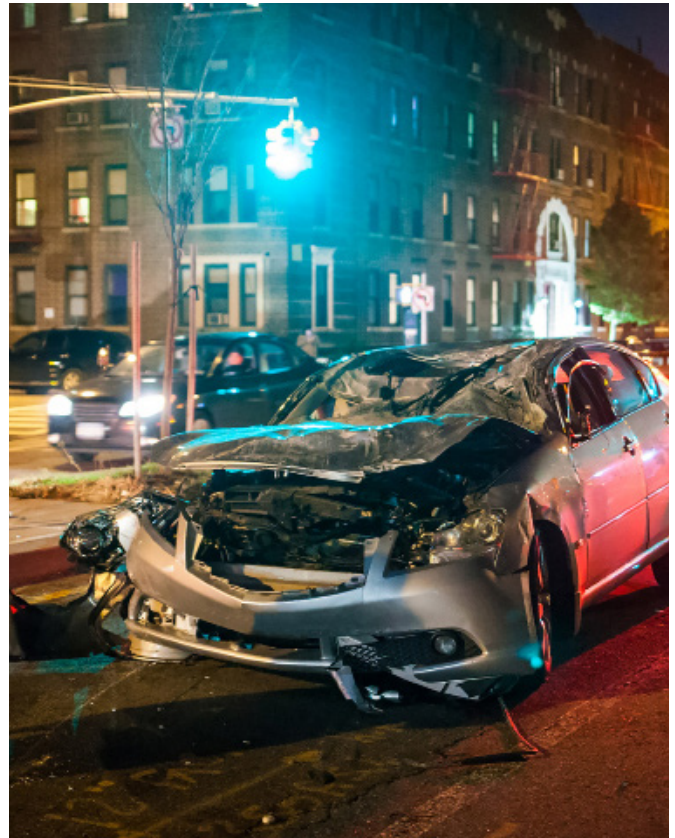
Since 2021, statewide victim service coalitions in partnership with Colorado Division of Criminal Justice (DCJ) have been raising the alarm on the enormous reduction of the federal Victims of Crime Act (VOCA) funding the State receives and which is administered by the Office of Victims Programs (OVP) within the DCJ. Over 200 victim services agencies in the state of Colorado heavily rely on VOCA funding, including Mothers Against Drunk Driving (MADD).

Crime victim funds support community-based victim service agencies, law enforcement and system-based advocacy, and statewide coalitions focused on victim services. In Colorado, 75 percent of VOCA funds are allocated to community-based advocacy programs like MADD. This cut will undoubtedly result in layoffs and significantly reduce the number of victims Colorado will have the ability to serve.

The VOCA funding stream to Colorado has steadily decreased from a high of \$56.7 million in 2018 to a low of \$18.1 million in 2021. The OVP predicts a further decrease of at least 40-50 percent for the next funding cycle. This decrease in VOCA funding results from a lack of deposits into the federal Crime Victim Fund and those funds currently cannot support the existing needs of the states.

Colorado needs consistent and reliable funding from the State to sustain current support for crime victims. Aside from the three one-time funding allocations, the State provides very little financial support for crime victims and the agencies serving them.

Many agencies are already working beyond their means to attempt to meet the growing needs of victims and survivors in their communities.



Over the last several years, agencies have been facing the difficult decision to downsize due to the lack of funding while there has been a surge in survivors seeking services and the level of services individuals need.

Included in this increase are victims and survivors of drunk and drugged driving. According to the Colorado Department of Transportation (CDOT), in 2022, the state saw more roadway deaths than in the last 41 years including 286 lives lost to the crime of impaired driving. Inconsistent and fluctuating funding hurts survivors and victim service providers alike. Additionally, as funding decreases, equity to accessing services becomes more difficult.



Creation of the Colorado Task Force on Drunk and Impaired Driving

In 2006, Colorado Senate Bill 06-192 created the Interagency Task Force on Drunk Driving (ITFDD) in response to the tragic death of Sonja Marie DeVries who was killed in 2004 by an impaired driver. The driver had been convicted of impaired driving on six previous occasions. Since its inception in 2006, the ITFDD brought together executive leaders from government and other organizations that had an interest in reducing instances of impaired driving. In 2014, the title of the Interagency Task Force on Drunk Driving was changed to the Colorado Task Force on Drunk and Impaired Driving by Colorado House Bill 14-1321.

State Statute 42-4-1306

The task force shall meet regularly to investigate methods of reducing the incidents of drunk and impaired driving and develop recommendations for the state of Colorado regarding the enhancement of government services, education, and intervention to prevent drunk and impaired driving.



Mission

The mission of the Colorado Task Force on Drunk and Impaired Driving is to support the prevention, awareness, enforcement and treatment of drunk and impaired driving in Colorado through strong partnerships with public, private and non-profit organizations.



Vision

The vision of the Colorado Task Force on Drunk and Impaired Driving is a Colorado in which key stakeholders work in partnership to achieve a fully integrated solution to the problem of impaired driving.

Accomplishments 2021 - 2023



Sustainable State Impaired Driving Enforcement

The CTFDID recommends securing sustainable funding for the Colorado Department of Transportation Highway Safety Office to fund High Visibility Impaired Driving Enforcement for local law enforcement agencies. Working with stakeholders, the CTFDID can identify possible funding alternatives or formula adjustments that protect appropriate enforcement dollars. Current funding mechanisms do not meet the actual impaired driving enforcement needs. Current resources for this funding will soon be exhausted. Without the supplemental funding, many local law enforcement agencies will have to significantly reduce impaired driving enforcement activities.

Recommended by the CTFDID in 2019 and 2020

Passed by CO General Assembly in 2023; CO HB23-1102



Study of Devices for Roadside Drug Impairment Testing

The CTFDID recommends a study to determine the viability of devices that allow law enforcement to detect the presence of drugs other than alcohol during roadside sobriety investigations.

Recommended by the CTFDID in 2019 and 2020

Passed by CO General Assembly in 2022; CO HB22-1321

2024 Key Recommendations



Primary Seat Belt Law

The CTFDID strongly advocates for a Primary Seat Belt Law. A Primary Seat Belt Law is the most effective way to directly reduce roadway injuries and fatalities. Of the 460 people who died in passenger vehicles in 2022, 226 of them, or 49 percent, were unrestrained. Of the 130 impaired drivers fatally injured in an occupant vehicle crash in 2019, 84, or 65 percent, were unrestrained. Colorado is one of only 12 states that does not allow for primary seat belt enforcement. A Colorado roadway user using a vehicle restraint system has greater chance of avoiding serious bodily injury or death if involved in a crash with a impaired driver. According to NHTSA's 2022 report on Racial Equity in Traffic Fatalities, Indigenous, Alaska Native and Black people have lower observed rates of seatbelt use and are over represented in crash data.

Several Colorado communities may carry concerns about increased law enforcement presence. As such, a recommendation related to a Primary Seat Belt Law should also include understanding public perception and actively engaging community stakeholders to educate regarding the impact of the adoption of such law.

United States Motor Vehicle Occupants Killed In Motor Vehicle Traffic Crashes

By Restraint Use And The Highest Driver Blood Alcohol Concentration (BAC) In The Crash Fatality Analysis Reporting System (FARS) 2021 Final . This is the most recent data provided by FARS concerning restrained and unrestrained data.

Restraint Use	Total Occupants Killed		BAC=.00		BAC=.01-.07		Alcohol-Impaired (BAC=.08+)	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Restrained*	15,803	100.0%	10,413	65.9%	840	5.3%	4,550	28.8%
Unrestrained	15,322	100.0%	8,411	54.9%	861	5.6%	6,018	39.3%
Unknown	3,165	100.0%	1,766	55.8%	187	5.9%	1,210	38.2%
Total	34,290	100.0%	20,590	60.0%	1,888	5.5%	11,777	34.3%

*Motorcyclists who were helmeted are counted as 'restrained'; motorcyclists who were unhelmeted are counted as 'unrestrained'. Note: The numbers shown in the various BAC columns are estimates derived from a sophisticated statistical procedure.

2024 Key Recommendations



Study a reduction of DUI BAC Threshold

The CTFDID recommends a study to examine the viability lowering the State DUI BAC threshold from 0.08 to 0.05 and adjusting impaired driving statutes accordingly



Detection Device

The CTFDID recommends ongoing work to identify the viability of device that can be used at roadside to detect presence of drugs other than alcohol.



Comprehensive Examination of Cannabis Impairment

The CTFDID encourages a thorough and comprehensive examination of the limit established in C.R.S. 42-4-1301 that 5-nanograms of Delta-9 tetrahydrocannabinol (THC) in a person's blood provides permissible inference that a person is under the influence of one or more drugs. The CTFDID is comprised of subject matter experts available to participate in the examination to determine if the limit is appropriate or necessary.

For additional suggestions made by members of the CTFDID, please see appendix A.

Statement from Colonel Matthew C. Packard, Colorado State Patrol



The Colorado State Patrol (CSP) is a dedicated member of the Colorado Task Force on Drunk and Impaired Driving (CTFDID), and, on behalf of the CSP, I want to thank all our partners who contribute their time and effort to bring awareness, enforcement and treatment to those who engage in impaired driving across our state. This task force confronts one of the most pressing hazards on our roadways as last year, impaired driving was the leading contributing factor to fatal crashes in Colorado.

Partnerships with purpose make change. At the CTFDID, we will continue to combine and leverage our resources to combat this prolific problem. The Colorado State Patrol (CSP) is always working towards reducing impaired driving through proactive enforcement, impaired driving recognition training, and public awareness and education. Just like you, we believe those killed by drunk or drugged driving are victims of poor decision-making. We know that these deaths are entirely preventable.

While the problem of impaired driving continues to evolve with increases in alcohol in combination with other legal and illegal drugs, the work of the CTFDID and its partnerships with the public, private, and non-profit entities, continues to educate new generations and unique communities to develop strategies for positive change in tackling this public health and safety threat. We may never be able to calculate the number of good choices that were made by motorists who planned for a sober ride or modified their consumption behaviors based on our membership' work. Yet, we can see the impact of proactive enforcement and lean into the value of reducing the number of threats to our citizenry.

This annual report contains a compilation of recommendations and priorities for review and potential action by the legislator and other key stakeholders. As we look ahead, the task force will continue to adapt to the new trends and impairment behaviors impacting Colorado's roadways. I look forward to the future as the CTFDID remains united in our principles and purpose. Together, we will continue to bring impaired driving prevention and awareness to the forefront of efforts statewide.

Executive Summary from CTFDID Chair



The CTFDID created in 2006 by the Colorado General Assembly, has over the years brought together partners, stakeholders, and subject matter experts with the statutory charge: “To investigate methods of reducing incidents of drunk and impaired driving and develop recommendations for the State of Colorado regarding the enhancement of government services, education, and intervention to prevent drunk and impaired driving” (C.R.S. 42-4-1306). Equally as important, members of the CTFDID are a resource to the legislature and other states to offer expertise and provide background on matters related to impaired driving. The CTFDID includes and encourages participation from a diverse coalition of partners and stakeholders — and individuals from different functions or disciplines that bring relevant perspectives and experiences to the group.

The recommendations included in this year’s CTFDID annual report are the result of many meetings, collaborations, and work groups of a diverse and dedicated community of professionals and members of the public that are seeking ways to address impaired driving.

In 2022, 764 users of Colorado roadway users died through traffic violence and did not make it to their homes, jobs, and loved ones. Of these deaths 29 percent involved a vehicle operator that had a that a blood alcohol concentration of .08 or above and 13 percent involved a vehicle operator who had 5ng or more of Delta-9 Tetrahydrocannabinol (THC) in their blood.

Impaired driving deaths are indiscriminate to age, gender, race and has long lasting impact on families, friends, and communities. Though much progress has been made in impaired driving awareness, enforcement, and treatment there are still opportunities to improve the system and make Colorado roadways safer.

Two recent legislative actions that involved CTFDID recommendations are:

- HB22-1321: The act establishes a study to investigate devices that can assess cognitive and physical impairment of motorists to detect the presence of drugs other than alcohol during roadside sobriety investigations.
- HB23-1102: The bill expands existing programs to include both alcohol and drug impaired driving and requires the transportation commission to annually allocate \$1.5 million from the state highway fund to the department for allocation to the office of transportation safety, which will then distribute the money to local governments that implement high-visibility alcohol and drug impaired driving enforcement.

I encourage you to review the report and the recommendations outlined. The CTFDID can provide information on how the recommendations were developed and prioritized.

Glenn Davis

Colorado Department of Transportation

A handwritten signature in black ink, appearing to read 'Glenn Davis', written over a white background.

CTFDID Chair

Statement from the 2023 CTFDID Co-Chair



My involvement with the Colorado Task Force on Drunk and Impaired Driving (CTFDID) has spanned over three unique careers.

First, I was involved as the Problem-Solving Court Coordinator in the 2nd Judicial District, RESTART Program, next with MADD Colorado Court Monitoring Program, and currently, I work as a Community Grant Program Manager with CDOT's Highway Safety Office, all separate programs with the same area of focus: safe roadways and eliminating impaired driving.

Since my initial involvement over eight years ago, the CTFDID has evolved to understand and to incorporate flexibility in meeting the needs of the communities and cultural awareness concerns across Colorado. Increased collaboration with various stakeholders, including but not limited to the cannabis and alcohol industries, prevention, offender education, and shared ride programs, has cultivated strong partnerships within such contrasting agencies. The shared common goal of eliminating impaired driving and increasing road safety continues to prevail over any differences the organizations may have with one another.

Nevertheless, there is still much work toward continued improvement and enhancement in the application of countermeasures, which this Task Force is dedicated to understanding and finding resolutions.

Stay Safe,

CTFDID Co-Chair

Tuesday Black

CDOT HSO Grant Program Manager

2023 Membership

CTFDID STATUTORY POSITION I

Glenn Davis, Manager

Colorado Department of Transportation,
Highway Safety Office

The executive director of the department of transportation or his or her designee who shall also convene the first meeting of the task force

CTFDID STATUTORY POSITION II

Three representatives appointed by the executive director of the department of revenue with specific qualifications:

Crystal Soderman, Traffic Records Manager

Department of Revenue, Division of Motor
Vehicles, Driver Control Section

One representative with expertise in driver's license sanctioning

Michelle Stone-Principato, Director

Department of Revenue

One representative with expertise in enforcement of the state's liquor sales laws

Chris Poirier, Deputy Director of Policy & Regulatory Affairs

Department of Revenue

One representative from the department of revenue's marijuana enforcement division

CTFDID STATUTORY POSITION III

Monica Gomez, Honorable

4th Judicial District Court

The state court administrator or his or her designee

CTFDID STATUTORY POSITION VI

Josh Downing, Lieutenant Colonel

Colorado State Patrol

The Colonel of the Colorado State Patrol or his or her designee

CTFDID STATUTORY POSITION V

Daniel Garagin, Attorney

Public Defenders

The state public defender or his or her designee

CTFDID STATUTORY POSITION VI

Two representatives appointed by the executive director of the department of human services with specific qualifications

Webster Hendricks, Persistent Drunk Driving Program Specialist

Behavioral Health Administration

One representative with expertise in substance abuse education and treatment for DUI or DWAI offenders

Bonnie Holladay, Manager

Colorado Department of Public Health
and Environment, Adolescent Substance
Use Disorder

One representative with expertise in providing minors, adolescents, and juvenile offenders with substance abuse treatment and related services

CTFDID STATUTORY POSITION VII

Sasha Cafaro, Analyst II

Office of the State Court Administrator

The director of the division of probation services or his or her designee

CTFDID STATUTORY POSITION VIII

Heather Krug, Regulatory Programs Branch Chief

Colorado Department of Public Health and
Environment, Regulatory Programs Branch
Chief

The executive director of the department of public health and environment, or his or her designee

2023 Membership

CTFDID STATUTORY POSITION IX

(IX) The following members selected by the member serving pursuant to subsection (3)(a)(I) of this section:

Greg Daly, Chief

Avon Police Department

A representative of a statewide association of chiefs of police with experience in making arrests for drunk or impaired driving

Dave Fisher, Undersheriff

Elbert County Sheriffs Office

A representative of a statewide organization of county sheriffs with experience in making arrests for drunk or impaired driving

Vacant

A victim or a family member of a victim of drunk or impaired driving

Fran Lanzer, Regional Executive Director

Colorado Mothers Against Drunk Driving

A representative of a statewide organization of victims of drunk or impaired driving

Jennifer Knudsen, Traffic Safety Resource Prosecutor

Colorado District Attorneys Council

A representative of a statewide organization of district attorneys with experience in prosecuting drunk or impaired driving offenses

Abe Hutt, Attorney at Law

Recht KornFeld PC

A representative of a statewide organization of criminal defense attorneys with experience in defending persons charged with drunk or impaired driving offenses

Paul Aylmer, President and CEO

Epicurean Catering- Colorado Restaurant Association

A representative of a statewide organization that represents persons who sell alcoholic beverages for consumption on premises

Andrew Kosterman, CEO

Peak Beverages

A representative of a statewide organization that represents persons who sell alcoholic beverages for consumption off premises

Vacant

A representative of a statewide organization that represents distributors of alcoholic beverages in Colorado

Vacant

A manufacturer of alcoholic beverages in Colorado

Vacant

A person under twenty-four years of age who is enrolled in a secondary or postsecondary school

Vacant

A representative of a statewide organization that represents alcohol and drug addiction counselors

Truman Bradley, Executive Director

Marijuana Industry Group

A representative of a statewide organization that represents persons licensed to sell retail marijuana for consumption off premises

2023 Membership

Shayna Kefalas, Program Director

Larimer Partners

A community-based representative of the substance use disorder prevention field

Sarah Woodson, Founder

The Color of Cannabis

A representative from the retail or medical marijuana industry who is an owner or manager of a retail dispensary

CTFDID STATUTORY POSITION X

Erik Bourgerie, Director

Colorado Peace Officer Standard Training (POST)

The director of the peace officers standards and training board or the director's designee

CTFDID STATUTORY POSITION XI

Allison Rosenthal, Statistical Analyst

Colorado Department of Public Safety, Division of Criminal Justice

A researcher who is appointed by a majority of the task force members and who specializes in drunk and impaired driving research



Resources

- **Colorado Task Force on Drunk and Impaired Driving (CTFDID)**

This website contains information about the CTFDID including meeting notes and past reports.

 www.codot.gov/safety/duitaskforce

- **No DUI Colorado**

The No DUI Website was developed and created by the Persistent Drunk Driver (PDD) Committee as an educational resource for the Colorado community regarding impaired driving and substance abuse behaviors.

 www.noduicolorado.org

- **Mothers Against Drunk Driving (MADD)**

The mission of MADD is to end drunk driving, support the victims of these violent crimes, help fight drugged driving, and prevent underage drinking. The website contains links to data and resources to meet this mission.

 www.madd.org

- **Statewide Traffic Records Advisory Committee (STRAC)**

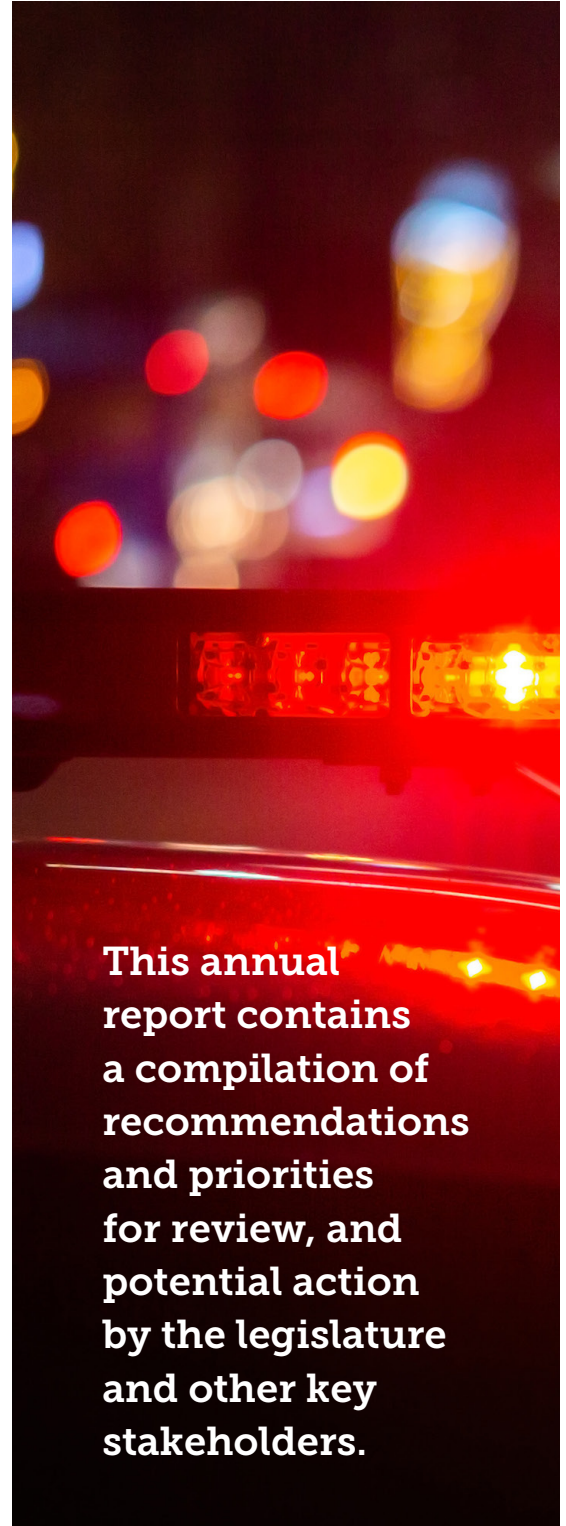
The Colorado Statewide Traffic Records Advisory Committee (STRAC) is an advisory group representing the data records interests of motor vehicle traffic and safety agencies and organizations. Within statutory constraints, the Committee recommends policies regarding the retention and dissemination of traffic records information. This website contains information about STRAC including data, reports, and meeting minutes.

 www.codot.gov/about/committees/strac

- **Colorado Judicial Branch Annual Statistical Report**

Each fiscal year, the Colorado Judicial Branch issues the Annual Statistical Report to provide information about Colorado state courts. Profiled in the reports are caseload statistics for the Supreme Court, Court of Appeals, District Court, County Court, Water Court, and Probation.

 www.courts.state.co.us/Administration/Unit.cfm?Unit=annrep



This annual report contains a compilation of recommendations and priorities for review, and potential action by the legislature and other key stakeholders.

Resources

- **Driving Under the Influence of Drugs and Alcohol: A Report Pursuant to HB 17- 1315**

As mandated by House Bill 17-1315 in Colorado, this report provides a comprehensive overview of the public safety impacts of drug-impaired driving, highlighting the drugs involved and the court outcomes of driving under the influence case filings.

🌐 www.cdpsdocs.state.co.us/ors/docs/reports/2022-DUI_HB17-1315.pdf

- **Countermeasures That Work, 11th Edition**

This 11th edition of Countermeasures That Work is a basic reference to assist State Highway Safety Offices in selecting effective, evidence-based countermeasures for traffic safety problem areas.

🌐 www.nhtsa.gov/book/countermeasures/countermeasures-that-work

- **National Highway Traffic Safety Administration (NHTSA)**

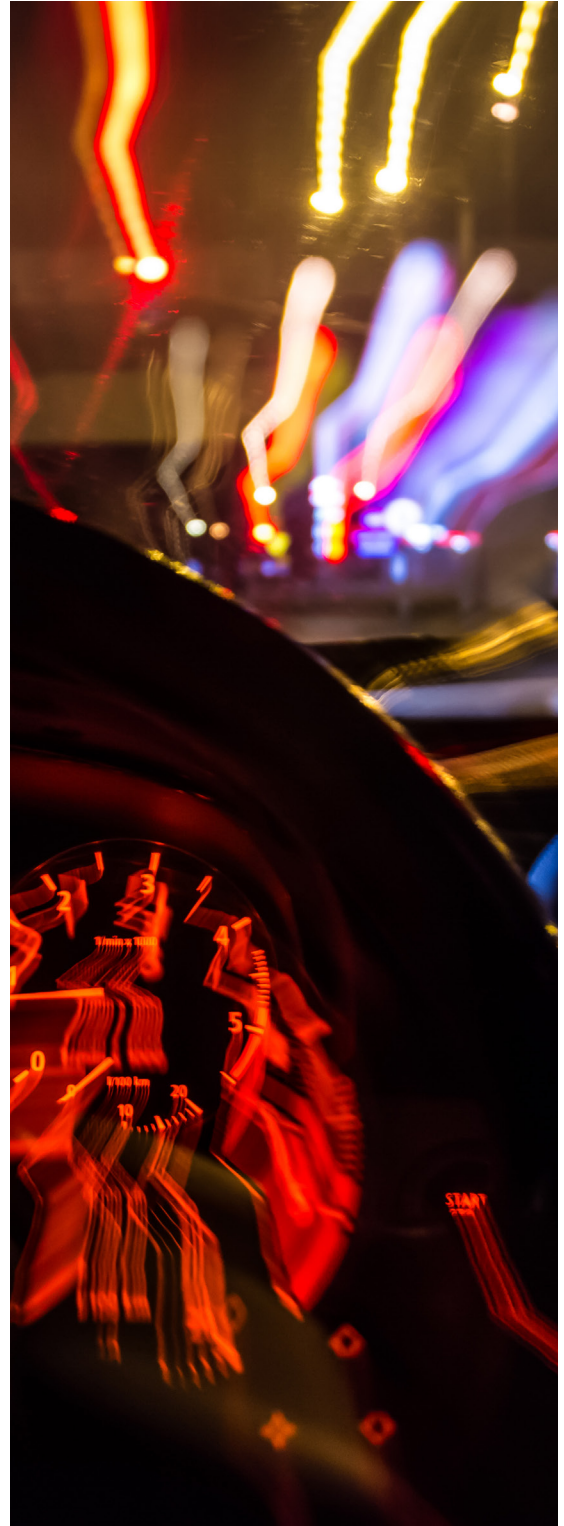
The mission of NHTSA is to save lives, prevent injuries, and reduce economic costs due to road traffic crashes, through education, research, safety standards, and enforcement. The website contains extensive information on all aspects of road.

🌐 www.nhtsa.gov

- **Colorado Motor Vehicle Problem Identification Dashboard**

The purpose of the dashboard is to provide a description of motor vehicle crashes within the state of Colorado.

🌐 www.codot.gov/safety/safetydata/colorado-problem-identification-id-reports



Executive Team Contacts

For more information on the CTFDID or this report, please contact:

**Lieutenant Colonel
Joshua Downing**

Chair
Colorado State Patrol
Region 3
joshua.downing@state.co.us

Rebecca Green

Vice Chair
MADD State Executive
Director
rebecca.green@madd.org

Katie Contos

Secretary
MADD Program
Coordinator
katie.contos@madd.org

Tuesday Black

Highway Safety Office
Liaison
Highway Safety Office
tuesday.black@state.co.us



APPENDIX A



Additional CTFDID Suggestions

Teri Vogel, Victim Survivor

We have a large and ever growing cycling community and culture here in Colorado. This, along with the astounding number of preventable motorist/bicyclist crashes and deaths in Colorado, serve as validation for the critical need of public education and safety measures.

These needs include: 1) increasing motorist awareness of bicyclists on the roadways and the laws pertaining to responsibilities of cyclists and motorists 2) improvement of bicycle and vulnerable road user safety and 3) prevention of auto/bicyclist crashes and senseless deaths on our roadways.

I propose changes to the application and renewal process for Colorado Driver Licenses. Changes that provide opportunity for improved motorist and cyclist safety, awareness, education and responsibility, with the review of new laws. All would take place in the Colorado Driver License application and renewal process.

These proposals are:

- **All new Colorado residents would be required to take a written test to receive a Colorado Driver license. Moving here from another state, new residents may not be familiar with the cycling culture, roadway bicycle safety signage or the Bicycle safety/laws of Colorado.**
- **New laws would be included on the renewal application. When residents renew or obtain their Colorado Driver License they would be required to check or initial a box, acknowledging that they have read and understand Colorado Law regarding motorist and bicyclist responsibility/safety.**

(Examples of four new laws that have gone into effect within the past four years include: Vulnerable Road User Law, The Bike Lane Law, the new 3 Feet to Pass Colorado State Law signage, and the most recent new law, the Safety Stop. This 2022 law for cyclists has been known to cause confusion even amongst cyclists, so educating the public is imperative.)

I think it's important to consider that although there has been focus on "target age groups" in the past, there

is also a huge population who have either **A) NEVER received or been exposed to such educational teaching of the laws and safe practices regarding motorists and cyclists or B) it has been YEARS since exposed to the information.**

Providing updated laws at the time of driver license application and renewal is an ideal medium and opportunity to provide critical information to Colorado residents of all age groups.

I believe that when expectations are clear, outcomes improve. Let's continue to be proactive in our efforts to keep all Colorado residents safe and prevent the senseless deaths occurring on our our roadways.

I would like to propose that a brochure be created for Colorado Car rental agencies to distribute to their customers renting vehicles in Colorado. The stimulus for this recommendation stemmed from the report of one of our Board members, who frequently rides Lookout Mountain in Golden, observing numerous car rental vehicles having a total lack of regard of the 3 feet to Pass Colorado Law when passing cyclists. It made me think..."why not create a brochure summarizing safe practices in Colorado for car rental agencies to distribute to their customers."

This brochure could be all inclusive of various important safety practices suggested while visiting Colorado. The information could include driving safety practices around cyclists and some of the specific state laws in relation to cyclists and motorcycles.



Cyclist

Watch for cyclists on the roadways

- 3 Feet to Pass-Colorado State Law
- Cyclists can legally take the lane
- Safety Stop
- Yield to cyclist in a bike lane

Teri Vogel, Victim Survivor



Motorcycles

- Watch for motorcycles on the roadways
- Motorcycles can ride two abreast in a lane
- Other specific laws needed to highlight

Cyclists and motorcycles are frequently seen along many Colorado roadways within cities and throughout the state. Many laws are specific to Colorado and may not be familiar to those visiting from other states.

Caution for the presence of wildlife on roadways and safety practices to follow regarding wildlife when encountered in National Parks, roadways and on trails and campsites is also important. Every year there are unfortunate and sometimes deadly incidents related to the behaviors of tourists who are unaware how to conduct themselves around wildlife, including wildlife vs motorist crashes .

Weather related cautionary advice is also important secondary to the quick weather changes and afternoon storms in our state. Lightning and storms during mountain hiking and outdoor recreating in general, as well as snowy and icy road conditions in winter should also be addressed. A phone number for area weather and road conditions to reference would be appropriate to share.

Optional: There could even be mention of high altitude and warning signs of altitude sickness, especially since many have traveled from lower altitudes and even sea level. General health advisories of when to seek medical attention, as well as the importance of hydration is also warranted.

Millions of tourists visit our state each year! Let's be proactive in keeping everyone safe by sharing best practices, and bringing attention to these topics. Providing valuable and pertinent roadway laws and safety information succinctly, in a brochure such as this, is just one way to address safety for everyone.

I included a couple of links I found just for ideas.

I'm sure your team will have even more resources and details. Thank you for your consideration in this proposal.



Crystal Soderman, DOR

Reduce DUI BAC Threshold



This legislation would reduce the DUI BAC per se threshold from 0.08 to 0.05 and adjust DWAI statutes accordingly.



There is a national recognition that drivers who 'feel different, drive different.' States and industry leaders across the nation are making changes like the State of Utah to further reduce the impaired driving BAC thresholds to continue working "Toward Zero Deaths." Historically in Colorado more than a 3rd of crashes involving fatalities involve impaired driving.

Exception for Interlock Requirement for Non- Alcohol DUI



This legislation would remove the interlock requirement for DUI drug/other impairment when the impairing substance is not alcohol. (Refusals still require interlock).



The department receives many complaints and questions from the public about why a non-alcohol DUI requires an ignition interlock. There is no device that has been widely approved that can test for concentrations of non-alcohol impairment. Many devices test for the presence of other substances but each substance has its own science on effect to the human body.

Remove/ Revise Marijuana DUI Permissible Inference



This legislation would eliminate and otherwise revise the "permissible inference" jury instruction statute that is often problematic when prosecuting DUI when marijuana has been consumed.



The Colorado Task Force for Drunk and Impaired Driving has long supported a change to this effect as science has proven that 5ng of Delta 9 THC as a single threshold does not match the science of marijuana impairment. Further, this permissible inference as a jury instruction alone is an elective that can be (and often is) discarded when jurors consider DUI for non-alcohol impairment. Many cases are lost / inappropriately enforced criminally / administratively with this problematic statute.

Allison Rosenthal, DPS

1. Colorado should study racial disparities in DUI enforcement from law enforcement contact to sentencing. We know that disproportionate minority contact is a visible part of the criminal justice system in Colorado as a whole, but we don't know as much about how impaired driving enforcement may be influenced by structural inequities and their possible negative impacts on traffic safety. The Colorado Department of Public Safety has begun to compile data on law enforcement contacts to better understand the demographics of individuals who are stopped and what the outcomes of those stops are. This data collection has been a significant undertaking, and it is in the interest of the task force to learn about these findings. The task force would also like to understand the dynamics at play in court case filings, convictions and sentencing outcomes, but this would require upgrades to the court record systems to better track the demographics of people involved in the justice system.

Given the interest in the past few years from the legislature in increasing the hours of sale:

2. Maintain or expand restrictions on alcohol sales to reduce harms that are associated with excessive alcohol use. Colorado restricts alcohol sales from 7am to 2am at on-premise locations and at off-premise locations from 8am-midnight. Increasing the hours of sale is associated with increased motor vehicle crashes, crime and alcohol-related injuries.

I am not sure what other community-level strategies have been proposed in the past and if we want to look at other options like increasing sales/excise taxes on alcohol, reducing alcohol outlet density, and/or dram shop liability.

Bia Campbell, Cannabis Policy Public Affairs



Funding

With the passage of HB23-1102, the General Assembly is appropriating \$1.5 million annually for high-visibility alcohol and drug impairment driving enforcement from the State Highway Fund to the Office of Transportation Safety. This meets CTFDID's recommendations from prior years and ensures sustainable funding for the Colorado Department of Transportation. The CTFDID recommends the General Assembly also seek funding alternatives to increase this yearly appropriation so that CDOT can disperse funds to local law enforcement agencies for training and equipment to recognize impairment, including purchasing technology proven to be effective at measuring impairment in drivers.



Pilot Program

The CTFDID recommends the General Assembly leverage the report mandated by HB22-1321 and CDOT's ongoing work to identify DUID detection devices to create a pilot program to continue analyzing the viability of devices that allow law enforcement to detect the presence of drugs other than alcohol during roadside sobriety investigations.



Definition of cannabis impairment

Unlike alcohol, the presence of THC in blood, urine, and saliva does not directly correlate with impairment, and there is no scientific standard or consensus for establishing a THC level that results in impairment. As such, the CTFDID encourages the General Assembly to conduct a comprehensive examination of the permissible inference level (5 ng/mL THC) established in C.R.S. 42-4-1301.

Ed Wood, Victim Survivor

The task force has two long-standing recommendations that have not gained any traction since first issued as early as 2019. With knowledge we now have, I suggest that it is time to upgrade the recommendations to the following:

Revise 5 ng/mL tetrahydrocannabinol permissible inference

There is no scientific basis for a 5 ng/mL tetrahydrocannabinol (THC) permissible inference. Although the current permissible inference legal structure appears to achieve its goal of preventing conviction based solely on laboratory evidence, the 5 ng/mL THC level prohibits most convictions for DUI below that level despite nearly all defendants below that level having been proven to be legally impaired. Consequently the vast majority of THC only convictions are for DWAI (impairment), not for DUI (under the influence). CTFDID recommends revising the 5 ng/mL THC permissible inference statute and upgrading the felony statute level for DWAI vehicular homicide and DWAI vehicular assault.

Authorize both preliminary and evidentiary oral fluid testing to enforce the DUI/DWAI law

The US DOT has now authorized oral fluid testing for commercial drivers, following the lead of states that already use oral fluid testing for either preliminary roadside screening, evidentiary testing, or both. Preliminary screening, whether it be a roadside "Breathalyzer" or a roadside non-quantitative oral fluid test is not intended to be admissible to prove impairment, but rather to prove probable cause to require evidentiary testing with either breath, blood or oral fluid. Urine testing for DUI/DWAI enforcement is no longer done in Colorado, nor should it be. It should be removed from statute.

Study devices for drug impairment testing

A wide variety of devices are becoming available to assist law enforcement officers in determining if a driver is impaired by drugs. These device test for drug impairment, not simply drug presence or drug levels. Colorado should evaluate these devices in a scientifically valid manner to determine which, if any of these devices are suitable for adoption.

